

ATWOOD'S RULES FOR MEETINGS

ROSWELL L. ATWOOD

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ROSWELL L. ATWOOD 1956

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[iii] ABOUT THIS BOOK:

This book is written because of an acute awareness of the need for authoritative, complete and simple rules for the orderly and effective conduct of meetings. Such rules are known as Parliamentary Laws.

Due to the nature of existing parliamentary manuals, with their reference to involved and in some cases, outmoded procedure and the use of Latin terms such as “sine die,” “quasi,” “viva voce,” etc., the very mention of the subject “Parliamentary Law” causes many people to think of something complicated and very difficult to understand.

The subject of parliamentary law is a simple and common-sense one. It evolved gradually over hundreds of years as men and women struggled toward individual freedom and searched for ways and means of resolving their problems in group discussion.

The rights and responsibilities of each member are the results of that struggle. We who have these rights and responsibilities, also have a duty to learn and to obey the rules that preserve the fruits of the struggle. Those who preside over meetings have a responsibility not only to ensure that the purposes of the meeting are realized, but that each [iv] person present, including themselves, is governed in this conduct by the rules. They insist that everyone be permitted to exercise their rights and to discharge their responsibilities. While the presiding officer does these things he/she also should be aware that his/her knowledge of the rules is essential to a good meeting. He/she should always remember that the constitution of his/her own organization is the first consideration and the basis for all action.

Freedom is not freedom “FROM” but rather freedom “TO”; in this case freedom to participate in meetings under rules that are known to all and which apply to all. Any other method is dictatorship, either by the presiding officer or by strong or dominant individuals within the group. There is a tyranny in every man and woman that impels him/her to work his/her will upon another or upon others in the group. These rules of parliamentary law serve to permit everyone an appropriate opportunity to persuade and provide the order necessary to control the unruly or the would-be tyrant. The rules provide safeguards for the rights of the minority; they assure that, finally, the majority will prevail.

Because we believe in the freedom of the individual, the study and observance of rules are necessary for all who participate in meetings. These rules apply to any meeting of civic, social, trade [v] union, business, professional or other group or organization.

During the past 80 years, parliamentary manuals have come into general use. While it is true that most of them are rather difficult for ordinary people to read, and use, there is a greater interest in the subject than ever before. What has been needed is a book of rules written for the people.

It is my purpose to provide an easily understood book of rules for

meetings. Instead of simply reworking the manuals of the past, I have drawn upon my long experience and the rules generally used where parliamentary procedures apply.

If you have been using certain popular manuals, you may notice that some items that appear in them have been left out of this book. They have been left out for one of three reasons: they add nothing to an understanding of the subject; they are not really part of parliamentary law; or they have no application today.

Approaching the subject in this way, many cumbersome, old-fashioned and confusing words and phrases have been left out. This will result in better understanding and use of the rules. For example, there is no reason whatever to use such an expression as “viva voce” when what is meant is “voice vote.”

It is my hope that you will find this book a help [vi] in understanding the fundamentals of parliamentary law. The arrangement of the subjects is alphabetical. When you want information in a meeting, you want it at once. To find what you want in the shortest time, do this:

1. Find the subject in the Contents or in its alphabetical position in the book.

2. Under each subject there is a separate index which will show you the section number of the item you want.

The necessary information is all under one heading. This makes it much easier to find what you want. There are no cross references, It is not required that you turn to several different pages to find out about one subject.

I have taught parliamentary law for many years. All kinds of people have been in my classes, including those from the professions, trade union members and leaders, business executives and club women. I have had many fine discussions about this subject with people from all occupations and almost every variety of background. What has been especially impressive has been the interest and ability of the men and women of the trade union organizations. Their earnest desire for knowledge of the subject and their willingness to cast aside long established errors, show an awareness of responsibility this is stimulating indeed.

I suggest that you read this book, a subject at a [vii] time. Become familiar with its simple arrangement, and its contents. Form the habit of taking it with you when you go to meetings. Use it, not to obstruct the proceedings, but to free them from those common mistakes that make so many meetings a waste of time. If you are helped to a better understanding of the rules and are, through this understanding, a more effective member of your organization, my purpose will have been realized.

Roswell L. Atwood

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ACCEPT A REPORT

Member: “I move to accept the report.”

Effect: To endorse whatever is in the report.

It is debatable.

It can be amended.

Requires a majority vote.

When in order: This motion is in order immediately after the report has been read.

(1) Sometimes a report will contain recommendations or resolutions. If this is the case, the proper motion to make is “to adopt the recommendation.” If there are several of them, and you think there will be opposition to some, it is a good idea to take them up separately. The motion would then be “to adopt recommendation number one” or “to adopt resolution number one.”

[2] (2) Do not make a motion to accept the report if there are either recommendations or resolutions in the report. First, take care of the recommendations and the resolutions.

(3) A report is often one of routine action. For example, a committee may report that there had been a meeting and that the matter referred had been discussed but no action taken. Such a report does not require any action. It is not necessary to vote to “place the report on file.” It is the duty of the secretary to file all written reports without a motion.

(4) A report that suggests action, without containing recommendations or resolutions, is voted on. It is not necessary for the Chair to wait for a formal motion and a second. It can be assumed that the motion is made and seconded because of the fact that it is the report of a committee.

(5) To accept a report means to adopt the whole of what is submitted in the report. If the report includes recommendations and a motion is made “to accept the report” and this motion is carried, the recommendations in the report are automatically adopted. It would be too late for a motion to be made “to adopt the recommendations.” Because of

this fact, you should be very careful when making the motion to accept a report. [3] Be sure that is what you want to do.

(6) A special committee, when it gives a final report, ceases to exist. No motion is necessary to end the committee as that takes place as a result of giving its final report. The acceptance of this final report is sometimes accompanied by an expression of appreciation such as, “I move that the report of the committee be accepted with appreciation for the fine work done.”

(7) The treasurer’s report, which is more correctly known as the “treasurer’s statement,” is not accepted at any time. There is an auditor or an auditing committee whose report is submitted either annually or quarterly. This is the report to accept. Remember, the treasurer’s report *is not accepted*.

(8) The report of the nominating committee *is not accepted*. To accept a report is to adopt what is in the report. If it were possible to accept a nominating committee’s report, no further nominations could be made and the election would be over. This, of course, would be an illegal election.

(9) After the motion “to accept the report” has been made and stated, it is to amend the report. This can be done by adding to it, taking from it or even to substitute something else.

For example, if there is a minority on the committee who do not agree with the report, they may [4] give a report of their own. This is called the “minority views” and is not referred to as a “report.” After the minority views have been read by one of the minority, they can move “to substitute the minority views for the report of the committee.” If this motion is carried, the minority views become the committee report and there is no vote on the committee report.

The Chair: “The question is ‘Will the minority views be substituted for the report of the committee?’” If that motion carries, “the question now is on the adoption of the report as substituted.” A majority vote is required for both motions.

