

Monroe-Livingston Regional Emergency
Medical Services Council

Bylaws

Twenty-Second Edition

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Chair Reg Allen

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Article I. Name, Purpose, and Powers

Section 1 – Name

- A. The Monroe and Livingston Counties area Regional Emergency Medical Services Advisory Group as provided for and established in the Public Health Law of the State of New York and designated as such on or about February 20, 1976, and amended July 1, 1992, shall be known as the Monroe-Livingston Regional Emergency Medical Services Council (The Council).

Section 2 – Purpose

- A. The purpose of the Council is to improve the delivery of emergency medical services in accordance with the roles, responsibilities, powers, and privileges as set forth in the New York State Public Health Law.

Section 3 – Powers

- A. The powers of the Council are defined in the Public Health Law of the State of New York.
- B. Subject to the powers granted in the Public Health Law of the State of New York the Council may make rules and regulations, and prescribe policies and procedures, for the management, maintenance, operation, and control of the Council and to coordinate emergency medical services programs in the region.

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Article II. Membership

Section 1 – Members and Membership

- A. Membership on the Council is subject to the provisions of the Public Health Law of the State of New York. The membership of the Council should reflect the diversity of the pre-hospital emergency medical services community of this region. Membership to the Council is based on two membership categories: Ex Officio and Representative.
- B. The term of office shall be four (4) years expiring on the last day of March of the fourth year except as specifically indicated.
- C. Members of the Council shall be residents living within the geographic area to be served by the Council.
- D. All Members of the Council are responsible for the good of the EMS community as a whole and should consider the greater good when discussing matters before the Council.
- E. Commencing on April 1, 2019, no more than eight Members (8) of the Council shall be comprised of representatives from any one (1) agency.

Section 2 – Ex-Officio Member

- A. An Ex Officio Member holds membership on the Council by virtue of their office. Vacancy of an Ex-Officio Member is filled when the successor to the office is named.
- B. Ex-Officio Members of the Council are:
 - 1) Livingston County EMS Coordinator/ Administrator (or equivalent)
 - 2) Monroe County EMS Coordinator/ Administrator (or equivalent)
 - 3) Monroe/Livingston Regional EMS Medical Director
- C. Ex-Officio Members are voting Members of the Council.

Section 3 – Representative Member

- A. Members in this category must be in good standing of their representative class.
 - 1) For the purposes of this document, “good standing” shall mean that the Member is, throughout the term of their membership on the Council, a member of the representative agency/affiliation that supported their appointment. If a change in agency/affiliation should occur during that term, the Member must obtain a letter of support from such new agency/affiliation as required of a candidate for their respective seat.
 - 2) Council Members must maintain a level of active or exempt status with their respective agency/affiliation throughout their term. Any change in status with their respective agency/affiliation must be brought before the Membership Committee for review.
 - 3) EMS AGENCY
 - a) EMS Agency Representative at Large (Four Seats) –A member of an EMS Agency that performs ALS First Response and/or provides ambulance service in either Monroe or Livingston County.
 - b) Livingston County EMS Agency Representative at Large (Three Seats) –A member of an EMS Agency that performs ALS First Response and/or provides ambulance service in Livingston County.

- c) Livingston County Fire / EMS Representative at Large (One Seat) – A member of a fire based basic life support first response agency in Livingston County.
 - d) Livingston County Countywide CON Holder for ALS First Response and/or transport. (One seat)
 - e) Monroe County EMS Agency Representative at Large (Four Seats) –A member of an EMS Agency that performs ALS First Response and/or provides ambulance service in Monroe County.
 - f) Monroe County Fire / EMS Representative at Large (One Seat) – A member of a fire based basic life support first response agency in Monroe County.
 - g) Monroe County Countywide CON Holder (two seats) (each seat may be held by only one agency)
- 4) Special Interest
- a) Community Representative (One Seat) – A member of the general public without relationship to any of the preceding representative classes.
 - b) EMS Training / Education Representative (One Seat) – A Certified Course Instructor (CIC) from a MLREMS course sponsor.
 - c) Healthcare Representative (Three Seats) – A physician practicing medicine or nurse, or hospital administrator, or outpatient care professional, or mental health provider or public health worker.
 - d) Law Enforcement Representative (One Seat) – A member of a law enforcement agency in either Monroe or Livingston County.
 - e) REMAC (One Seat) – A physician representative of the REMAC.

