

Leading the Profession

**SERVING ON A
TEXAS DENTAL ASSOCIATION
REFERENCE COMMITTEE**

A Manual for
Reference Committee Members and Chairs

Revised April 2016 (Updated May 2017)

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INTRODUCTION

Each council and committee of the Texas Dental Association (TDA) submits one or more reports to the Board of Directors during the course of the year. These reports, along with resolutions recommended by the councils and committees, are considered by the Board of Directors. These resolutions, along with additional resolutions generated by the Board and Component Societies, are subsequently submitted to the TDA House of Delegates for consideration at the Annual Session of the TDA. These resolutions, the reports of the councils and committees and any new resolutions submitted by delegates at the opening session of the House as new business are what make up the business of the House of Delegates.

The work of hearing, investigating and making informed recommendations on all reports and resolutions is simply too vast an undertaking for the House of Delegates as a whole. The sheer volume of material that is contained in these reports and resolutions make it an impossible task for the House to consider without the use of Reference Committees. Dividing the work among several small Reference Committees provides the opportunity not only for the work to be accomplished more efficiently, but also for the delegates and members-at-large to present their views on the various items of business under consideration. By using Reference Committees, the House is able to conduct an enormous amount of business with a greater understanding of the issues.

The Reference Committees are committees of the House of Delegates and consist of five (5) members of the House of Delegates (Delegates and/or Alternates) appointed by the Speaker of the House in consultation with the President and members of the Board of Directors. Every effort is to be made to ensure that each Reference Committee be comprised of at least one member from each of the four divisions of the TDA (Ref. Resolution 122-2016-H).

The Reference Committees' task is to review the resolutions and reports which have been assigned to them, to hear testimony on them, and to make recommendations to the House of Delegates. Traditionally, the Reference Committees used by the TDA include:

A. ADMINISTRATION, BUDGET, BUILDING, HOUSE OF DELEGATES AND MEMBERSHIP

This Committee will consider the annual budget for the ensuing fiscal year, reports and resolutions pertaining to the TDA Building, House of Delegates and other

administrative matters referred to it.

B. PRESIDENT’S ADDRESS, MISCELLANEOUS MATTERS, MEMBERSHIP, COMPONENT SOCIETIES, SUBSIDIARIES, STRATEGIC PLANNING AND ANNUAL SESSIONS

This Committee will consider the President’s address and all matters submitted by the Future Focus Committee, the Council on Membership, the Council on Annual Sessions, the Subsidiaries and any matters relating to these areas, as well as any miscellaneous matters.

C. DENTAL EDUCATION, DENTAL HEALTH AND DENTAL CARE PROGRAMS

This Committee will consider the report of the Council on Dental Education, Trade and Ancillaries, the Council on Dental Economics, and any matters relating to these areas.

D. LEGISLATIVE, LEGAL AND GOVERNMENTAL AFFAIRS

This Committee will consider the reports of the Council on Legislative & Regulatory Affairs and Legal Counsel and any matters relating to these areas.

E. CONSTITUTION, BYLAWS, ETHICS AND PEER REVIEW

This Committee will consider the reports from the Council on Constitution and Bylaws, the Council on Ethics & Judicial Affairs, and the Council on Peer Review, as well as any proposed changes to the Constitution & Bylaws, the Principles of Ethics and Code of Professional Conduct and the Manuals of the Association.

Occasionally the volume of business dictates a change in the reference committee assignments and even the elimination or addition of a committee.

REFERRAL OF ITEMS OF BUSINESS

The Reference Committees receive items of business for consideration by referral from the House of Delegates. The Speaker of the House, in consultation with the Secretary, prepares a preliminary list of referrals prior to the opening meeting of the House of Delegates. This preliminary list of referrals will be found in the Annual Reports provided in advance to the Delegates and Alternates. It enables the Reference Committees to obtain in advance a good idea of the matters which they will have to consider.

At the opening session of the House of Delegates, the preliminary list of referrals prepared by the Speaker is presented to the House for approval. If there is no objection, the list stands as presented. At its discretion, the House may vote a different referral to a committee.

This preliminary list of referrals, together with other items of business referred to the Reference Committee by the Speaker of the House, constitutes the final agenda for the meetings of the Reference Committee.