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PRIORITY OF MOTIONS

The motions with larger number have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in [6] order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, a request for information and personal privilege are not motions and are not included.

1. Main Motion*
2. Postpone Indefinitely*
3. Amend*
4. Amend an amendment*
5. Refer to a committee*
6. Postpone to a certain day*
7. Limit or extend limits of debate 2/3 Vote
8. Stop Debate 2/3 Vote
9. Appeal
10. Table
11. Recess (if other business is pending)
- 12. Adjourn (unless no provision for future meeting)

*Debatable

ADJOURN--PRIORITY NO. 12

Member: "I move we adjourn."

Motion must be seconded.

Not debatable.

Majority vote needed.

Effect: To end the meeting.

(1) There are two forms of the motion to adjourn. The first is the simple form: "I move we [7] adjourn." This motion is not debatable, nor can it be amended.

The motion to adjourn cannot be made when another member has the floor; nor can it be made at all except by a member recognized by the Chair. Many times a person is so eager to make the motion to adjourn that they do so without waiting for the Chair to give him/her the floor. This motion, like other motions, must have three things that take place before it can be voted upon. It must be moved by someone recognized, it must be seconded, and it must be stated by the Chair and put to a vote. Even after a motion to adjourn has been carried, the meeting is not adjourned until it is so announced by the Chair. Members should remain seated until the announcement by the Chair, "The meeting is adjourned."

Sometimes the by-laws state that the motion to adjourn can be made only after certain business has been done, or a certain time has passed. If there is such a by-law, it should be strictly followed.

Chair: "A motion has been made to adjourn." "This is not debatable." "Those in favor of adjourning, raise your hand." (Counts) "Those opposed." (Counts) "Having voted in favor." "Opposed." The motion is passed (or defeated).

(2) The other form of the motion is made in a meeting when no provision has been made for [8] another meeting later that day or the next day. This form of the motion is called "to fix the time to which to adjourn." It is worded, "I move that we adjourn until 9 o'clock tomorrow morning," also "I move that when we adjourn we adjourn until -----." This is a debatable motion and can be amended.

(3) Both forms of the motion must be seconded, and if carried, end the meeting immediately the Chair announces the adjournment. They both require a majority vote. They both can be repeated if there has been any business, including progress in debate, in the meantime.

To adjourn in either of its forms can be made only by a member who has been recognized by the Chair.

(4) The Chair has the right to refuse to accept the motions if it is being made to obstruct the meeting. They also have the right to refuse the motion if the agenda for the meeting, as provided in the by-laws, has not been completed.

(5) The motion to adjourn has the highest priority of the motions.

(6) When the effect of the motion to adjourn would be to end a meeting without any provision for future meetings, it becomes an ordinary motion and loses its priority.

(7) There are certain situations in which the Chair can adjourn a meeting. These are the [9] following:

1. An "Act of God." (Such as a hurricane, flood, or earthquake.)
2. Fire in the building where the meeting occurs or immediately adjacent to it.
3. Riot, or extreme disorder in the meeting.
4. A time as stated in the rules is reached.

(8) If one of the first three contingencies occurred at the first meeting of an organization, or a mass meeting, the Chair has the right to declare what time the meeting is adjourned. They may also under these conditions include the place where the next meeting will be held.

(9) If there is great disorder in a meeting, the Chair should resort to adjournment only after all other methods have failed. Try obtaining order by beating your gavel upon the table. If this fails to restore order, direct the sergeant-at-arms to function. In most cases, if the sergeant-at-arms is diligent in his/her duties, the meeting can resume. In extreme cases of disorder, the only thing left is to adjourn the meeting.

(10) An adjourned meeting is a continuation of the same meeting that was adjourned. Whatever business was pending at the time of adjournment will be in order immediately after the reading of the minutes at the next meeting.

Remember that there may be several meetings during one session, each meeting being adjourned [10] until the next meeting. In the case of an annual meeting that is adjourned to meet the next day or is adjourned over a week-end, the adjourned meeting is a continuance of the annual meeting and whatever action could legally be done at the annual meeting can be done at the adjourned meeting. For instance, assume that the annual meeting is to take place the "second Monday of November." On Monday the annual meeting begins. There is a contest for office and although several ballots are taken, there is no election because no candidate receives a majority. Someone moves "that we adjourn until 9 a.m. tomorrow." This motion carries. On Tuesday the balloting continues until a candidate receives a majority and is elected. This election is absolutely legal even though it took place on Tuesday, because it was an adjourned meeting.

Another example: Assume that when the annual meeting was scheduled for the second Monday of November, a severe storm prevented members from attending. There was no quorum. Those present voted to adjourn until the next day or until Wednesday, if conditions prevented a Tuesday meeting. On Wednesday a quorum was present and the meeting was held. This would be a legal meeting as it was an adjourned meeting. An adjourned meeting is legally the continuation of the meeting that was adjourned. An adjourned meeting [11] does not have to be an annual

meeting. Any meeting that is made to adjourn until the next day or over a weekend, is an adjourned meeting.

(11) A meeting cannot be adjourned for more than three days. In determining three days, either the day of adjourning or the day of meeting must be counted. Sunday is not taken into account in the three days.

(12) The motion to adjourn cannot be made while a vote is being taken, either the first time, or when a division has been requested. The motion is in order *after* the vote is taken, even though the result of the vote has not been announced.

(13) Many times a presiding officer is faced with the situation that a meeting is debating a motion and a member moves to adjourn. The apparent object of this motion is to shut off further debate. When this use of the motion happens often, it is essential that something be done to prevent this use of the motion. There are two methods, one of which might be suited to your organization.

The first is to require a 2/3 vote for adjournment. This would have to be in your standing rules. The second method is to adopt an agenda and put it in the by-laws. The provision should include, "the motion to adjourn is not in order until the completion of the agenda."

Whether the first or the second method is followed [12] would depend on the situation you have in your local organization. The advantage of the agenda approach is that an amendment of the by-laws is necessary to change adjournment procedure. It assures completion of the pending business without interruption by adjourning. It would not prevent a meeting from postponing a motion until another meeting.

Even when there is no provision in the by-laws to prevent a motion to adjourn, the Chair has authority to request the mover of the motion to adjourn to hold his/her motion until later. Usually such a request is agreed to by the mover. If, however, the mover insist upon his/her motion, there is nothing the Chair can do except put the motion to vote.

An adjourned meeting is a continuation of the same meeting that was adjourned. The business that was being debated at the time of adjournment will be in order immediately after the reading of the minutes at the adjourned meeting.

There may be several meetings during one session, each meeting being adjourned until the next one. When an annual meeting is adjourned until the next day or over a weekend, the adjourned meeting is a continuation of the annual meeting and any action that could legally be done at the annual meeting, can be done at the adjourned meeting. For example, the by-laws state that the annual meeting shall take place “the second Thursday of November.” The annual meeting begins on time but there is much business and the election of officers does not take place until Friday. This election is legal even though it took place on Friday because it was an adjourned meeting.