Section 4 – Attendance Requirements

- A. Participation on the MLREMS Council as well as various committees is important. Article 30 of the NYS Public Health Law outlines the roles, responsibilities and authority of the Regional Councils. Decisions of the Council may have statutory implications and require certain number of voting Members to accomplish.
- B. Therefore, Members are expected to attend all meetings of the Council.
- C. Members who are unable to attend Council meetings shall notify the Secretary by electronic mail as soon as practicable after such inability is recognized.
 - 1) Such notice shall include reasonable cause for the Member’s absence, such as but not limited to: sickness, mandated work call-back/overtime, or family emergency.
 - 2) The Secretary of Council will make the membership at any such meeting aware of any absences, and such notice will be made on the record for public information.
- D. Any Representative Member with one (1) unexcused meeting absence or two (2) excused meeting absences in one rolling twelve-month period shall be referred by the Council Secretary to the Membership Committee for investigation and possible removal from the Council.
 - 1) Removal of a Member for failure to adhere to the attendance requirements shall require a recommendation from the Membership Committee and majority vote by the Council.

- 2) The Chair has the discretion to waive the attendance requirement for Members with special or extenuating circumstances.

Section 5 – Removal of an Officer or Member:

- A. If a Member, as defined in [Article 2 Section 3](#), is no longer affiliated with or fails to be in good standing, with the class / agency / department that qualifies them for the class, they represent, the seat is declared vacant.
 - 1) All Members are required to notify the Council Secretary in writing of any change in their status that may constitute a change in their representative class.
- B. Notwithstanding the removal for lack of attendance specified in [Article 2 Section 4](#), an Officer or Member may be removed from their position for cause. Any Council Member may, at any time, file a petition with the Council Secretary for removal of an Officer or Member. The petition for removal must be signed by at least five Members of the Council.
 - 1) Under this section, "for cause" shall mean failure to abide by the Bylaws, policies or procedures of the Council, including actions or conduct unbecoming an Officer or Member of the Council.
 - 2) Responsibilities of the Secretary upon receipt of a petition for removal of a Member or Officer:
 - a) Forward the petition to all Executive Members of the Council
 - b) Forward by registered mail to the Officer or Member whose removal is sought, no later than 45 days before the vote on the petition for removal.
 - 3) Responsibilities of the Officer or Member name in the petition:
 - a) The Officer or Member shall respond, in writing, to the petition within 30 days of receipt of the registered letter.
 - 4) Responsibility of the Council:
 - a) The Council shall vote on the petition no sooner than 45 days after the petition is sent to the respondent.
 - b) The Council must vote to affirm the removal by two-thirds of the whole number of members. If the Council affirms the removal, the Officer or Member shall be removed and a vacancy shall exist and be filled in accordance with these Bylaws.

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Article III. Elections to the Council or the Regional Emergency Medical Advisory Committee (REMAC)

Section 1 – Representative Member Vacancy

- A. A Representative Member vacancy should be filled as soon as possible after the vacancy is created. The Nominations, Elections, and Governance Committee (NEG) shall submit a ballot of candidates for an election by the Council.

Section 2 – Election Process

- A. Unless a special election is held to fill a vacancy, the general membership elections will be held between November 1 and January 31 proceeding the operating / fiscal year the Members shall take office. All terms end on March 31 of the year the term expires. All terms of office start on April 1.
- B. The NEG will solicit nominations for Council membership.
 - 1) The NEG will utilize the Council web site to announce vacancies. The NEG may utilize mailings or other electronic media to solicit candidates for vacant seats.
 - 2) The NEG will review all nominations and submit to the Council a slate of eligible candidates.
- C. All interested candidates must submit required documents with letter of interest to the NEG Chair at least fifteen (15) business days prior to a scheduled election for consideration.
 - 1) Electronic mail may serve as a letter of interest.
- D. Persons may run for only one Representative Class during any given election. Their letter of intent must specify which class they wish to represent. Failure to specify the class they seek will be cause to omit that person's name from the ballot.
- E. Candidates who wish to fill a seat as defined in [Article 2 Section 3](#), shall submit a letter from their representative agency/employer verifying that they are in good standing with the agency/employer and that the agency/employer supports their candidacy.
 - 1) Failure of any candidate to obtain a letter of support will disqualify the candidate.
- F. The ballots are tabulated by at least two Council Members who are NOT on the ballot. All ballots are turned over to the Secretary at the end of the election and kept on file for a minimum of 1 year.
- G. The individual receiving the largest number of votes from a meeting of the Council with quorum shall fill each vacancy.