CONDUCT OF REFERENCE COMMITTEE HEARINGS

The Chair of the Reference Committee should preside at both the hearing and the executive session. He/she should carry out the usual duties of a chair in maintaining order, facilitating the transaction of business and in ruling on the length and germaneness of discussion.

NOTE: At the start of the Reference Committee hearings, each Chair shall read the following paragraph and ask any non-members who are present to identify themselves. The Committee can then make the decision on whether the non-members may participate. In general, non-members should be permitted to participate without interfering with the orderly conduct of the hearings.

“All members of the Texas Dental Association have the right to attend Reference Committee hearings and participate in the discussion, whether or not they are members of the House of Delegates. Non-members of the Association may participate in the discussions at hearings only at the invitation of a majority of the Reference Committee members. Participants should be aware that members of the news media may attend Committee hearings. Would any non-members please identify themselves at this time?”

Reference Committee hearings are open to all members of the Association and guests invited by the chairs of the Committees. Any member of the Association is privileged to speak on the resolution or report under consideration by the Committee. The Chair has the privilege of calling upon anyone attending, if in the opinion of the Chair, the individual may have information which would be helpful to the Committee. Committee members may ask questions of those providing testimony at the hearings; however, Committee members should not enter into debate with the speakers or express opinions during the hearing. It is the responsibility of the Committee to listen carefully and evaluate all of the opinions presented.

The Chair should not permit the making of motions or the taking of formal votes at an open hearing, since the objective of the hearing is to receive information and opinions and not to make decisions of any sort which would bind the Reference Committee in its subsequent deliberations.

The Chair should insure that all who want to be heard are heard, but he/she should be watchful against prolonged holding of the floor by one or more persons at the expense of others who may wish to counsel with the Committee. The Chair, with the consent of the Committee, may place reasonable limitations on discussion and debate.

COMMITTEE EXECUTIVE SESSIONS

When, in the opinion of the Chair, all testimony has been concluded, or when the time allotted for the hearing has expired, the Chair will declare the hearing closed. At this time, the Committee shall go into executive session to deliberate and write their report for the House of Delegates. Once the Committee has gone into executive session, no further testimony is permitted. The Committee can, however, call upon the Speaker of the House, the Secretary-Treasurer, or members of the Standing Committee on Constitution and Bylaws, or TDA Legal Counsel as consultants for assistance in writing resolutions, on procedural matters, to assure compliance with the *Bylaws*, and to assist in placing *Bylaws* resolutions in proper *Bylaws* language. These consultants are not permitted to lobby the Committees or to express personal opinions on matters under discussion. Staff will have available copies of the *Constitution and Bylaws*, the *Principles of Ethics and Code of Professional Conduct*, and Manuals of the Association as reference materials.

PREPARATION OF THE REPORT

Reference Committees have a great deal of latitude in fashioning recommendations to the House of Delegates. They may:

1. Recommend approval of resolutions presented to them as written;
2. Recommend defeat of resolutions;
3. Recommend referral of resolutions for further study or action;
4. Recommend postponement definitely for some further action;
5. Offer amendments to the resolutions where appropriate;
6. Offer substitute resolutions for the resolutions presented;
7. Offer *in lieu of* resolutions;
8. Offer entirely new resolutions if they are germane to the subjects assigned to the Committee; and
9. Place resolutions on or remove resolutions from the consent calendar.

The Staff person assigned to the Reference Committee will already have the Committee's report in draft form on the computer. The report follows a standard format enclosed as Appendix A.

The committee should utilize a consent calendar. Based upon testimony received at the hearing, the committee may place a resolution on the consent calendar with a recommended House of Delegates action. The items placed on the consent calendar should be categorized by the recommended action. The order of categories for the consent calendar is as follows:

- I. Recommended for Adoption
- II. Recommended for Adoption as Amended or Substituted
- III. Recommended for Referral
- IV. Recommended for Defeat
- V. Recommended for Adoption in Lieu of

If the Committee has been assigned a report of a Council, and that report contains no resolutions, the Committee should merely state that it has noted the report and make such comment as it may desire. It is inappropriate to recommend that a report be "received" or "approved" or "adopted." If the Committee wishes to adopt or approve a specific item in a report, it must draft a suitable resolution.