A meeting cannot be adjourned for more than three days. In determining three days, either the day of adjourning or the day of meeting must be counted. Sunday is not taken into account in the three days. Example: A meeting is adjourned on Monday “for three days.” The adjourned meeting would begin on Thursday. Another example, a [14] meeting adjourns on Friday for three days. The adjourned meeting would begin on Tuesday.

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AGENDA (ORDER OF BUSINESS)

(1) When an agenda, often called an “order of business,” has been adopted by vote, it cannot be varied from except by a motion to change the order of business, which takes a 2/3 vote.

(2) When the agenda is included in the by-laws, the only way the proceedings can be changed is by amendment of the by-laws. If there is a provision that “the motion to adjourn shall not be in order until the completion of this order of business,” this must be followed exactly. A by-law of this kind cannot be suspended, even by unanimous consent.

[16](3) A regular agenda would include the following:

1. Opening ceremony (if the custom in organization).
2. Reading and adopting the Minutes.
3. Treasurer’s statement.
4. Reports of standing committees.
5. Reports of special committees.
6. Special orders.
7. Unfinished business.
8. New business.
9. Closing ceremony (if the custom in organization).
10. Adjournment.

(4) When it is the custom to have opening and closing ceremonies, they should be included in the agenda. If there is a closing ritual, the motion to adjourn cannot be made, but the meeting would end with the ceremony.

(5) If a motion has been postponed to a specific hour and made a special order, it is to be taken up at the time stated in the motion to make it a special order. When that time arrives, the Chair announces, “The hour of 10 o’clock having arrived, the special order is now the pending motion.” This interrupts any business that may have been going on.

AGENDA (ORDER OF BUSINESS)

(6) If a motion has simply been “made a special order for the next meeting” it would be considered [17] immediately after reports of special committees.

(7) Motions which have been “postponed until the next meeting” are to be taken up as the first items of unfinished business.

(8) “New Business” consists of new main motions, resolutions, nominations and elections. In some organizations, reports of committees that contain recommendations are taken up under the heading of new business. When that is the custom, the committee report is first read under the heading “reports of standing committees.” The Chair then states, “The recommendation will be referred to new business.” There is no requirement in parliamentary law for this to be done. On the other hand, there is no particular harm in the procedure if it is the custom.

(9) The Treasurer’s statement is not accepted. When the auditor’s report is ready, either quarterly or semi-annually, it should be read under the heading “Treasurer’s statement.” This takes place right after the treasurer has submitted his/her statement.

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The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, request for information and personal privilege are not motions and are not included.

- 1. Main Motion*
- 2. Postpone Indefinitely*
- 3. Amend*
- 4. Amend an amendment*
- 5. Refer to a committee*
- 6. Postpone to a certain day*
- 7. Limit or extend limits of debate 2/3 vote
- 8. Stop Debate 2/3 vote
- 9. Appeal

10. Table
11. Recess (if other business pending)
12. Adjourn (unless no provision for future meeting)

*Debatable

AMEND

(1) A motion to amend may be made at any time after the Chair has stated the questions, and [20] before other motions have been offered. The exception is that an amendment can be offered after the motion to postpone indefinitely has been made, and while it is pending. The effect of amendment is to change the motion to which it is offered. This may be done by adding words, striking out and inserting, striking out, or substituting.

(2) *Member:* "I move to amend the motion by striking out '\$100' and inserting '\$200.'"

Effect: To change the figure in the original motion. It does not affect any other part of the motion.

It is debatable.

It can be amended.

It requires a majority vote.

Chair: "An amendment has been offered to strike out '\$100' and insert '\$200.'" "Those in favor of this amendment raise your hand." (Counts) "Those opposed raise your hand." (Counts) Announces the result.

(3) It is necessary that the motion be complete. If you want to change something, think of how the motion will read, *if amended*. So don't overlook the periods and commas. Be sure that the finished product as amended, makes sense.

(4) An amendment must be related to the motion. This is called being "germane." For instance, if a motion is pending (before the meeting) to "authorize the purchase of a new gavel for the [21] President," it is not in order to amend by adding "and pay the expense of the delegates to the state convention." The two things have nothing in common.

It is out of order to have an amendment which phrases in the negative. "Resolved, that this lodge go on record as favoring the action of the President." Not in order -- amendment to insert "not" before "go" because then those in favor of the original motion, if it is amended in this way, would have to vote against it. This is too confusing and is not in order.

(5) While an amendment is being debated it can be amended. The amendment of an amendment has to refer to the amendment. For example, let's assume a motion to "donate \$50 to the Red Cross." An amendment is offered to strike out "Red Cross" and insert "Heart Fund." An amendment of the amendment could be to strike out "Heart Fund" and insert "Community Chest." It would not be in order to amend the

amendment in any way except regarding who was to get the money. After that is settled, in this example, then the amount could be amended. Thus, the amendment voted on first would be to strike out "Heart Fund" and insert "Community Chest." If that carried, the first amendment would not be voted on, but you would go directly to the motion as amended, "to donate \$50 to the Community [22] Chest."

(6) *Member:* "I move to amend the amendment by striking out '\$200' and inserting '\$250.'"

Effect: To change the figure in the amendment. It does not affect any other part of the amendment, or the original motion.

It is debatable.

It cannot be amended.

It requires a majority vote.

Chair puts vote: "An amendment of the amendment has been offered to strike out '\$200' and insert '\$250.'" "Those in favor of this amendment raise your hand." (Counts) "Those opposed raise your hand." (Counts) Announces the result.

(7) The following motions *cannot be amended:*

Adjourn.

Amend an amendment.

Appeal.

Informal consideration.

Nominations.

Object to consideration.

Permission to withdraw a motion.

Postpone indefinitely.

Question of privilege.

Reconsider.

Stop debate.

Suspend the rules.

Table.

Take from the table

[23](8) Because the constitution of your organization contains the fundamental rules, it should not be easy to amend. It should always require advance notice of the proposed amendment. This should occur at a regular meeting, at least one month before the meeting when action is to be taken. Many times a constitution requires that amendment can only be made at annual meetings. This is a sound idea. Not only should there be notice at a previous regular meeting, but written notices of the proposed amendment must be sent to each member.

(9) The vote necessary to amend a constitution is a 2/3 vote. This means 2/3 of the members voting, a quorum being present. It is even better to have the requirements that amendment can be only by vote of 2/3 of the member's present. The section of your constitution concerning its amendment should be carefully read. The phrase "2/3 of the member's present" makes it more difficult to amend. For example, if 200 members

were present, it would take at least 134 votes to adopt an amendment. If the phrase is “a 2/3 vote” and you have 200 present with 190 votes cast, it is necessary to have only 127 votes to amend.

Sometimes the language used in a constitution is “2/3 of the members.” This really ties up the constitution, as you would rarely be able to obtain such a vote as that.