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Article IV. Council Officers Elections

Section 1 – Election Process

- A. The Officers shall comprise the Chair, Vice Chair, Secretary, and Treasurer.
- B. The Officers of the Council shall be elected from the active membership. The election shall occur between January 1 and March 31 for the term commencing April 1 of the following year and ending on March 31 of that year.
- C. An Officer's term of office will be for two (2) years.
- D. No Officer shall serve more than three (3) consecutive terms in the same office.
- E. A slate of Council Officer Nominations will be presented by the NEG during the period of time between the General Membership Elections and March 31.
- F. Individuals interested in an officer position must submit in writing, to the NEG Chair, their intent to be considered for an available position prior to the election in order to be considered for inclusion on the ballot presented by the NEG.
- G. A candidate may run for only one office during any given election. The letter of intent must specify which office they wish to represent. Failure to specify the office they seek will be cause to omit that person from the ballot.
- H. The ballots are tabulated by at least two Council Members whom are NOT on the ballot. All ballots are turned over to the Secretary at the end of the election and kept on file for a minimum of 1 year. The individual receiving the largest number of votes from a meeting of the Council with quorum shall fill each vacancy.

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Article V. Council Officers

Section 1 – Officers Meetings:

- A. The Officers shall meet at least once each year for the purpose of conducting the Annual Meeting of the Council. The Secretary shall send notice of such meeting no less than five (5) business days before the day of the meeting.
- B. The Officers shall have and exercise all of the powers, duties and responsibilities prescribed in the Not-For-Profit Corporation Law of the State of New York for Boards of Directors and Directors and the Public Health Law as it applies to the Emergency Medical Services Council.

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Article VI. Council Officer and State Council Representative

Section 1 – Council Chair:

- A. The Council Chair shall preside at all meetings of the Council, its Officers, or the Executive Committee. The Chair shall appoint the Chairs of all standing and ad hoc committees. The Chair will represent the Council in all Council related activities.
- B. The Chair must have served a minimum of two (2) years as a Council Member prior to assuming the position of Chair
- C. The Chair shall have served in one of the following positions prior to election to this office:
 - 1) Current Vice Chair
 - 2) Current Secretary or Treasurer
 - 3) Past: Chair, Vice Chair, Secretary or Treasurer

Section 2 – Vice Chair:

- A. The Vice Chair, in the absence of or at the direction of the Chair, shall preside over the meetings of the Council, its Officers, or the Executive Committee, and may represent the Council at Council-related activities and other such duties as directed by the Chair.
- B. The Vice Chair shall chair the Nominations Elections and Governance (NEG) Committee.
- C. The Vice Chair shall be elected in anticipation of their being able to fulfill the term of Vice Chair and potentially be elected to the office of Chair of the Council. The intent is for the Vice Chair to be prepared to assume the role of Chair at the end of the Council Chair's term or conclusion of the Chair's eligibility, and provide for a mechanism for continuity and succession, with the approval of the Council membership.
- D. The Vice Chair must have served a minimum of two (2) years as a Council Member prior to assuming the position of Vice Chair.
- E. Nothing in this article requires that the Council membership elect a sitting Vice Chair to the office of Chair.

Section 3 – Secretary:

- A. The Secretary or their designee is responsible for maintaining the records of the Council and its committees. The Secretary shall be responsible for maintaining the roll and attendance of the membership of the Council and REMAC, maintaining minutes of the meetings of the Council and its committees, carry out correspondence as required, and maintain the Seal for the Corporation.
- B. The Secretary shall chair the Membership Committee.

