

## REPORT OF THE SPEAKERS

Speakers' Report 03-A-24

Subject: Updated Parliamentary Authority

Presented by: Lisa Bohman Egbert, MD, Speaker, and John H. Armstrong, MD, Vice Speaker

Referred to: Reference Committee on Amendments to Constitution and Bylaws

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1 Recently, the American Institute of Parliamentarians Standard Code of Parliamentary Procedure,  
2 was updated and is now referenced as AIPSC (2<sup>nd</sup> ed.), with changes taking effect in January of  
3 2024. AMA Bylaw 11.1, Parliamentary Procedures, last amended in 2015, states that “In the  
4 absence of any provisions to the contrary in the Constitution and these Bylaws, all general  
5 meetings of the AMA and all meetings of the House of Delegates, of the Board of Trustees, of  
6 Sections and of councils and committees shall be governed by the parliamentary rules and usages  
7 contained in the then current edition of The American Institute of Parliamentarians Standard Code  
8 of Parliamentary Procedure.”

9  
10 When the AMA House of Delegates (HOD) adopted AIPSC as its parliamentary authority in 2015,  
11 there were only minor differences between it and AMA’s past parliamentary practices and  
12 traditions as embodied in the *HOD Reference Manual*. These were discussed in detail in Speakers  
13 Report 1-A-16, which was adopted by the HOD. Adoption allowed the HOD to retain some  
14 historical parliamentary practices and traditions, including requiring debate on both sides prior to  
15 closing debate on a subject, separate motions of refer for report and refer for decision (AIPSC uses  
16 a single motion of refer), the motion to table, and AMA’s historical practice of considering all  
17 matters acted upon at a meeting to be final, meaning that items from one meeting are not subject to  
18 a motion to recall from committees, a motion to reconsider or any other motion at a subsequent  
19 meeting. Adoption also created the motion to Object to Consideration requiring a 3/4 majority vote.  
20 Specific AMA bylaws focusing on withdrawal of resolutions, also remained in place: 2.11.3.1.5  
21 allows a sponsor to withdraw a resolution at any time prior to its acceptance as business by the  
22 HOD, and 2.13.1.7.4, which provides that if, in the judgment of the sponsor and of the reference  
23 committee, it appears that withdrawal is preferable to presentation for action, the reference  
24 committee may recommend withdrawal to the HOD in its report, with the Proceedings noting only  
25 that the resolution was withdrawn. Adoption of Speakers Report 1-A-16 also led to subsequently  
26 amended and adopted bylaws related to late and emergency resolutions.

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28 The Speakers, in concert with the Council on Constitution and Bylaws, have reviewed the AIPSC  
29 (2<sup>nd</sup> ed.) and compared the rules therein to usual practice in the House of Delegates and in the  
30 *House of Delegates Reference Manual: Procedures, Policies and Practices*. The *HOD Reference*  
31 *Manual* delineates the HOD’s Standing Rules, and is presented in a Rules Report that is adopted  
32 by the HOD at each meeting by majority vote, with the Rules Report stating that the *HOD*  
33 *Reference Manual* shall be the official method of procedure in handling and conducting the  
34 business of the AMA House of Delegates. [The AIPSC (2<sup>nd</sup> ed.) is available for purchase on  
35 Amazon in Kindle and print versions.]