[24](10) “A committee to revise the constitution” or “a committee to amend the constitution” should be selected. Usually such a committee is appointed by the Chair. The motion creating the committee should give instructions whether the whole constitution or only one article is to be considered. If the instructions refer to only one article, that is all the committee can consider. In this case, the wording might be “I move that a committee of three members be appointed by the Chair to consider the amendment of article 6 of our constitution and to report at the regular meeting in December.”

(11) If the constitution is to be amended in several of its articles, the wording of the motion might be “I move that a committee of three members be appointed by the Chair to revise the constitution and report at the regular meeting in December.”

(12) When a report is made by either type of committee, such report can be amended from the floor.

The rule regarding amending a committee report on amending the constitution is as follows:

1. No amendment can be made which makes the subject matter of the proposed amendment of the article of the constitution, different from that of the notice.

2. An amendment of the committee report [25] from the floor is adopted by majority vote, regardless of the vote required for final amendment of the constitution.

Rule No. 1 means that if you have a proposed amendment brought in by the committee concerning “regular meetings,” an amendment cannot be offered from the floor regarding term of office or any other item except something relating to regular meetings.

(13) If you want to have a more flexible arrangement about amending a constitution, have the committee appointed “to revise.” Then in your notices for the meeting, use language like this, “to see if the meeting will revise the constitution” or “to take action on the report of the committee to revise the constitution.”

(14) A substitute is a kind of amendment by which you replace the main motion, or part of it, with either a new motion or section. For example, during debate on a main motion, amendments are in order. A member moves to substitute a new section for one of the sections in the motion. The presiding officer would first state the substitute and then accept any other amendments that might be offered to the original section. If there are amendments, they are voted on and the next item considered is the substitute. It is now open for amendment. After voting on any

amendments to the substitute, the Chair puts the substitute to a [26] vote saying, "The question is on the substitution of the section just read, as amended, for the original section."

A majority vote is required to adopt the substitute. The House rules call a substitute "an amendment by way of substitute." If the substitute is adopted, the pending section is not considered any further.

(15) When a committee submits a report, it is moved "to accept the report of the committee." This motion can be amended to include only certain parts of the report. For example, an amendment can be offered "with the exception of the recommendations of the committee." If this amendment is adopted, the report would be accepted but not the recommendations, which would be voted on separately. Another amendment of the motion to accept might be to add to the report or to take from it.

If the report of a committee is amended, the minutes of the meeting should show the report was amended.

If the report of a committee is copied on the minutes, the original wording is written. Amendments voted by the meeting are listed separately.

(16) Sometimes there is no constitution and all the items that would be in it are included in the by-laws. When this is so, the by-laws should be [27] amended by a 2/3 vote with previous notice. It is a mistake to have the by-laws easy to amend when they contain the fundamental rules.

When by-laws are to be amended, each proposed amendment is debatable. Such an amendment can be amended from the floor by *majority* vote, regardless of the vote required for final adoption of the amendment.

(17) Another of the standing rules must provide for their amendment. This should be by 2/3 vote. "These standing rules may be amended at any regular meeting by a two-thirds vote."

(18) When an amendment is offered and the mover of the main motion wants to include the amendment in their motion, this is the procedure:

Mover of amendment: "I offer an amendment to add the words, 'at a cost not to exceed \$200.'"

Mover of main motion: "I ask permission to add the amendment to the motion."

Chair: "Without objection, the amendment is added."

The mover of a main motion may modify the motion. It must be done by asking unanimous consent. One objection makes it necessary to have a vote taken in the regular way.

**AMEND AN AMENDMENT
PRIORITY NO. 4**

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PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, request for information and personal [29] privilege are not motions and are not included.

1. Main Motion*
 2. Postpone Indefinitely*
 3. Amend*
 - 4. Amend an amendment*
 5. Refer to a committee*
 6. Postpone to a certain day*
 7. Limit or extend limits of debate 2/3 vote
 8. Stop Debate 2/3 vote
 9. Appeal
 10. Table
 11. Recess (if other business pending)
 12. Adjourn (unless no provision for future meeting)
- *Debatable

AMEND AN AMENDMENT -- PRIORITY NO.4

Member: “I move to amend the amendment by striking out \$200 and inserting \$300.”

Must be seconded.

It is debatable.

Cannot be amended.

Requires a majority vote.

(1) *Chair*: “An amendment of the amendment has been offered to strike out \$200 and insert \$300.” “Those in favor of this amendment raise your hand.”

(2) A main motion can be amended. While [30] the amendment is pending, it can be amended. The amendment of an amendment is necessary to give members a choice of action where otherwise it would be difficult to get results. Only one amendment of an amendment can be pending at one time. It must be voted on before another can be offered.

(3) The amendment of an amendment has to be on the same subject matter as the amendment. For example, if the amendment is to add “before the hour of 3:00 p.m.” to a pending motion, an amendment should have to be about time. It would be out of order, in this case, to offer an amendment to the amendment except regarding time.

(4) If a committee reports a resolution with amendments, it is in order to amend this committee amendment from the floor. When such an amendment from the floor is pending, it cannot be amended.

(5) After the committee amendments are voted on, the Chair asks if there are any other amendments to be offered. If there are any, they are voted on. The motion is finally put to a vote “on the resolution as amended.”

(6) The voting for an amendment of the amendment does not prevent the need for a vote on the amendment as amended.

Example: Amendment is offered: “At a cost not [31] to exceed \$400.” An amendment of the amendment is carried, “to strike out \$400 and insert \$500.” As soon as this is carried, the amendment has been changed from \$400 to \$500. It is now necessary to vote on the amendment as amended, “at a cost not to exceed \$500,” because up to this time the words “at a cost not to exceed” have not been voted on.

(7) The mover of a motion or an amendment has no control over his/her motion or amendment as soon as it has been stated (repeated) by the Chair. From that time he/she cannot withdraw his/her motion or change it except by unanimous consent. If no one objects, he/she can change his/her motion. When the mover of a motion supports an amendment, he/she can ask unanimous consent to add the amendment or to change his/her motion or his/her amendment.

Example: Mover of amendment of the amendment: “I move to amend the amendment by striking out \$200 and inserting \$300.”

Mover of amendment: “I ask permission to change the figure in the amendment from \$200 to \$300.”

Chair: “Without objection, the figure in the amendment is changed from \$200 to \$300.”

One objection makes a vote necessary.

(8) The word “germane” is used in parliamentary law to mean that an amendment must be **[32]** directly related to the fundamental purpose of the motion. An amendment of an amendment must be directly related to the fundamental purpose of the amendment.

Whether a motion is germane is a matter for the Chair to determine. He/she does this either when the amendment is first offered or when a point of order is raised regarding it. Common sense is necessary in making a decision whether an amendment of an amendment is germane.

(9) If in the opinion of the Chair, a suggested amendment of an amendment is not germane, the ruling should be made at once.