Section 4 – Treasurer:

- A. The Treasurer shall be responsible for the financial affairs of the Council.
- B. The Treasurer shall submit monthly and annual reports to the Council, and, as required, to the State of New York and Federal Government.
- C. The Treasurer shall coordinate the budget proposals for submission to the State Emergency Medical Services Council. This budget shall include anticipated expenditures for Regional Emergency Medical Services Council operations including funding for the Regional Emergency Medical Advisory Committee and the program agency contracted by the Council.

Section 5 – State Council Representative and Alternate:

- A. The Council Chair shall submit to the Commissioner of Health nominations for a representative and an alternate to the State Emergency Medical Services Council who each must be a Member of the Council per Article 30 Section 3002 (1).
- B. As per Article 30 there must be more than one nomination for any opening on the SEMSCO and they must be representative of the area served.
- C. Nominations will be made in accordance to the requirements listed in Article 30.

Section 6 – Officer Vacancy:

- A. If one of the Council's officer positions becomes vacant during a term of office, an election to fill that position will be held at the first meeting following the meeting the vacancy is announced by the Secretary.
- B. In the event the Council Chair's position is vacant, the Vice Chair shall temporarily assume the position of the Chair until the election is held to fill the vacancy.
- C. If the Vice Chair, Secretary, or Treasurer position is vacant, the Chair shall temporarily appoint a Member of the Council to the vacant position until an election is held to fill the vacancy.

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Article VII. Meetings

Section 1 – Operating Year:

- A. The operating year shall be the same as the fiscal year starting on April 1 and ending March 31 of the following year.

Section 2 – Annual Meeting:

- A. The annual meeting of the Council shall be held in conjunction with the first regularly scheduled meeting of the Council in each calendar year and shall include: an operations report for the previous year, a year to date fiscal report, as well as any other business that may come before the Council.

Section 3 – Meeting Schedule:

- A. The Council shall meet as frequently as its business may require. A schedule of meetings will be set at the annual meeting.
- B. The meetings will be open to the public and at a time and place as published in a schedule of meetings for that operating year. The schedule of meetings can only be changed by an affirmative vote of the majority of the whole number of Members of the Council present and such changes shall be published in a place accessible by the public.

Section 4 – Quorum:

- A. A majority of the whole number of Members of the Council shall constitute a quorum. For the purpose of this provision the words “whole numbers” shall be construed to mean the total number of Members that the Council would have if there were no vacancies.
- B. A majority of the whole number of Members of the Council, not just those present, and eligible to vote shall decide all matters except in those situations in which a greater majority is required by these Bylaws, or applicable laws.

Section 5 – Special Membership Meetings:

- A. Special membership meetings may be called as prescribed in Section 603 of the Not-For-Profit Corporation law.
- B. The Chair may also call a special meeting of the Members by giving notice to the Secretary of the Council at which point the Secretary shall promptly give notice of such meeting in the same manner as prescribed in Section 603 in the Not-For-Profit Corporation Law.
- C. Appropriate efforts must be made to post public notice of such special meetings as required by applicable laws and regulations.

Section 6 – Proxy Votes:

- A. Proxy votes will not be permitted.

Section 7 – Rules of Order:

- A. The most recent edition of *Robert’s Rules of Order Newly Revised* (RONR) shall govern all parliamentary proceedings of the meetings of the Council, its officers, and Committees except when they are in conflict with the Bylaws of the Council.
- B. The Council Chair shall appoint a parliamentarian each operating year.

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Article VIII. Committee Responsibilities

Section 1 – Member Obligations:

- A. Each Member of Council shall be assigned to one or more of the Standing Committees by the Chair of the Council during the March meeting of the Council, following election of officers.
- B. Members may express interest in one or more committees to the Chair in order to provide for their skills and abilities, but ultimately the balance of committee membership shall be decided by the Council Chair.

Section 2 – Committee Chair Obligations:

- A. Committee Chairs shall be Members of the Council.
- B. Chair of each standing or ad hoc committee shall be established by the Chair of the Council after membership of the committee is set.
- C. The Chair of any standing or ad hoc committee of the Council shall be responsible for:
 - 1) establishing an agenda
 - 2) taking attendance
 - 3) ensuring the taking of minutes and posting of same via the Program Agency
 - 4) ensuring participation of Council Members and addressing any deficiencies in same.
- D. The Chair of any standing or ad hoc committee shall maintain a roster of Members assigned and their attendance.