When writing the report, the Committee should be as brief and succinct as possible, but give sufficient language so that the reasoning behind the Committee's recommendations can be easily understood by the delegates. If the Committee is offering amendments, substitute resolutions or new resolutions for consideration, these should be drafted in

appropriate resolution form. See Appendix B, “Writing Resolutions.”

Please note that **ALL** resolutions must be positive resolutions. Even if the Committee wants a resolution to be defeated, the motion from the Chair will be for adoption, with the recommendation that the resolution be defeated.

MAJORITY AND MINORITY REPORTS

Every effort should be made by the members of a Reference Committee to reach unanimous agreement of each issue. If this is not possible, majority and minority reports may be presented. The report receiving the most support from members of the Committee is presented as the “majority report,” with the other presented as the “minority report.”

SIGNATURES ON REPORTS

Four copies of each report must be signed by all members of the Reference Committee and presented to the Speaker of the House of Delegates by the staff person designated to collect the reports. It is incumbent upon each members of the Committee to read the report carefully and affix his/her signature to the report before leaving the room in which the executive session of the Committee has occurred. The Chair of each Committee has the responsibility of ensuring that the Speaker has approved the report and that the Committee members have signed all four copies before releasing them.

ADVANCE COPIES OF REPORTS

Copies of the Reference Committee reports will be emailed to Delegates and Alternate Delegates with printed copies available at the TDA office by Friday morning. Each delegate and alternate is entitled to receive a copy of each of the reports. Additional copies will be available in the House of Delegates on Saturday morning.

CHAIR'S REPORT TO THE HOUSE OF DELEGATES

The Chair of each Reference Committee has the responsibility of providing an oral presentation of his/her Committee's report to the House of Delegates at its second meeting. The Chairs will be called to give their reports in an order established by the Speaker. The Speaker will attempt to advise the Chairs shortly before they are called upon for their reports to the House. Reports are presented from the podium on the right side of the rostrum.

The report will be presented in the following order: priority items assigned by the Speaker of the House, followed by the consent calendar and then the action items.

When giving the report to the House, the Chair should move the resolution with the recommendation of the committee. The following are the five alternatives for dealing with Resolutions by the Reference Committees:

I. SIMPLE APPROVE OR DEFEAT

“The Committee considered Resolution 21-1999-B which reads:

Resolved, that...

The Chair moves the Resolution, 21-1999-B with a recommendation to adopt.”

[Speaker will call for discussion and vote]

II. AMENDMENT BY DELETION/ADDITION OR BOTH

“The Committee considered Resolution 21-1999-B which reads:

Resolved,

The Committee recommends the following amendment by <deletion, addition, or both>:

<*Resolution written showing the changes tracked*>

The Chair moves the amendment.

[*Speaker will call for discussion and vote*]

So if approved, the amended resolution would read:

<*Final “clean” resolution*>

The Chair moves the amended Resolution 21-1999-B

[Speaker will call for discussion and vote] [If amendment fails, then the Speaker will defer back to the Chair for movement of original resolution]

III. AMENDMENT BY SUBSTITUTION

[this alternative is used if the amendments become so numerous that the resolution must be rewritten]

“The Committee considered Resolution 21-1999-B which reads:...

Resolved,

and wishes to offer the following substitute resolution:

Resolved, that....

The Chair moves to Substitute Resolution 21-1999-B-RCAS for Resolution 21-1999-B. *[Speaker will call for discussion and vote] [if the motion to substitute fails, the Speaker will ask the Chair to move the original resolution]*

The Chair moves the Substitute Resolution 21-1999-B-RCAS.

HOUSE ACTION: ADOPT: _____ DEFEAT: _____

IV. REFERRAL

“The Committee considered Resolution 21-1999-B which reads:

Resolved, that....

The Chair moves to refer Resolution 21-1999-B to [name of entity].

V. ADOPT “IN LIEU OF” *[use of this action eliminates one of the deliberations and votes required in the substitution process as described previously.]*

Form:

Reference Committee Chairman: *The Committee offers Resolution A to be adopted in lieu of Resolutions B, C, and D.*

Resolution A reads: <Resolution A.

The Chair moves that Resolution A be adopted in lieu of Resolution B, C, and D.