(10) Example: Chair: “The amendment refers to the time limit for purchase.” “The amendment of the amendment is out of order because it is not germane to the amendment.”

(11) If an amendment of an amendment is defeated, it is in order from someone to offer another amendment of the amendment.

(12) Sometimes the adoption of an amendment of an amendment makes a vote on the amendment unnecessary.

(13) Example: An amendment is offered, “to strike out \$100 and to insert \$200.” An amendment of the amendment is carried, “to strike out \$200 and insert \$300.” It is not necessary to have a vote on the amendment because the meeting has already voted to insert \$300 in the motion. After **[33]** the adoption of the amendment of the amendment, the vote would be taken on the motion as amended.

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ANNUAL MEETING

(1) The by-laws should provide for an annual meeting for the election of officers, the annual reports of officers, sometimes the amendments of the by-laws and other business of this type. In some organizations the annual meeting occurs every two years, even though it is still called “annual meeting.”

(2) The annual reports of officers should contain summaries of what was done rather than detailed accounts. The annual report of the secretary, for example, should contain such items as the number of meetings held, average attendance, a summary of the activities of the organization as recorded in the minutes, all without personal comment. The official acts of the secretary should be summarized, as the number of letters sent, number received, etc.

(3) A mistake commonly made is to have too [35] much detail. When there are several annual reports, great detail in each leads to tiresome and prolonged meetings. Annual reports are read for the information of the members and do not require action. After the reading of each report, the Chair should say, “The annual report of the ----- will be placed on file.” The same procedure is followed by the president, who first reads his/her annual report from the chair and then announces that it will be placed on file. After each report is read, it should be given to the secretary.

(4) The agenda for the annual meeting should be carefully prepared according to the provision of the by-laws. Special care should be taken regarding the provision for when the officers’ terms begin. If the provision is that the term of office begins *at the close* of the annual meeting, the new officers do not function at the meeting. If, on the other hand, the provision is that the officers take office at the annual meeting, they would assume their offices immediately after election. Such a provision is not advisable because of the confusion resulting from a change of officers during the meeting. It is better to have the election on a date at least a month before the beginning of the term of office. This gives the new officers a chance to prepare for their jobs and the retiring officers an opportunity to put their records, papers, etc., in good condition.

[36](5) Some by-laws provide that they can be amended only after advance notice, at the annual meeting. A provision such as this is a protection against sudden and poorly worded amendments. The theory behind such a provision is to provide plenty of time for consideration of the proposed amendment. This is especially necessary for constitutions that should always be difficult to amend.

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PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, request for information and personal privilege are not motions and are not included.

- [38]**
1. Main Motion*
 2. Postpone Indefinitely*
 3. Amend*
 4. Amend an amendment*
 5. Refer to a committee*
 6. Postpone to a certain day*
 7. Limit or extend limits of debate 2/3 vote
 8. Stop debate 2/3 vote
 - 9. Appeal
 10. Table
 11. Recess (if other business is pending)
 12. Adjourn (unless no provision for future meeting)

*Debatable

APPEAL -- PRIORITY NO. 9

Member: "I appeal from the decision of the Chair."

Not debatable: Usually the Chair listens to some of the members who want to express their views about the decision. The member who makes the appeal is entitled to say why he/she did so.

It cannot be amended.

Requires a majority vote.

Effect: To have a vote on whether the decision of the Chair will be supported by the meeting.

Chair: “An appeal has been made from the decision of the Chair.” “The question is, will the decision [39] stand?” “Those in favor of the decision will raise your hand.” (Counts) “Those opposed.” (Counts) Announces the results: “Forty-two having voted to sustain the Chair and eleven against, the decision of the Chair stands.” Or, “Eleven having voted to sustain the Chair and forty-two against, the decision of the Chair does not stand.”

(1) When the Chair makes a decision, it stands unless overturned by vote of the meeting. The exceptions are when the Chair makes a decision based on the constitution and by-laws of the organization. Such a decision cannot be appealed. To do so would be to change the by-laws. This can only be done in the way provided in the by-laws themselves.

(2) The answer to a parliamentary inquiry is not a decision and therefore cannot be appealed.

(3) An appeal cannot be amended. There can be no appeal when the Chair decides a point of order while another appeal is pending.

(4) There is danger in a situation in which the decisions of the Chair are frequently appealed. This is not necessary and is very harmful to the organization. To have such frequent appeals means one of two things. Either the Chair doesn't know his/her job or he/she doesn't have a majority with him/her.

If the Chair doesn't know the basic rules of procedure, he/she should study them. If he/she [40] doesn't have a majority, he/she should resign. There is no way to conduct the affairs of a group without the necessary votes.

(5) The following procedure is used in many organizations as well as in the House of Representatives. When an appeal is made from the decision of the Chair, a motion is immediately made to table the appeal. If a majority vote to table, it kills the appeal, as an appeal can be considered only at the time the decision is made.

There will be some members who will protest that such a procedure takes away their rights of appeal. Of course, this is not so because it takes a majority vote to table and anyone who wants to can vote against it. If the motion to table is defeated, the appeal is considered in the usual way.

(6) When an appeal has been voted on, it cannot be renewed. The only time that an appeal can be taken is immediately after the decision is made. Therefore, if an appeal is laid on the table, it cannot be renewed and if the appeal is defeated, it cannot be renewed.

(7) A tie vote on an appeal sustains the Chair. This is because a majority is needed to overturn the Chair's decision. The Chair can vote

to make a tie or he/she can vote if no tie is involved. He/she does this from his/her place as presiding officer.

(8) Unless your by-laws provide differently, the presiding officer continues to preside during [41] an appeal. From the Chair, he/she states his/her reasons for the decision. The member who appealed has the right to present his/her views. The Chair may recognize some other members, especially past presidents of the organization. There is no debate in the ordinary use of that word. After the opinions have been expressed, the presiding officer from the chair puts the question to vote.

(9) When an appeal has been taken and is pending and the Chair makes another decision, that decision cannot be appealed. There can be only one appeal pending.

(10) There is no appeal from the decision of the Chair when there is:

1. A response to a parliamentary inquiry.
2. A dilatory motion.
3. A decision on recognition.
4. Another appeal pending.
5. A question on which an appeal has just been decided.
6. A roll call being taken.
7. Between the motion to adjourn and the vote thereon.

(11) Debate on an appeal from a decision on a point of order is for the information of the Chair. It is his/her privilege to stop this debate if started, or to prevent it altogether, if he/she chooses.

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AUDITOR

(1) Every organization that has money needs both a treasurer and an auditor. Sometimes the audit is done by a committee. A standing committee may be assigned the added duty of acting as an auditing committee or there may be a separate auditing committee.

(2) An auditor should be chosen only for his/her ability in understanding figures. If large sums are involved, a professional auditing firm should be employed. If the money involved is not a large enough amount to warrant hiring a firm, it [43] is often possible to obtain the services of a trained accountant (CPA).