Section 3 – Committee Meetings:

- A. Committees will meet as often as business may require, and as established by the Committee Chair, but must meet at least quarterly during an operational year.

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Article IX. Standing Committees of the Council

Section 1 – Executive:

- A. The Executive Committee is charged with establishing Council priorities and communicating them to the membership and committees.
- B. The Executive Committee is also charged with monitoring issues and activity at the New York State EMS Council level including Health Department and State Council proposals.
- C. The Committee shall facilitate the development of, clarify, disseminate, and promote strategic planning for the Council.
- D. The Committee will meet as frequently as its business may require, typically monthly but no less than quarterly.
- E. The Executive Committee shall be comprised of the Officers of the Corporation, chairs of the standing committees, State Council representative, Monroe-Livingston Regional Medical Director, Program Agency Administrator, Monroe County EMS Coordinator/Administrator and Livingston County EMS Coordinator/Administrator.

Section 2 – Finance and Administration:

- A. There shall be a Finance and Administration Committee that shall consist of no less than three members, chaired by the Treasurer. Their responsibilities include:
 - 1) Propose a long term and short-term financial plan
 - 2) Review budgets and expenditures
 - 3) Bring fiscal recommendations to the Council
 - 4) Review and make recommendations regarding contracts
 - 5) Serve as the liaison with the Council's independent auditors
 - 6) Promote compliance with state accounting regulations.
- B. Members of the Finance and Administration Committee do not need to be a Member of the Council.
- C. The committee chair shall appoint all non-Council members of this committee

Section 3 – Training:

- A. There shall be a Training Committee whose responsibility includes:
 - 1) Review New York State Department of Health EMS Certification Course Sponsors activities
 - 2) Make recommendations regarding the approval of Course Sponsors agreements
 - 3) Develop and oversee a Regional Training Plan.
- B. Members of the Training Committee do not need to be a Member of the Council.
 - 1) Non-Council members serve in an advisory capacity.
 - 2) Only seated Council Members may vote on matters to be forwarded to the Council.
- C. The committee chair shall appoint all non-Council members of this committee.

Section 4 – System Operations:

- A. The System Operations Committee is responsible for coordinating the Council's role in the ambulance service determination of need process (New York State Public Health Law Article 30, Section 3003.5 and 3008).
- B. This committee also reviews and makes recommendations to the Council regarding exemptions from staffing standards (New York State Public Health Law Article 30, Section

3003.5-A and 3005-A), and to review and make recommendations regarding the provision of technical assistance (New York State Public Health Law Article 30,3003.3.m).

C. All members of this Committee must be Members of the Council.

Section 5 – Nominations, Elections, and Governance (NEG):

- A. The Nominations, Elections, and Governance Committee responsibilities include:
- 1) Reviewing and making recommendations on the procedural operations of the Council including bylaws, policies and procedures review and revision, review and recommendations for house rules for meetings, monitoring compliance with membership Bylaws
 - 2) Coordinate the nominations and elections process soliciting for nominees as required by the membership provisions of the Bylaws. It is a duty of this committee to seek out appropriate candidates to fill positions on the Council, to publicize openings on the Council, and submit resumes and present a slate of candidates for these openings to the full Council.
- B. Members of the Nominations, Elections, and Governance Committee do not need to be a Member of the Council.
- C. The committee chair shall appoint all non-Council members of this committee.

Section 6 – Public Information, Education and Relations (PIER):

- A. The PIER Committee addresses issues of public awareness of EMS in the region and coordinates the Regional EMS awards presented annually by the Council.
- B. Award recipients are recognized for clinical, educational and administrative excellence in EMS. The committee forwards all regional winners to NYS DOH for consideration of the State Emergency Medical Advisory Committee (SEMAC) annual awards.
- C. Members of the PIER Committee do not need to be a Member of the Council.
- D. The committee chair shall appoint all non-Council members of this committee.