1 AIPSC (2<sup>nd</sup> ed.) identified the following as among the substantive changes:  
2

- 3 • Replacing the concept of restricted debate with a requirement that debate be germane to the  
4 motion at hand. (No change required as this is current AMA practice. Note, this would also  
5 be inclusive of motions to refer, reconsider and postpone debate.);  
6
- 7 • Making Close Debate and Vote Immediately amendable as to the motions to which it  
8 applies. **(Rather than making the motion amendable, your Speakers have elected to  
9 continue our current AMA practice in which the maker of the motion may specify to  
10 which items they wish to apply the motion with the caveat that both sides must have  
11 been heard on each item);**  
12
- 13 • Removing the debatability of motions that limit debate. **(The motions Object to  
14 Consideration\* and Limit or Extend Debate will no longer be debatable);**  
15  
*\*The motion Object to Consideration requires a 3/4 vote and is unique to the AMA. This was adopted  
16 by the HOD at A-16. However, as it limits debate, it will no longer be debatable.*  
17  
18
- 19 • Removing the concept of a substitute amendment. (No change required as current AMA  
20 practice treats substitute amendments as motions to adopt in lieu of);  
21
- 22 • Establishing that after debate has been closed, Factual Inquiries are not permitted, although  
23 a Parliamentary Inquiry may be. **(This rule will be implemented);**  
24
- 25 • Clarifying the methodology and motions used to create a continued meeting. (No change  
26 required as AMA items of business are not held over for future meeting);  
27
- 28 • Some Main Motions have been retitled as Specific-Purpose Main Motions. (Retitled  
29 appropriately on the HOD Reference Manual's Parliamentary Quick Tips Chart, which is  
30 appended to this report);  
31
- 32 • Special Orders were renamed Scheduled Orders. (Not applicable);  
33
- 34 • Standing Rules are now designated as "Standing Rules of Order" or "Temporary Rules.  
35 **(The House of Delegates Reference Manual constitutes our Standing Rules of Order.  
36 These are highlighted in the Rules Report along with any Temporary Rules for that  
37 meeting.);**  
38
- 39 • Clarifying rules related to the Credentials Committees, whereby the initial Credentials  
40 Committee lists the names of members entitled to vote. (Not applicable as the current  
41 AMA practice is to identify credentialed delegates in "The Official Call" with the  
42 Committee on Rules and Credentials reporting each day only the number of credentialed  
43 delegates in attendance and whether a quorum has been met. The HOD Proceedings reflect  
44 the final listing of members of the HOD.)  
45

46 The nuances of these changes are addressed in the *HOD Reference Manual* and incorporated into  
47 the "Parliamentary Quick Tips" chart that appears as an appendix in the HOD Reference Manual  
48 and which is attached to this report also. The Rules Report, to be presented at A-24, will once again  
49 ask the HOD to adopt the *HOD Reference Manual* as the official method of procedure in handling  
50 and conducting the business of the AMA House of Delegates.

1 There also are several other changes that require additional action: AIPSC (2<sup>nd</sup> ed.) establishes  
2 electronic notice (of a meeting) as the default notification and there are several bylaw provisions  
3 (2.12.2, 2.12.3.1, 5.2.4, 5.2.4.1 and 12.3) that specify notification by mail or in writing. The  
4 Council has submitted amended bylaw language via CCB Report 4-A-24, AMA Bylaw  
5 Amendments Pursuant to AIPSC (2<sup>nd</sup> ed.).

#### RELEVANT AMA BYLAWS

2.12.2 Special Meetings of the House of Delegates. Special Meetings of the House of Delegates shall be called by the Speaker on written or electronic request by one third of the members of the House of Delegates, or on request of a majority of the Board of Trustees. When a special meeting is called, the Executive Vice President of the AMA shall mail a notice to the last known address of each member of the House of Delegates at least 20 days before the special meeting is to be held. The notice shall specify the time and place of meeting and the purpose for which it is called, and the House of Delegates shall consider no business except that for which the meeting is called.

2.12.3.1 Invitation from Constituent Association. A constituent association desiring a meeting within its borders shall submit an invitation in writing, together with significant data, to the Board of Trustees. The dates and the city selected may be changed by action of the Board of Trustees at any time, but not later than 60 days prior to the dates selected for that meeting.

5.2.4 Notice of Meeting. Notice is given if delivered in person, by telephone, mail, or any means of electronic communication approved by the Board of Trustees. Notice shall be deemed to be received upon delivery to the Trustee's contact information then appearing on the records of the AMA.

5.2.4.1 Waiver of Notice. Notice of any meeting need not be given if waived in writing before, during or after such meeting. Attendance at any meeting shall constitute a waiver of notice of such meeting, except where such attendance is for the express purpose of objecting to the transacting of any business because of a question as to the legality of the calling or convening of the meeting.