(3) The object of having an audit is to provide a statement of the accuracy of the records of receipts, expenditures, and money currently available. It is as important for the treasurer to have an audit as it is for the membership. The report of the auditor is a short statement that is submitted either quarterly or annually with the treasurer’s statement. This report is voted on by the membership, the motion being “I move that the auditor’s report be accepted.”

(4) When the auditor is elected by the membership he/she is an officer of the organization. As such, he/she has the right to attend executive committee meetings. He/she should attend such meetings when he/she has a report to submit or when there is business to come before the committee that concern his/her duties. With these exceptions, the auditor should not be expected to attend all meetings of the executive committee. It is a specialized duty, and this should be remembered when writing the by-laws and constitution.

(5) This wording is suggested, “The officers and 5 members to be elected annually, shall constitute the executive committee.” “The auditor shall attend such meetings of the executive committee as are necessary in performing his/her duties.”

[44](6) When the auditor is not a member of the organization, he/she is hired by the executive committee. This may be done by vote of the committee even though there is no provision in the by-laws for an auditor. In this case he/she is not an officer.

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BUSINESS

(1) The object of having a business meeting is to consider and take action on matters of interest to the members, as such matters affect the organization. This procedure is known as the “business” of the meeting. It includes reports of officers and committees and their recommendations, communications from outside the organization and from superior bodies. It is the rule that business can only be accomplished at meetings that are either [46] regularly scheduled or when the members have been notified of a special meeting.

(2) The business of a meeting is divided into “Unfinished Business” and “New Business.” Unfinished business consists of motions that were being considered at a previous regular meeting but had not been voted on finally. “New Business” consists of motions and resolutions offered by members and stated by the Chair.

(3) A special meeting can consider only the subject for which it was called. At a special meeting, there can be no unfinished business coming from a previous meeting.

(4) When a matter is being considered at a regular meeting and that meeting recesses over a weekend, the business continues as though there had been no recess. For example, a motion is being debated on Friday. A, B, and C have spoken on the motion. It is voted to recess the meeting until Monday. When the meeting is called to order again on Monday, the same motion is to be debated. A, B, and C having already spoken on the motion cannot speak a second time.

(5) It is the duty of the presiding officer to know what business is before the meeting and what is to be considered next. He/she should always tell the members *exactly* what is to be voted on before taking a

vote. For example, “The motion is to adopt the recommendation of the Finance [47] Committee, which is that \$100 be placed in the miscellaneous account.” “All those in favor of this recommendation _____.”

(6) After the vote is announced, the Chair should say what is the next item of business. “The next recommendation of the Finance Committee is now in order.” “The question is will recommendation No. 2, which provides for a gift of \$50 to the Salvation Army, be adopted?”

(7) The agenda for a meeting should always be the same for each meeting. It should be provided for in the by-laws. In many organizations, the motion to adjourn cannot be made until the agenda is completed. This is a good idea in any group where the motion to adjourn is used to cut off debate. There is only one proper motion to prevent further debate in a meeting, and that is the motion to stop debate. It takes a 2/3 vote.

(8) The secretary makes notes during the meeting of items of business as they are stated by the Chair. It is not necessary to enter a complete report of a committee in the minutes. All that is required is that a reference be made in the minutes to the fact that a report from the Finance Committee was received. The report itself is given to the secretary who keeps it with other reports. When there are recommendations from a committee, they are entered into the minutes as a motion would be. The Finance Committee recommended [48] that \$100 be placed in the miscellaneous account. This recommendation was adopted 65 to 20.

(9) It is the duty of the secretary to prepare a list of all unfinished business for the use of the presiding officer.

By-Laws and Constitutions
BY-LAWS

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BY-LAWS

(1) The by-laws are rules of the organization about such things as the following:

1. Committees and their duties.
2. Dates for the regular meetings and the regular meeting place.
3. Any special duties of the officers that would be in addition to the normal duties. For example, a vice president might be in charge of programs or have some other special duty.
4. The fiscal year should be stated.
5. Provision should be made for reports, as the auditor reporting quarterly or at a definite time.
6. The procedure for calling special meetings, who has the authority to call them and the time when notices shall be sent.
7. Adoption of a parliamentary rule book. **[50]** “The rules contained _____ in shall govern the meetings of this organization in all cases in which they are not inconsistent with the constitution, by-laws, or standing rules of this organization.” Be careful of the wording of this section. Don’t put in the words “shall govern the organization.” You are adopting an authority for the conduct of your meetings only.
8. Amending by-laws. The by-laws cannot be changed without previous notice to the membership. This is a protection for absent members.

(2) Sometimes there is no constitution and all the items that would be in it are included in the by-laws. When this is so, the by-laws should be amended by a two-thirds vote with previous notice. It is a mistake to have the by-laws easy to amend when they contain the fundamental rules.

When by-laws are to be amended, each proposed amendment is debatable. Such an amendment can be amended from the floor by *majority* vote regardless of the vote required for final adoption of the amendment.

(3) For example, let’s assume an amendment to change the meeting dates from the first and third Tuesdays to the second and fourth Tuesdays. A member offers an amendment to “strike out second and fourth Tuesdays and insert **[51]** second and fourth Wednesdays.” This

amendment takes only a majority vote. If adopted, the final vote would be on the motion “to amend the by-laws by changing the meeting dates to the second and fourth Wednesdays.” This would take a two-thirds vote.

(4) There should be a copy of the by-laws available to every member of the organization. These should be printed or mimeographed each time there is an amendment adopted. The president should always have a copy at hand while he/she preside. The secretary should have several at each meeting for members who may not have a copy.

(5) An amendment takes effect immediately it is adopted. The only way to avoid this is to have a motion “That if the amendment is adopted, it shall take effect _____,” or as a part of the amendment. “Provided, that this amendment shall take effect on _____.”

By-Laws and Constitutions CONSTITUTIONS

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CONSTITUTIONS

The basic structure of an organization is set forth in its constitution. Because this is so, only fundamental things should be included. These are:

(1) *Name of the organization.* This is the official name by which the organization will be known. Care should be taken that all the name is there. Sometimes the name has a reference to a parent body or national order. If this is true, the inclusion of such statement is necessary. For example, “The name of this organization shall be, ‘The Boston Chapter, Order of Parliamentarians,’ a local lodge of the National Order of Parliamentarians.”

(2) *Object.* The object of the organization is the purpose for which it is formed. Be sure this is [53] general enough to satisfy you.

(3) *Membership.* Here should be placed the qualifications necessary for membership in the organization. If there is a limitation as to the number of members, it should appear there. If there is a requirement that candidates for membership must first be approved by a committee, here is the place to put such a provision. The vote by which, or the procedure through which the prospective member becomes a member should be included.