Speaker: *You have before you now the motion to adopt Resolution A in lieu of Resolutions B, C, and D. Discussion is now in order on Resolution A.*

After the completion of debate and any amendments, the Speaker calls for the vote:

Speaker: *All those in favor of adopting Resolution A in lieu of Resolutions B, C, and D, please raise your cards. Thank you. All those opposed, please raise your cards. Thank you.*

The vote and disposition would then be announced:

Speaker: *The majority vote is in the affirmative and you have adopted Resolution A **in lieu of** Resolutions B, C, and D.*

Or

Speaker: *There was not a majority vote in favor, therefore the motion to adopt Resolution A **in lieu of** Resolutions B, C, and D has failed. The subject of this resolution is now disposed of, **UNLESS** a delegate wishes to move one of the remaining resolutions.*

Delegate: *Mr. Speaker, I move Resolution D **in lieu of** Resolutions B, and C.*

Debate and amendments and votes would continue until Resolution D is in the form the delegates prefer and would receive its disposition vote as did Resolution A above, with the same consequences. The process would continue until a resolution is adopted, or a resolution is defeated and none of the remaining motions is moved.

Rarely is it necessary for the Chair to read the background statements or the entire bodies of resolutions. The delegates all have the text before them in the Committee report, and the portion of the report under discussion will be projected on the large screen at the front of the House. Occasionally there will be exceptions to this rule, in which case the Speaker of the House will guide the Chair as to which part of the report should be read.

During the debate and/or discussion on any of the resolutions in the Committee's report, the Chair should feel free to call upon members of the Committee to provide further input in response to questions. The Chair may also call upon members of the Board of Directors, Legal Counsel or Staff for input during the presentation of the Report.

The Board of Directors and Staff will provide as much help and support as is possible in accomplishing your task. It is, however, the chairs and the members of the Committees who must bear the brunt of the responsibility in carrying out this extremely important function. The future of the Texas Dental Association and our profession depends upon the policies adopted by our House of Delegates through this process.

On behalf of the Texas Dental Association, we would like to thank you in advance for your commitment to this very important challenge and for your willingness to donate so much of your valuable time to your profession. We hope it will be a valuable experience for you, and we wish you the very best of luck!

APPENDIX A
SAMPLE REFERENCE COMMITTEE REPORT
(2017 ADAPTATION)

REFERENCE COMMITTEE A REPORT
ADMINISTRATION, BUDGET, BUILDING, HOUSE OF DELEGATES AND MEMBERSHIP PROCESSING

The Reference Committee considered all testimony provided during the hearings. When concurring with the Board recommendations, the Reference Committee has kept its comments as brief as possible. However, pertinent reasons are provided when recommending amended or substituted resolutions or in lieu of resolutions when resolutions have not been considered by the Board. The Chair will be pleased to provide an oral response to any questions that delegates may have relating to any of the issues contained in the report. Unless otherwise noted, funds for implementation of those resolutions with financial implications will be added to the operating budget.

PART I: CONSENT CALENDAR

Listed are the resolutions referred to the Reference Committee which either received no testimony or all positive testimony.

200-1999-RCA

Resolved, that the following resolutions be considered the Consent Calendar for Reference Committee A:

1. RESOLUTION 26-1999-B

26-1999-B

Resolved, that \$20,000 be expended to upgrade the computer system, with the funds to come from the Capital Improvement Fund.

FINANCIAL IMPLICATION:	\$20,000 (Capital Improvement Fund)
BOARD ACTION:	PASSED (Board Minutes Pg. 22)
COMMITTEE RECOMMENDATION:	ADOPT

2. RESOLUTION 27-1999-B

27-1999-B

Resolved, that the per diem expense for volunteers and staff be increased to \$100 per day.

FINANCIAL IMPLICATION:	\$12,000 (2000 Contingency)
BOARD ACTION:	PASSED (Board Minutes Pg. 68)
COMMITTEE RECOMMENDATION:	ADOPT

The Chair moves Resolution 200-1999-RCA as the Consent Calendar for Reference Committee A.

HOUSE ACTION:	ADOPT	DEFEAT	REFER
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PART II: ACTION RESOLUTIONS

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1. RESOLUTION 28-1999-B

The Reference Committee considered Resolution 28-1999-B which is as follows:

28-1999-B

Resolved, that the Executive Director’s employment package be a separate 2000 Budget Line Item.