12.3 Articles of Incorporation. The Articles of Incorporation of the AMA may be amended at any regular or special meeting of the House of Delegates by the approval of two-thirds of the voting members of the House of Delegates registered at the meeting, provided that the Board of Trustees shall have approved the amendment and submitted it in writing to each member of the House of Delegates at least 5 days, but not more than 60 days, prior to the meeting of the House of Delegates at which the amendment is to be considered.

**Procedures**

Types of motions are listed in order of precedence from highest to lowest. A second motion cannot be accepted unless it has a higher precedence than the motion already before the group.

			May Interrupt Speaker?	Requires a Second?	Is motion debatable?	May be Amended?	Vote Needed?	
<b>Type of Motion</b>	<b>Privileged</b>	Adjourn the meeting	No	Yes	No	Yes	Majority	
		Recess the meeting	No	Yes	No	Yes	Majority	
		Question of privilege <sup>1</sup>	Yes	No	No	No	None	
	<b>Subsidiary</b>	Object to consideration <sup>2</sup>	No	Yes	No	No	Three-fourths	
		Table**	No	Yes	No	No	Two-thirds	
		Close debate and vote immediately	No	Yes	No	No	Two-thirds	
		Limit or extend debate	No	Yes	No	Yes	Two-thirds	
		Postpone to a certain time	No	Yes	Yes	Yes	Majority	
		Referred for decision <sup>3</sup>	No	Yes	Yes	Yes	Majority	
		Referred for report	No	Yes	Yes	Yes	Majority	
		Amend	No	Yes	Yes	Yes	Majority	
	<b>Main</b>	a. The main motion (introduce)	No	Yes	Yes	Yes	Majority	
		b. Specific-purpose main motions:						
		Adopt in lieu of	No	Yes	Yes	Yes	***	
		Reconsider	Yes*	Yes	Yes	No	Majority	
	<b>Incidental</b>	<b>Motions</b>						
		Appeal a decision by the Speaker	Yes	Yes	Yes	No	Majority	
		Suspend the Rules	No	Yes	No	No	Two-thirds	
		<b>Requests</b>						
		Point of order <sup>4</sup>	Yes	No	No	No	None	
		Inquiries <sup>5</sup>	Yes	No	No	No	None	
Division of question		No	No	No	No	None		
Division of House		Yes	No	No	No	None		

**Definitions:**

- <sup>1</sup> Question of privilege: Raising a question of privilege allows a single member to request immediate action affecting safety, health, security, comfort, or integrity, including the rights and privileges of a member or members or of the HOD generally.
- <sup>2</sup> Object to consideration: Per HOD action at A-16, this motion is unique to the AMA and is used when a delegate objects to HOD consideration of an item. It cannot interrupt a speaker, requires a second, cannot be amended and takes precedence over all subsidiary motions and cannot be renewed. It requires a ¾ vote. However, per AIPSC (2<sup>nd</sup> ed.) as it limits debate, it will no longer be debatable.
- <sup>3</sup> Refer for decision: Per HOD action at A-16, this motion is used when a delegate wants the Board to determine the appropriate course of action and proceed, and report back on its decision and the action taken. It is one step higher in precedence than the Motion to Refer.
- <sup>4</sup> Point of order: A point of order calls to the attention of the Speaker and the HOD an alleged violation of the rules, an omission, a mistake, or an error in procedure and secures a ruling on the question raised.
- <sup>5</sup> Inquiries: An inquiry allows a member (1) to ask the Speaker a question relating to procedure in connection with the pending motion or with a motion the delegate may wish to bring immediately before the HOD (Parliamentary Inquiry); or (2) to request substantive information or facts about the pending motion or for information on the meaning or effect of the pending question from the Speaker or a delegate (Factual Inquiry)

\* May interrupt the proceedings but not another speaker

\*\* In order only after item is referred to reference committee and until the House takes final action on the item

\*\*\*Same vote as required for original item. For example, if the motion related to a bylaw change that required a two-thirds vote, the motion to adopt in lieu of would require the same.