(4) *Officers.* The titles of the officers are stated. The term of office comes next. It is usually desirable to add the words “and until their successors are elected.” This provides from such a situation as failure to elect a successor or inability because of hurricane, flood, etc., to hold the scheduled election. Without such wording, it is quite possible to have no legal officers if all terms end at the same time. If it is desirable to limit the number of consecutive terms of office, that statement follows.

(5) *Meetings.* The minimum number of regular meetings and the time of holding the annual meetings are stated. It is a good idea to avoid mentioning the *meeting place* in the constitution, as this may be subject to change.

(6) *Quorum.* Quorum means the number of members who must be present to conduct a legal [54] meeting. It does not mean the number voting. The quorum should be small enough so that there is a likelihood

that a meeting can be held. I suggest that, in determining a quorum, the average attendance for the previous five years be taken. The use of this average figure will increase chances for obtaining a quorum. If it is desirable to have a quorum for committees different from a majority of each committee, this is the place to put it.

(7) *The Executive Committee.* The group who will run the affairs of the organization between meetings and who will have general oversight of affairs is variously known as the “Executive Committee,” “Executive Board,” “Board of Managers,” etc., etc. The general duties of this board should be outlined, as well as its relation to the president. Who is to be Chair must be included, also who shall be the secretary.

(8) *Amending the Constitution.* There should be detailed procedures for amending the constitution. This should include advance consideration of the proposed amendment by the Executive Board, report by it to the organization at a regular meeting, and the notification to each member of the proposed amendment. Final action should be a two-thirds vote.

I recommend that suggested amendments may be proposed only at regular meetings immediately before annual meetings, for vote at the annual [55] meeting. Two things are done in this way; 1) constant attempts to amend are prevented; 2) when the vote is taken, attendance of those most interested in the organization is assured.

It is essential that the amendment of the constitution be difficult. As it is the fundamental rule of the organization, it must not be subject to easy change.

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CHANGE OR WITHDRAW A MOTION

(1) After a motion has been made and seconded and stated by the Chair, the mover cannot change his/her motion or withdraw it except by unanimous consent.

(2) *Example:* “I ask unanimous consent to withdraw the motion.”
Chair: “Without objection, the motion is withdrawn.” If no one objects, the motion is withdrawn. If even one member objects, the Chair announces, “Objection is heard, the motion [57] is not withdrawn.”

(3) Before the Chair states a motion, the mover may withdraw it without asking permission of anyone including the seconded.

(4) A motion to give permission to withdraw a motion is made by someone other than the mover of the motion to be withdrawn. It is made by saying, “I move that the member offering the pending motion be given permission to withdraw it.”

(5) *Chair:* “A motion has been made to give permission to withdraw the pending motion” or, “A motion has been made to grant leave to withdraw the pending motion.”

(6) The motion to give permission to withdraw takes a majority vote.

(7) The mover of a motion has no control over it after the Chair has stated the motion. They can, however, change his/her motion or withdraw it by unanimous consent. For example, if the mover of a motion wants to accept an amendment that has been offered, they would say, “I accept the amendment.” If no one objects, the amendment then becomes part of the motion. If even one member objects, the amendment must be voted on in the regular way.

(8) If the mover of an amendment wants to accept an amendment that has been offered, he/she would say, “I accept the amendment of [58] the amendment.” If no one objects, the amendment of the amendment becomes part of the amendment. If even one member objects, the amendment of the amendment must be voted on in the regular way.

(9) There are different procedures being used regarding the withdrawing of a motion. Jefferson's Manual provides that there cannot be a withdrawal of a motion after it has been stated by the Chair. This is the usual practice in this country and the one suggested here. The House Rules however, allow a mover to withdraw his/her motion at any time before a final vote. If you feel that this would be a better procedure for your organization, adopt a standing rule as follows, "When a motion has been stated by the Chair, it shall be in possession of the meeting but may be withdrawn by the mover at any time before priority motions are applied to it."

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COMMITTEE MEETINGS

Much of the work of any well-organized group will take place in committees. The organization is run by the executive board between meetings of the parent body. Often there is an executive committee of the executive board that takes care of things between executive board meetings.

Because of the importance of committee meetings, all members should understand how to participate in them.

(1) Committee meetings are different from [60] other meetings because of the greater informality.

1. Chair talks as much as he/she wants while presiding.
2. Chair may make motions.
3. Motions need no second.
4. Members may speak several times to a motion and need not stand to talk.
5. Motion to reconsider is handled differently.

(2) The Chair calls the committee meetings unless the times of meetings are specified in the by-laws. If the Chair refuses to call a meeting, or neglects to do so, any two members may call the meeting, provided that all members are notified in sufficient time to attend.

(3) During the meeting of the committee, no others than committee members have a right to be present. Of course, the committee may vote to invite anyone they want to attend.

(4) One of the members should be designated as clerk of the committee. His/her job will be to keep a simple and brief record of the members present at each meeting and the action taken. He/she does not usually have the custody of any papers other than the committee minutes. These may be entered on a note pad. The Chair has the papers referred to the committee.

(5) The motion to reconsider may be moved by any committee member who did not vote with [61] the losing side. This means that a member who was absent from a committee meeting and so did not vote at all, may move reconsideration at the next committee meeting.

This motion to reconsider might be used if only a quorum of the committee had been present at the previous meeting. For example, if a committee had 10 members and 6 came to the meeting, there would be a quorum. If a motion passed by a vote of 4 to 2, it would be a legal vote of the committee. However, only 4 out of 10 members had voted for this motion. So the motion to reconsider could be made at the next meeting by any of the four who were present and voted for the motion, or by any of the four who were not at the meeting.

(6) There are two ways that the motion to reconsider in the committee may be accomplished.

1. Notice of the committee meeting would contain information that reconsideration of such and such a motion is to be moved. If this is done, only a majority vote is needed to reconsider.
2. All members who voted with the majority are present at the meeting when it is moved to reconsider. If they are, a majority is needed.

If it is moved to reconsider without either of the above, then the motion takes a 2/3 vote.

[62](7) A quorum for a committee meeting is a majority of the committee, unless the by-laws state a different number.

(8) Ex-officio members are counted when finding a quorum.

(9) If the chair has not been designated, the first member named on the committee should call the first meeting. At that meeting, the committee can elect a Chair.

(10) Whatever is agreed to by the majority voting, a quorum being present, is the report of the committee.

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Mover: “I move that the meeting go into a committee of the whole to consider _____” (naming the motion or resolution).

Must be seconded.

Debatable.

Requires a majority vote.

Effect: To allow a motion or resolution to be debated informally. Each member may speak as often as he/she can get the floor. Delaying motions, such as tabling or postponing cannot be made in committee of the whole. There can be no motion to limit debate nor to refer to a committee. All that can be done is to debate, amend and rise (same as adjourn).

(1) As soon as the motion to “go into committee of the whole” is carried, the presiding officer names some member to be the Chair of the committee, and then takes a seat elsewhere like any other member.

