

## **4/8/07: Motions by Email**

### **Constitutional Amendment (Addition)**

#### **Added:**

**Section 3.09. Motions Made By E-mail:** Notwithstanding any other provision of this Constitution, a motion may be made at any time by any member of the Board by e-mail for a resolution of the Board or for amendment of the Constitution, as follows:

- (1) The motion must be preceded by an e-mail by any member of the Board sent to all other members of the Board which has as its subject line "USBA Request for Discussion: (here insert subject of the discussion)"; the request for discussion must include a general statement of the issue to be discussed and a statement of reasons for any position taken by the Board member requesting the discussion; the request for discussion must include at the outset of the request a statement of the date when the discussion period on the subject will end in accordance with 3.09(2);
- (2) After the e-mail request for discussion has been sent, there shall be a 10 day period for discussion;
- (3) After the discussion period has ended any Board member may make a motion within the next 3 days ("Motion Period"), but the Board member who sent the request for discussion shall have a one day priority within which to make a motion; if more than one non-priority motion is made, the President shall choose the priority of the next motion; any motion made must contain the full and specific text of the proposed resolution of the Board or amendment to the Constitution, and if the motion does not contain the full and specific text, the President may in his/her discretion extend the Motion Period for up to an additional 3 days to allow the moving party to correct the motion;
- (4) If no motion is made, the matter will no longer be considered by the Board, but may become the subject of a new motion at any time after the passage of at least 60 days from end of the Motion Period if that new motion is also made in accordance with this Section 3.09;
- (5) If a motion is made, the President shall announce by e-mail that there shall be a period for discussion or amendment of the motion of 4 days and shall announce by e-mail the last day of that period; and for any amendment made to the motion, the discussion period shall be extended for an additional 4 days from the date of the amendment, which additional period shall also be announced by e-mail by the President, provided that if the amendment is accepted by the proponent of the motion and is determined by both the proponent and the President to be minor or clarifying in nature, the additional discussion period may be less than 4 days or there may be no extension of the discussion period, as determined and announced by e-mail by the

President; any amendment that is made shall clearly state the language to be added, deleted or changed in the motion;

(6) At the conclusion of the period for discussion of the motion and any amendments, the President shall call for a vote, there shall be a voting period of 4 days, and the President shall announce by e-mail the last day of that period; votes shall all be cast by e-mail sent to all other Board members;

(7) For non-constitutional amendments, the e-mail vote of at least 3 members of the Board shall constitute a quorum, and a majority of affirmative votes of those voting shall be required for passage of the motion; for constitutional amendments, the e-mail vote of at least 8 members of the Board shall constitute a quorum, and the affirmative votes of at least two-thirds of those voting shall be required for passage of the motion;

(8) If a matter that does not require a constitutional amendment is determined by the President to require emergency action by the Board, the President shall notify the Board of that circumstance by e-mail, and in that case the discussion period set forth in subsection 3.09(2) shall be shortened to 2 days, the period for making a motion shall be shortened to 1 day, but shall be extended by 1 day for each amendment made to the motion, and the period for voting shall be shortened to 1 day. In the e-mail notifying the Board of such an emergency matter, the President shall add the words "EMERGENCY MATTER" to the subject line, shall specify at the outset the ending dates of the periods for discussion, motions and voting, and shall also include a general statement of the issue to be discussed, a statement of reasons supporting the matter to be discussed, and a statement of the reasons for the emergency nature of the matter. On the same day that the President sends e-mail notice of the need for emergency action by the Board, and as soon as reasonably possible, the President or the President's delegee shall give telephonic notification of the sending of that e-mail to each Board member.

(9) Once the vote has concluded the Secretary shall e-mail the results to the Board and shall keep a record of the votes, the entire discussion preceding the vote, and the motion and all amendments; the record shall be kept in electronic form and shall include a backup record on CD, DVD or other portable electronic storage medium, labeled with a brief title or description of the motion and the date the voting period concluded.