

## Emergency Medical Services Advisory Council

# BYLAWS

### Article I. Authority

The Emergency Medical Services Advisory Council is established pursuant to § 23-46-02 of the *North Dakota Century Code*.

### Article II. Advisory Council Responsibilities

The purpose of the Emergency Medical Services Advisory Council is to advise the Department of Health on the plan for integrated emergency medical services in the state, development of emergency medical services funding areas, development of the emergency medical services funding areas application process and budget criteria, and other issues relating to emergency medical services as determined by the state health officer.

### Article III. Membership

1. Pursuant to § 23-46-02 of the *North Dakota Century Code*, the Emergency Medical Services Advisory Council must include at least three representatives appointed by an emergency medical services organization, one individual to represent basic life support and one individual to represent advanced life support, both appointed by the state health officer, and other members designated by the state health officer, not to exceed a total of fourteen members. An individual may serve as a member of the Advisory Council for no longer than four (4) consecutive years, after which he or she must relinquish the membership for a minimum of one (1) year before being eligible for re-appointment.

2. In order to avoid the untoward effects of all board members relinquishing membership at the same time four (4) years post adoption of these bylaws, current board members having served less than four years may serve an additional four (4) consecutive years (the full-term limit) and current board members having served greater than or equal to four (4) consecutive years may serve an additional two (2) consecutive years. Upon completion of this temporary term limit adjustment, board members will be subject to the term limitations established in Article III, Section 1.

**Section A. Voting** Each member will have one (1) vote. Proxy votes are not permitted.

#### Section B. Attendance

Members who are unable to attend a meeting of the Advisory Council, a committee or subcommittee will notify the respective Chair of the Advisory Council or Division of Emergency Medical Systems (DEMS). The respective Chair will determine whether the absence is excused, based upon the reasons indicated by the member. The Chair will note members with two (2) consecutive un-excused absences of regular meetings of the Advisory Council,

committee or subcommittee and notify the organization the individual represents, where applicable.

### **Section C. Member Information**

Advisory Council members are entitled to reimbursement for expenses in the manner provided in section 44-08-04. Each member is responsible for maintaining current contact information with the DEMS. Annually, each member will receive a copy of the Advisory Council roster from DEMS and any corrections/changes thereto.

### **Section D. Fiscal Year Definition**

The fiscal year of the Advisory Council will begin on July 1 and end June 30 the following calendar year.

## **Article IV. Officers**

The officers will be a Chair and Vice-Chair. Any member is eligible to be an officer.

### **Section A. Duties of the Chair**

1. The Chair will preside over all Advisory Council meetings.
2. The Chair will preserve order and regulate debate according to parliamentary procedure.
3. The Chair will establish subcommittees necessary to perform the work of the Advisory Council.
4. The Chair will be an ex-officio member of all committees and subcommittees.
5. The Chair will interact with outside agencies or entities on behalf of the Advisory Council.
6. In the absence of the chair and vice chair, an Advisory Council member selected by the Advisory Council members present shall discharge all the duties of the Chair.

### **Section B. Duties of the Vice-Chair**

1. The Vice-Chair, in the absence of the Chair, will discharge all of the duties of the Chair.
2. The Vice-Chair, upon direction of the Chair, will serve as liaison to outside agencies or entities and perform other duties as assigned by the Chair.

## **Section C. Elections and Term of Office**

Election of Officers will occur at the last regular meeting of each calendar year. Officers begin their terms after the meeting at which they are elected. Officers shall hold office for a term of one year or until their successors are elected. An officer may hold the same office for no longer than two consecutive terms.

## **Article V. DEMS**

The DEMS will provide staff support to the Advisory Council in the performance of its duties, which will include but is not limited to:

1. Recording and publishing the official minutes of all Advisory Council meetings.
2. Maintaining the rosters of the Advisory Council and subcommittees.
3. Posting notices of all scheduled meetings of the Advisory Council on the Secretary of State website and other appropriate sites.