FINANCIAL IMPLICATION: NONE
BOARD ACTION: DEFEATED (Board Minutes Pg. 72)

The Committee offers the following substitute resolution:

BACKGROUND STATEMENT

The 2000 budget has been presented to the House. Rather than change the format, the following information requested in Resolution 28-1999-B is presented in this background statement concerning the Executive Director’s employment package:

Salary \$500,000 Benefits \$95,000 Car Allowance \$20,000

and the 2001 Budget will reflect the employment package as a line item; therefore be it

28-1999-RCAS

Resolved, that the Executive Director’s employment package be a separate line item in the 2001 Budget.

FINANCIAL IMPLICATION: NONE
COMMITTEE RECOMMENDATION: ADOPT

The Chair moves Resolution 28-1999-RCAS in lieu of Resolution 28-1999-B

HOUSE ACTION: ADOPT DEFEAT REFER

2. RESOLUTION 29-1999-B

The Committee considered Resolution 29-1999-B and disagrees with the Board’s recommendation. The Committee feels it would be inappropriate at this time to pursue this matter.

29-1999-B

Resolved, that TDA Legal Counsel is to investigate the possibility of listing the TDA’s for-profit corporation, TDA Financial Services, Inc. on the New York Stock Exchange.

FINANCIAL IMPLICATION: NONE
BOARD ACTION: PASSED (Board Minutes Pg. 81)
COMMITTEE RECOMMENDATION: DEFEAT

The Chair moves Resolution 29-1999-B

HOUSE ACTION: ADOPT DEFEAT REFER

95 3. RESOLUTION 30-1999-B

96
97
98

The Committee considered Resolution 30-1999-B and recommends its adoption.

99 **30-1999-B**

100 Resolved, that the TDA Building be designated a National Monument and that the President of the
101 United States be invited to attend the dedication ceremony.

102

103 FINANCIAL IMPLICATION: NONE
104 BOARD ACTION: PASSED (Board Minutes Pg. 89)
105 COMMITTEE RECOMMENDATION: ADOPT

106

107 The Chair moves Resolution 30-1999-B

108

109 HOUSE ACTION: ADOPT DEFEAT REFER

110

111 4. RESOLUTION 31-1999-B

112

113 The Committee considered Resolution 31-1999-B, and while it agrees with the intent and the sentiment
114 behind the resolution, it is the Committee’s feeling that the Resolution is premature.

115

116 31-1999-B

117 Resolved, that the Texas Dental Association logo be replaced.

118

119 BOARD ACTION: PASSED (Board Minutes Pg. 122)
120 COMMITTEE RECOMMENDATION: REFER

121

122 The Chair moves to refer Resolution 31-1999-B to the Communications Committee with a report back to the
123 November TDA Board meeting.

124

125 HOUSE ACTION: ADOPT DEFEAT REFER

126

127 5. RESOLUTION 21-1999-B

128

129 The Committee considered Resolution 21-1999-B which reads as follows:

130

131 BACKGROUND STATEMENT

132 The Board of Directors feels that to fully fund the programs and activities of the Association in
133 response to the requests of the membership on the most recent survey, a dues increase of
134 twenty-five (\$25) will be necessary; therefore be it

135

136 **21-1999-B (2/3 VOTE REQUIRED)**

137 Resolved, that Chapter 1, Section 60 A. Active Members be amended by deleting the number
138 two hundred forty-five and substituting the number two hundred seventy, the new Section 60A.
139 Active Member to read:

140

141 Section 60, Dues, A. Active Members: The annual dues of active members of this
142 Association shall be ~~two hundred forty five (245)~~ two hundred seventy (270) dollars plus

143 the approved annual dues of the component societies and the American Dental
144 Association dues January 1 each year.

145
146 Section 60, Dues, A. Active Members: The annual dues of active members of this
147 Association shall be two hundred seventy (270) dollars plus the approved annual dues of
148 the component societies and the American Dental Association dues January 1 each year.