Section 7 – Membership Committees:

- A. The Membership Committee shall be designated to assist the Secretary in management of the following responsibilities:
- 1) Determining appropriate mentors to advise new Members on policies and procedures of the Council.
 - 2) Collecting pertinent articles for new Members to read and understand by next Council meeting (Part 800, Public Health Law Article 30, etc.).
 - 3) Determining committees for new Members to join, depending on need.
 - 4) Establish a procedure for monitoring and managing Member affiliation.
 - 5) Manage Members who fail to adhere to attendance policies established by these bylaws.
- B. Members of the Membership Committee do not need to be a Member of the Council.
- C. The committee chair shall appoint all non-Council members of this committee.

Section 8 – Ad Hoc Committees:

- A. The Council Chair may, from time to time, establish an Ad Hoc Committee.

- B. The Council Chair shall charge each committee established with a specific task(s). Once such task(s) has been completed, the ad hoc committee will discharge its duties and cease.
- C. The Council Chair will select an Ad Hoc committee chair and its members.
- D. The committee will meet as often as necessary to discharge the assigned duties.
- E. The committee chair must be a Member of the Council and will report directly to the Council Chair on the findings of the committee.
- F. Members of an Ad Hoc Committee of the Council may, but are not required to be, Members of the Council.

Section 9 – Regional Emergency Medical Advisory Committee:

- A. There shall be a Regional Emergency Medical Advisory Committee (REMAC) of the Council as established by the Public Health Law. It will operate as a committee of the Council except that the REMAC's actions and decisions regarding medical control and medical direction will be solely determined by the voting members of the committee and not subject to approval by the Council.
- B. The Members of the Monroe Livingston Regional EMS Council are responsible for the election of REMAC members to the committee.
- C. The members of the REMAC shall elect a Chair from among their voting members.
- D. The REMAC shall nominate a qualified individual to represent the REMAC on the Council.
 - 1) The Council shall ratify nominee.

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Article X. Amendments

Section 1 – By-law Amendments:

- A. A notice of a proposal or intent to change the Bylaws must be provided to Members of the Council. Sufficient notice is accomplished by announcing the proposed Bylaw change or a statement indicating the intent to modify them at the regular business meeting prior to the meeting at which the vote is taken, or by written or electronic notification of the proposal or intent to modify the Bylaws to the Members of the Council.
- B. Either method requires at least a twenty-day (20) period elapse between the announcement and the vote.
- C. The notice must contain a statement of the proposed changes and the anticipated date of the vote.
- D. A motion to amend the Bylaws must be affirmed by two- thirds of the whole number of membership of the Council.
- E. These Bylaws shall become effective immediately upon approval unless otherwise noted in the motion to amend.
- F. Upon adoption, a copy of these Bylaws shall be entered in the minutes of the Council.

Section 2 – Relation to Articles 30 and 30A Public Health Law:

- A. No amendment shall be made to these Bylaws, which conflict with the New York State Public Health Law or the policies of the New York State Emergency Medical Services Council with respect to Regional Council activities.
- B. Any change in the law under which this Council is formed that affects any subject embraced in these Bylaws shall be considered as so many amendments to these Bylaws from the date thereof without formal action on the part of this Council.

Section 3 – Amendment Reporting Requirements:

- A. Any amendments to these Bylaws will be forwarded to the New York State Emergency Medical Services Council and New York Department of State within sixty days (60) of the adoption of such amendments.

Section 4 – History:

Original Bylaws Adopted May 1975

Revised February 1977

Revised March 1979

Revised June 1981

Revised October 1981

Revised November 1981

Second Edition Proposed December 21, 1981

Second Edition Adopted March 23, 1982

Third Edition Proposed February 1984

Third Edition Adopted June 26, 1984

Fourth Edition Proposed May 1985
Fourth Edition Adopted April 26, 1988
Fifth Edition Proposed March 1993
Sixth Edition Proposed June 1993
Sixth Edition Adopted August 1993
Seventh Edition Proposed and Adopted 1998
Eighth Edition Proposed and Adopted 2000
Ninth Edition Proposed and Adopted 2002
Tenth Edition Proposed and Adopted 2003
Eleventh Edition Proposed 2003
Eleventh Edition Adopted April 2004
Twelfth Edition Adopted June 2004
Thirteenth Edition Adopted November 2004
Fourteenth Edition Adopted August 2006
Fifteenth Edition Adopted May 2007
Sixteenth Edition Adopted October 2007
Seventeenth Edition Adopted August 2008
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