## **Article VI. Meetings**

### **Section A. Meetings**

1. The Advisory Council will meet in public session as frequently as required to perform its duties, but not less than one time per year. A special meeting may be convened at the request of the Advisory Council Chair, DEMS Director, EPR Section Chief, State Health Officer, or by one-third (1/3) of the members.
2. Written notice will be given for all meetings of the Advisory Council. For all regularly scheduled meetings, at least ten (10) days' notice is required.
3. A majority (one-half plus one) of the members of the Advisory Council will constitute a quorum. A quorum is required to take any formal action.
4. A majority vote will be required to take formal action. Such majority is determined by the number of members present and voting at the time of the vote.
5. With permission of the Chair, non-council members may address the Advisory Council.

### **Section B. Minutes of Meetings**

The DEMS will be responsible for maintaining an official copy of the approved Advisory Council minutes. Their representative shall be designated the Recording Secretary. The Chair of each subcommittee is responsible for maintaining an official copy of the approved minutes of their respective meetings.

## **Section C. Attendance**

The DEMS will record the attendance of all members at each Advisory Council meeting. The Chair of each subcommittee is responsible for recording attendance at their respective meetings.

## **Article VII. Subcommittees**

### **Section A. General Subcommittee Responsibilities**

The Advisory Council Chair may appoint subcommittees to accomplish specific designated functions. All subcommittees shall meet as necessary to perform the duties and responsibilities of the subcommittee.

### **Section B. Ad Hoc Subcommittees**

#### **1. Nominating Subcommittee**

The Nominating Committee shall present a slate of nominations to the Advisory Council prior to the election.

#### **2. Bylaws Subcommittee**

The Bylaws subcommittee shall be responsible for review of the Bylaws and considering amendments to the Bylaws.

### **Section E. Subcommittee Management**

The Chair of each subcommittee will be elected from the membership of the Advisory Council. The members of the subcommittees may be appointed from among the Advisory Council members or from other qualified citizens of the State of North Dakota.

1. The Chair of each subcommittee will appoint the membership of the subcommittee. Consideration shall be given to diverse geographic representation from the entire state, to inclusion of the system's stakeholders, and to the continuity of the subcommittee. Alternates are not permitted.
2. The subcommittee Chair is responsible for maintaining minutes and an attendance roster for each meeting and forwarding them to the DEMS following the meeting.
3. In general, all issues brought before the Advisory Council may be referred to an appropriate subcommittee for review and recommendation before the Advisory Council acts.
4. The Chair of each subcommittee will report the subcommittee's activities to the Advisory Council.

**Article VIII. Parliamentary Procedure**

All meetings of the Advisory Council and its associated subcommittees shall be conducted in accordance with the latest edition of Roberts Rules of Order. The Chair may appoint a parliamentarian.

**Article IX. Amendment of Bylaws**

Any proposed change to the existing bylaws shall be submitted in writing to the Advisory Council members at least ten (10) days prior to a scheduled meeting. The proposed change(s) and substantiation will be reviewed during the next scheduled meeting. The minutes of that meeting will include the proposed change(s) and any pertinent discussion information. The vote to effect the change can then be taken at the next scheduled meeting. A two-thirds majority vote of all members is needed to pass the proposed amendment.

**Article X. Agenda**

An agenda will be published by the DEMS and provided to the Advisory Council members for all Advisory Council meetings.

**Article XI. Conflict of Interest**

All members of the Advisory Council and its subcommittees are required to adhere to the laws of the State of North Dakota regarding conflicts of interest.

**Article XII. North Dakota Open Meetings Statute**

All members of the Advisory Council and its subcommittees are required to adhere to the laws of the State of North Dakota regarding Open Meetings that are detailed in § 44-04-19 et seq. of the *North Dakota Century Code*.

**Article XIII. North Dakota Open Records Statute**

All members of the Advisory Council and its subcommittees are required to adhere to the laws of the State of North Dakota regarding Open Records that are detailed in § 44-04-18 et seq. of the *North Dakota Century Code*.

These bylaws shall become effective on 07/01/2021

Approved by the Advisory Council 01/21/2021  
DATE