149
150 FINANCIAL IMPLICATION: \$
151 BOARD RECOMMENDATION: ADOPT (Board Minutes Pg. 53)
152 COMMITTEE RECOMMENDATION: ADOPT

153
154 The Chair moves the amended Resolution 21-1999-B (2/3 Vote Required)

155
156 HOUSE ACTION: ADOPT DEFEAT REFER

157
158 6. RESOLUTION 25-1999-B

159
160 The Committee considered Resolution 21-1999-B and recommends its adoption.

161
162 **25-1999-B**

163
164 **<< ATTACHMENT 1: PROPOSED 2000 BUDGET >>**

165
166 FINANCIAL IMPLICATION: \$3,000,000
167 BOARD ACTION: PASSED (Board Minutes Pg. 57)
168 COMMITTEE RECOMMENDATION: ADOPT

169
170 The Chair moves Resolution 25-1999-B

171
172 HOUSE ACTION: ADOPT DEFEAT REFER

173
174
175 **PART V: RESOLUTIONS WHICH REQUIRE NO ACTION (FOR REVIEW ONLY).**

176
177 These resolutions concerning Board actions are disclosed for review, discussion and any associated actions that
178 the committee deems appropriate.

179
180 1. RESOLUTION 68-1999-B

181
182 **68-1999-B**

183 Resolved, that, in accordance with the 1999 TDA Budget, the revised budget for the 2000 Texas Meeting,
184 be approved as presented to the February 29, 1999 TDA Board of Directors.

185
186 FINANCIAL IMPLICATION: \$60 Reduction in Total Expenses; \$10 Reduction
187 in Total Income; \$40 Reduction to Net Income
188 BOARD ACTION: PASSED (Board Minutes Pg. 56)

189
190

191 **PART IV: REPORTS**

192

193 The Reference Committee reviewed the following reports:

194

195	Awards Committee	Committee Reports Pg. 91
196	Building Committee	Committee Reports Pg. 102
197	Communications Committee	Committee Reports Pg. 106
198	Finance & Audit Committee	Committee Reports Pg. 128
199	Council on Annual Session	Council Reports Pg. 102
200	Council on Constitution & Bylaws	Council Reports Pg. 111
201	Council on Membership	Council Reports Pg. 248
202	TDA Financial Services, Inc.	Miscellaneous Reports Pg. 14

203

204

205 The Committee wishes to express its appreciation to the Councils and Committees for their work on behalf of
206 the Association. All members of the Reference Committee wish to express their sincere appreciation to the
207 Central Office Staff of the Texas Dental Association for their dedicated, diligent assistance and support in the
208 preparation of this report.

209

210 _____
Dr. G. V. Black

211

212 _____
Dr. Louis Pasteur

213

214 _____
Dr. Marie Curie

215

216 _____
Dr. R. J. Roentgen

217

218 _____
Dr. Florence Nightingale, Chair

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223

APPENDIX B WRITING RESOLUTIONS

224 **The purpose of a resolution is cause the organization to take some action. The resolution includes**
225 **an active verb such as “investigate, research, hire, adopt,” etc.**

226
227 Resolutions should be for the purpose of furthering the mission, vision, and goals of the Association.

228
229 The two most common forms of resolutions are mandate resolutions and policy resolutions.

230
231 **I. STRUCTURE**

232
233 A good resolution will have three (3) parts:

234
235 1. A clear and concise **BACKGROUND STATEMENT** which:

- 236
237 a. Explains the need for the resolution. A complete history or report of the problem is
238 not necessary or desirable.

239
240 *Example*

241 Because of the decreasing numbers of recent graduates that are becoming
242 members of organized dentistry.....

- 243
244 b. States who is requesting the action

245
246 *Example*

247 ...the Committee on the New Dentist believes that greater effort needs to
248 be made to track the recent graduates of our dental schools and to maintain
249 contact.

250
251 2. The body of the **RESOLUTION** which:

- 252
253 a. Directs a specific entity to carry out a specific action:

254
255 *Mandate Resolution*

256 Resolved, that the TDA fund the **2012** Rite to Smile Golf Tournament.

257
258 *Policy Resolution*

259 Resolved, that **it is the policy** of the TDA to support the TDA Smiles
260 Foundation to be a sponsor of the **annual** TDA Smiles Foundation Golf
261 Tournament.

