

MEDCHI, THE MARYLAND STATE MEDICAL SOCIETY
HOUSE OF DELEGATES

Bylaws Council Report 1-18

INTRODUCED BY: Bylaws Council

SUBJECT: Elections to Fill Vacancies

At its meeting on Wednesday, August 9, 2017, the Bylaws Council reviewed the issue of the filling of vacancies when an officer, trustee, or AMA delegate resigns in the middle of a term. The review was prompted by questions raised after AMA delegates resigned after being elected to other positions, either at MedChi or with the AMA. Bylaws currently provide that an elected position be filled at the next meeting after the vacancy arises and after notice has been provided to the components and to the MedChi House of Delegates. Where an AMA alternate delegate has resigned and an AMA House of Delegates meeting will occur before the MedChi election can be held, the Board of Trustees of MedChi is to select a MedChi member to serve in the interim.

After discussion, the Bylaws Council concluded that association democracy and member control would be served best by having the House fill the vacancy immediately after it arises following a candidates' forum being held. If no qualified candidate is nominated and elected, the Board of Trustees shall fill the position. Accordingly, the following Bylaws amendments are proposed:

8.302 Election To Fill Vacancy. (a) Unless otherwise provided for in these Bylaws, a vacancy in any office or position which is elected by the House of Delegates shall be filled for the unexpired term by an election at the next meeting of the House of Delegates after the vacancy occurs. Component societies shall be notified of the vacancy at the time it occurs. The House of Delegates shall be notified of the vacancy at least 10 days in advance of the next meeting of the House of Delegates.

(b) (1) HOWEVER, IF A VACANCY IS CREATED BY AN INCUMBENT BEING ELECTED AT A MEETING OF THE HOUSE OF DELEGATES TO ANOTHER POSITION, THEN AN ELECTION TO FILL THAT VACANCY SHALL BE HELD AT THAT MEETING.

(2) THE SPEAKER OF THE HOUSE SHALL ADVISE THE HOUSE IF, IN ANY ELECTION, A CANDIDATE'S ELECTION WOULD CREATE A VACANCY REQUIRING ANOTHER ELECTION. THE HOUSE SHALL BE ADVISED AT THE SAME TIME THE CANDIDATE'S CANDIDACY IS MADE KNOWN TO IT.

(3) IF NO QUALIFIED CANDIDATE IS NOMINATED AND ELECTED BY THE HOUSE AT THAT MEETING, THE BOARD OF TRUSTEES SHALL FILL THE POSITION UNTIL THE NEXT HOUSE MEETING AS PROVIDED BY 8.302(A) UNLESS OTHERWISE PROVIDED FOR IN THESE BYLAWS.

RULE 8.4 CANDIDATES' FORUM

(A) A candidates' forum will be held in the event of a contested election(s) exclusively for candidates in that election(s). **THIS INCLUDES ELECTIONS HELD UNDER BYLAW 8.302(B) TO FILL VACANCIES CREATED BY THE RESULTS OF A PREVIOUS ELECTION.**

(B) Procedure

1. Each candidate in a contested election will have a maximum of five minutes to make a presentation.
 2. Delegates and alternates will have an opportunity to present written questions to the moderator.
 3. The moderator is charged with assuring that all candidates will have an equal opportunity to answer all questions. The moderator is empowered to set such time limits on the answers as appropriate to give all candidates time to give an answer.
 4. Additional questions may be raised from the floor.
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As adopted by the House of Delegates at its meeting on April 29, 2018.