

# Parliamentary Procedure

Parliamentary procedure provides the process for proposing, amending, approving and defeating legislative motions. Although following parliamentary procedure is not required, it can make county meetings more efficient and reduces the chances of council actions being declared illegal or challenged for procedural deficiencies. A county may adopt, by ordinance or resolution, its own set of rules governing the conduct of county meetings, or it may adopt by reference formalized rules such as Robert's Rules of Order.



## Basic Rules

### Only one subject may be before a group at one time.

Each item to be considered is proposed as a motion which usually requires a "second" before being put to a vote. Once a motion is made and seconded, the chair places the question before the board by restating the motion.

**"Negative" motions are generally not permitted.** To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

**Only one person may speak at any given time.** When a motion is on the floor, an order of speaking is prescribed by Robert's Rules, allowing the mover of a motion to speak first, so that the group understands the basic premise of the motion. The mover is also the last to speak, so that the group has an opportunity to consider rebuttals to any arguments opposing the motion.

**All members have equal rights.** Each speaker must be recognized by the moderator prior to speaking. Each speaker should make clear his or her intent by stating, "I wish to speak for/against the motion" prior to stating arguments.

**Each item presented for consideration is entitled to a full and free debate.** Each person speaks once, until everyone else has had an opportunity to speak.

**The rights of the minority must be protected, but the will of the majority must prevail.** Persons who don't share the point of view of the majority have a right to have their ideas presented for consideration, but ultimately the majority will determine what the board will or will not do.

## Motions

Business is brought before the board by motions, a formal procedure for taking actions. To make a motion, a board member must first be recognized by the chair. After the board member has made a motion (and after the motion is seconded if required), the chair must then restate it or rule it out of order, then call for discussion. Most motions require a second, although there are a few exceptions.

Exact wording of motions and amendments is important for clarity and recording in the minutes. If it's a complex motion, the motion should be written down for the chair to read.

*Robert's Rules of Order provides for four general types of motions: main motions, subsidiary motions, incidental motions, and renewal motions.*

**Main Motions:** The most important are motions, which bring before the board, for its action, any particular subject. Main motions cannot be made when any other motions are before the group.

**Subsidiary Motions:** Motions which direct or change how a main motion is handled. These motions include:

**Tabling.** Used to postpone discussion until the group decides by majority vote to resume discussion. By adopting the motion to "lay on the table", a majority has the power to halt consideration of the question immediately without debate. Requires a second, non-debatable, not amendable.

**Previous question or close debate.** Used to bring the body to an immediate vote. It closes debate and stops further amendment. Contrary to some misconceptions, the majority decides when enough discussion has occurred, not the moderator. The formal motion is to "call for the question" or "call for the previous question," or simply, "I move to close debate." The motion requires a second, is not debatable and requires two-thirds majority.

**Limit/extend debate.** May be desired if the board has adopted a rule limiting the amount of time that will be spent on a topic, or if the board desires to impose a time limitation.

**Postpone to a definite time.** Similar to tabling, except that the motion directs that the matter will be taken up again at some specific date and time.

**Refer to committee.** Directs that some other body will study the matter and report back.

**Amendment.** Used to "fine tune" a motion to make it more acceptable to the group. The amendment must be related to the main motion's intent and cannot be phrased in a way that would defeat the main motion. Two amendments may be on the floor at one time: the first amendment modifies the main motion, and the second amendment must relate to the first amendment. When an amendment is on the floor, only the amendment may be debated. The amendments are voted on in the reverse order in which they were made, as each amendment changes to some degree the intent of the main motion. As each amendment is voted on, an additional primary or secondary amendment may be introduced. Requires a second, debatable, majority vote.

**Postpone indefinitely.** Effectively kills a motion, because, if adopted, a two-thirds vote is subsequently required to take the matter up again.

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## Incidental Motions

Incidental motions are house-keeping motions which are in order at any time, taking precedence over main motions and subsidiary motions.

### The motions include:

**Point of order.** To bring to the group's attention that the rules are being violated. You don't need to be recognized prior to making a point of order. This is not really a motion, but requires the moderator to make a ruling as to whether or not immediate consideration is proper.



**Appeal from the decision of the chair.** The group can overrule the chair on any decision. While the motion must be seconded, it cannot be amended. When this motion is moved and seconded, the moderator immediately states the question, "Shall the decision of the chair stand as the judgment of the board?" If there is a tie vote, the chair's decision is upheld. The motion is not debatable when it applies to a matter of improper use of authority or when it is made while there is a pending motion to close debate. However, the motion can be debated at other times. Each person may speak once, and the moderator may also state the basis for the decision.

**Parliamentary inquiry.** Not a motion, but a question as to whether an action would be in order.

**Point of information.** A person may rise to offer information that is considered necessary for the group. This provision is not used to offer debate.

**Division of assembly.** To require a more precise method of counting votes than by a voice vote, such as having persons raise hands, or stand. Don't require seconds or votes, and are not debatable.

**Request to withdraw a motion.** Contrary to popular misconception, a motion cannot be withdrawn by its mover. This request requires majority approval.

**Suspension of the rules.** When matters are to be taken out of order, or a particular task can be better handled without formal rules in place, this motion can be approved by a two-thirds vote of the group. However, until the rules are restored, only discussion can occur; no decisions can be made. Second required, not debatable, and not amendable.

**Object to consideration of a question.** When a motion is so outrageous, intended to distract the board from resolving legitimate business. The motion can be objected to and ruled out of order without debate. However, if the chair does not rule the motion out of order, a two-thirds vote of the board can block further consideration.

## Renewal Motions

Once the board has taken action, renewal motions require the group to further discuss or dispose of a motion.

### The motions include:

**Reconsider.** When the board needs to discuss further a motion that has already been defeated at the same meeting. A majority of the board must approve taking additional time to debate the motion again. The motion can be made only by a person who voted on the prevailing side earlier on the question. Contrary to another popular misconception, the motion may be brought up again at a subsequent meeting. If the moderator believes that there is no indication that the group's wishes have changed, however, the motion can be ruled out of order, subject to an appeal from the decision of the chair.

**Take from the table.** Unless the original motion to table directed that the motion be brought back at a specific date and time, a majority of the board must pass a motion to take from the table. Such a motion is non-debatable.

**Rescind.** When the board wishes to annul some action, a motion to rescind is in order at any time. If prior notice has been given to the board that this action will be considered, the motion to rescind can pass with a simple majority vote; however, if no prior notice has been given, the vote requires a two-thirds majority.

## Questions of Privilege

Finally, there are a few questions of privilege that are in order at any time and must be disposed of prior to resuming discussion on the matter at hand:

**Fix the time for next meeting.** This is in order at any time, including when a motion to adjourn is pending. Second required, not debatable, and is amendable.

**Adjourn.** To bring the meeting to a halt. Second required, not debatable, and not amendable. Alternatively, instead of a motion, the chair can ask if there is any further business. If there is no response, the chair can say, "since there is no further business, the meeting is adjourned."

**Recess.** A temporary break in the meeting; should state a time at which the meeting will resume. Second required, not debatable, and not amendable.

**Point of privilege.** A matter that concerns the welfare of the board. Can be raised even when another person is speaking. No second, not debatable, and no vote required.

**Call for the orders of the day.** A demand that the board return to the agenda. Can be taken when another person is speaking, no second required, not debatable, and no vote required.

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