- 262
263 b. Includes, if any, the estimated cost to, or limits of spending by, the Association to
264 carry out the action:

265
266 ***Mandate Resolution***
267 Resolved, that the TDA fund the 2012 Rite to Smile Golf Tournament **in**
268 **the amount of \$5,000.**

269
270 ***Policy Resolution***
271 Resolved, that it is the policy of the TDA to support the TDA Smiles
272 Foundation to be a sponsor of the annual TDA Smiles Foundation Golf
273 Tournament **with funding to be budgeted by the Board of Directors.**

274
275 c. States a belief or philosophy of the Association:

276
277 ***Policy Resolution***
278 Resolved, that it is the policy of the TDA **to maintain contact with the**
279 **graduates of the Texas dental schools until such time as they become**
280 **active members of the TDA.**

281
282 3. The **FINANCIAL IMPLICATION** for the Association

283
284 ***Mandate Resolution***
285 Resolved, that the TDA fund the 2012 Rite to Smile Golf Tournament in
286 the amount of \$5,000.

287
288 **FINANCIAL IMPLICATION: \$5,000**

289
290
291 **II. GENERAL RULES**

- 292
293 1. A resolution must stand on its own. Background statements are usually eliminated when
294 resolutions are published, and there must be no confusion on the part of the reader as to the
295 meaning of the resolution.
296
297 2. A resolution should be consistent with the Mission Statement of the Texas Dental Association.
298
299 3. Resolutions should not be negative! A positive resolution is always preferable.
300
301 4. There should only be one subject addressed within a resolution. If there is more than one
302 subject, the resolution should be divided into two or more separate resolutions, even if the
303 subject matter is related.
304
305 5. If the subject matter of a resolution has one part which will require a majority vote and another
306 which will require a 2/3 vote, two separate resolutions must be made.
307
308 6. Current policy should be reviewed prior to writing a resolution to be sure it is not either already
309 policy or against current policy. If it is already policy, the resolution is not in order. If the intent
310 is to change current policy, the resolution should contain an additional resolving clause which

- 311 rescinds the earlier policy.
312
- 313 7. If uncertain about the agency within the Association that will be required to carry out the action
314 dictated by a resolution, the clause, “the appropriate agencies of the Association” should be used.
315
- 316 8. If the resolution amends the Bylaws, the language of the resolution should be in appropriate
317 Bylaws language, or there should be an additional resolving clause which directs the Council on
318 Constitution and Bylaws to make the necessary changes to the documents being amended.
319
- 320 9. When using the following terms, be certain the words used are indicative of the action desired
321 (e.g., Don’t use “may” if you mean “shall”):
322
- | | |
|-----------------------|-------------------------------------|
| <i>Discretionary:</i> | may, consider, should, could |
| <i>Obligatory:</i> | shall, will, must |
- 324
325
- 326 10. When drafting a resolution, consider carefully the obligations it places on
327 the Association:
328
- 329 a. Is it self-serving?
 - 330 b. Is it in the best interest of our patients?
 - 331 c. Is it in the best interest of our profession?
 - 332 d. What will both the short term and long term effects of the resolution be?
 - 333 e. Could the resolution be misinterpreted?
 - 334 f. Could the resolution be used against us?
 - 335 g. Could the policy established by the resolution be abused? If so, perhaps it would be
336 better left unsaid.
337
- 338 11. If you are uncertain about the wording of a resolution or if it may already be TDA policy, send a
339 copy to the Speaker of the House for comment prior to submitting it to the Board of Directors or
340 House of Delegates.
341
342
343
344

SUPPLEMENTAL

In lieu of

In 2009 we introduced the use of the motion, “*in lieu of*.” This motion has been used in the American Dental Association’s House of Delegates the last 4 years. It was introduced by ADA Speaker J. Thomas Soliday as a means of more efficient use of delegates’ time in the House when more than one motion on the same subject was considered by the Reference Committees. The motion is now recognized presently in the American Institute of Parliamentarians Standard Code of Parliamentary Procedure, our parliamentary authority. This notice was provided in the *Parliamentary Journal*, a publication of the American Institute of Parliamentarians.

The motion “*in lieu of*” will be used as a motion from the Reference Committee when it is considering more than one resolution on essentially the same matter. Let’s consider an example where there are Resolution 101, Resolution 126, and Resolution 188 that all deal with the same subject; for the purposes of this example, let’s say they deal with continuing education requirements for dental assistants. And let’s say that they overlap enough that they could be combined in some form, but are different enough that passing each one individually would negate some parts of the one(s) previously adopted.

In the past when this was the case, the Reference Committee might chose one of the three that best represented the wishes of the members of the Association, based on the testimony at the Reference Committee Hearing, and recommend it be adopted by substituting it for the other two resolutions. For example, this would occur by moving to substitute Resolution 126 for Resolutions 101 and 188. Discussion on the motion to substitute would take place. It is possible that the proponents of each of the resolutions might not agree and debate would continue until it was time to vote. For example, if the vote on the motion to substitute was a majority in favor, Resolution 126 would be substituted for Resolutions 101 and 188 and they would “go away,” no longer eligible for consideration by the House of Delegates. The issue of continuing education requirements for dental assistants would now be resolved through consideration of Resolution 126. Discussion and debate would now be in order on Resolution 126. Following discussion and debate, and consideration of any amendments to the resolution, a vote would be taken on Resolution 126. A majority vote in favor of the resolution would adopt the resolution and the TDA would have a new policy on continuing education requirements for dental assistants. If the resolution did not receive a majority vote in favor, the resolution would fail and there would be no new policy on continuing education requirements for dental assistants.

If the motion to substitute failed, the remaining two resolutions would be presented before the House of Delegates, and a delegate would have to move one of the other resolutions to substitute for the other. When a substitute resolution is agreed upon, as shown by a majority vote in favor of substituting, discussion is in order on the resolution, subsidiary motions disposed of, then a final vote is taken to dispose of the resolution.

388 Note that disposition of this resolution required a least two votes: one to substitute and one to adopt (or
389 defeat). With the use of the resolution “*in lieu of*”, one of those two votes would be eliminated.
390 Here is how it would work:

391

392 **Example**

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394 Under the same circumstances leading up to the Reference Committee chair’s motion, the Reference
395 Committee chair would make the following motion: “I move Resolution 126 *in lieu of* Resolutions 101
396 and 188.” Discussion and debate and any amendments would be in order only on Resolution 126,
397 perfecting it through the deliberative process and a vote taken on Resolution 126. When time for the
398 vote to dispose of the resolution, the Speaker would state, “All those in favor of adopting Resolution
399 126 *in lieu of* Resolutions 101 and 188 please raise your voting cards. Thank you. All those opposed,
400 please raise your voting cards. Thank you.” If the majority of the vote was in the affirmative,
401 Resolution 126 in its final form would be adopted and the other two resolutions would “go away” and
402 the issue of continuing education requirements for dental assistants would be disposed of for this House
403 of Delegates. If it failed, Resolution 126 would “go away” and the other resolutions would also “go
404 away” UNLESS a delegate moved one of the other resolutions *in lieu of* the remaining ones. If that
405 were to be the case, then the process would be repeated as necessary until there is a final disposition of
406 all resolutions on the issue. If neither of the remaining resolutions is moved at the time of the defeat of
407 one offered *in lieu of*, they are considered disposed of as defeated resolutions along with the defeat of
408 the one offered *in lieu of*.

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410 Note that when the vote is taken on the motion to “adopt *in lieu of*,” and affirmative vote adopts, that is
411 the only vote needed. When compared to the motion “to substitute,” this motion saves an extra vote and
412 extra debate. If it fails, no options have been eliminated, only additional voting steps have been
413 eliminated.

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415 For the sake of completion, the Reference Committee may take the best of each of the resolutions,
416 eliminate the unwanted portions of the resolutions, and compose its own substitute resolution, for
417 example, “Resolution RCC – 1” and move it *in lieu of* Resolutions 101, 126, and 188. The disposition
418 would work the same.

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420 **In summary** then, the motion “*in lieu of*” would be used to bring a single resolution before the House
421 for its consideration in disposing of the issue for which there were multiple resolutions, and by adopting
422 that motion after usual debate and amendments, disposing of the issue with one vote instead of two, and
423 not having to repeat debate. If the motion fails, the subject of that resolution is disposed of unless a
424 delegate wants to move one of the other motions *in lieu of* the rest.