(2) The same number of members is necessary for a quorum of the committee as for the meeting. If the number falls below a quorum at

any time during debate, and this is called to the attention of the Chair, he/she counts those present. If a quorum is not present, a motion is made “that the committee rise.” The vote on this motion is taken and the regular presiding officer resumes [65] the chair. The Chair of the committee of the whole reports the absence of a quorum.

(3) The regular presiding officer should remain in the room at all times while the committee of the whole is in session. He/she may be needed to restore order, because of a lack of quorum or because the committee has finished consideration of the matter referred to it. He/she may want to debate the motion before the committee. He/she has the right to debate just like every other member.

(4) The secretary does not make a record of motions made in the committee of the whole. The only mention of such a procedure in the minutes would be “a motion was made by _____ that the meeting go into committee of the whole to consider _____.” This motion was carried and the president appointed Mr. White as chairman of the committee. Then, when the committee reported, a further entry, “The committee of the whole, Mr. White, Chairman, reported that the motion to _____ was under consideration and that the committee recommended that the motion ought to be adopted.”

(5) When the committee of the whole has reported that a motion “ought to be adopted,” the Chair (regular presiding officer) should continue just as in the case of the report of any other committee. It has to be voted upon in the usual way.

[66](6) Because the purpose of considering a motion in committee of the whole is to have informality, there are some important differences between the conduct of debate in committee and in the meeting itself. These differences are:

- a. The motion to close debate is not in order in the committee of the whole. If there is too lengthy a discussion, the motion to be made is “that the committee rise.”
- b. The committee of the whole cannot adjourn. Instead a motion can be made “that the committee rise.” If the business is not finished, the Chair should report; “progress is being made and the committee asks permission to sit again.” He/she does this after the regular presiding officer has resumed the chair. If the meeting votes to continue in committee of the whole, the Chair again takes over and the debate continues.
- c. In committee of the whole each member speaks as often as he/she can get recognition.
- d. The motions to refer to another committee, to limit debate, to table and to postpone, are not in order in committee of the whole.

- [67]
- e. The regular presiding officer of the organization has the right to debate, like any other member.
 - f. A point of order must be reported to the meeting and ruled on by the regular presiding officer. Any disorder must be reported to the meeting, the committee of the whole cannot do anything about disorder. The president can take the chair immediately in this situation.
 - g. When the committee of the whole has voted upon the motion referred to it, a motion should be made, “that the committee rise and the Chair report.”

(7) If you want to have the advantages of informal debate, but do not want to go through all the formal steps of a committee of the whole, make a motion, “that we consider this motion informally.”

(8) If the motion “that we consider this motion informally” carries, the regular presiding officer stays in the chair. Each member may speak as often as he/she can get recognized. The motions to amend and the motion to amend an amendment are the only motions that can be made while considering a motion informally. If any other motion is made, seconded, and stated by the Chair, informal consideration is automatically [68] ended, and all the usual rules for debate apply.

(9) When the main motion is voted on informal consideration comes to an end.

(10) The desire to get away from the strict rules of debate under some conditions, is one that can be met in either of two ways. By going into committee of the whole or by considering the motion informally. In either case, a vote must be taken. A majority is required for either method. The choice would depend on whether the meeting is a formal, important gathering or a less formal, friendly association.

(11) When the motion “to consider this matter informally” is carried, the secretary notes in the minutes “a motion was made and carried that this motion be considered informally.”

(12) If a motion is being considered informally, that does not mean that the president can debate from the chair. If the situation calls for the president to debate, the committee of the whole is the proper procedure. Then another member will preside and the president can debate like every other member.

(13) It is not a good idea to have the vice president preside in committee of the whole. If he/she does, he/she cannot debate and often it is necessary that he/she should be on the floor. A member should be appointed as Chair who is able [69] to preside and yet whose absence from the floor will not result in weakening the debate.

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COMMITTEES

(1) A committee is one or more members of an organization appointed or elected by the organization, or its president, to investigate, consider, or take action on a matter.

After doing whatever was referred to it, it reports to the organization. Committees may be either standing or special.

(2) When a special committee has been voted “to be elected,” there are two ways by which election can take place. One is by ballot, the procedure is as outlined under “ballot.” If election is by show of hands, names are voted in the order nominated. After the nominations are all in, the Chair asks those who favor A to raise their hand. [72] He/she counts. Then those who want B on the committee are counted, and so on. A majority of the votes counted are required to elect. To determine a majority, count all the votes for A, and B, and C, etc., then take one half of the votes counted and add one. This is a majority. No person can be elected to anything without a majority vote, unless your by-laws provide for “plurality election.” If your by-laws do provide for “pluralities,” the persons receiving the largest number of votes are elected.

If a committee of five members is to be elected and only five are nominated, no election is necessary. The Chair would then say, “Without objection, the members named will serve on this special committee.”

Sometimes the by-laws provide for a committee to be nominated by the Chair and elected by the Executive Board. In this case, the Chair submits the nominations and the voting continues as in election from the floor.

(3) A standing committee is elected or appointed for a definite term of office. This is usually the same as the term for the officers of the organization. Sometimes the members of a committee do not have their terms expire at the same time, but two or three may be up for election at each annual meeting. When this is done, the committee at its first meeting following the annual [73] meeting, organizes again. If the committee has the power to elect its own Chair, this is done at this first meeting. A secretary or clerk is also elected. Subcommittees may be appointed.

The committee must report on all matters referred to it before or during the annual meeting. There cannot be any hold-over from one term to another.

When a motion or resolution has been referred to a committee, all the necessary papers must be given to the committee. The recording secretary of the organization has the responsibility for seeing to it that the Chair of the committee has a copy of the motion or resolution referred, also a copy of any pending amendment and any other necessary information.

The Chair of a standing committee takes an active part in committee discussion. He/she may make motions from the chair as well as speak from the chair.

Motions made in committee do not require a second. A member may speak several times on a motion. A vote may be reconsidered regardless of the time elapsed since the vote was taken. It must be made by a member who did not vote with the losing side. It takes a two-thirds vote unless there has been previous notice that reconsideration was to be moved. If there has been previous notice that reconsideration was to be moved, a

majority vote [74] is all that is required. Once a report has been made, it is too late to reconsider in committee.

(4) Special committees are appointed or elected for a particular purpose. Until that purpose is accomplished, the committee continues to exist unless the organization, by vote, discharges the committee. Therefore, a special committee could continue to function into another administration.

When a committee fails or refuses to report a matter referred to it, a motion “to discharge the committee from further consideration of _____” is made.

When a special committee submits its final report, it immediately ceases to exist. A partial or preliminary report does not end the committee.

All meetings constitute one session. When the committee does cease to exist, the Chair returns all papers to the secretary of the organization.

(5) Subcommittees consist of members of a committee designated by the Chair for a particular job. Example, a finance committee might have subcommittees on the budget, expense allowance, building maintenance, etc.

A subcommittee reports to the committee, never to the parent body. It has only those duties conferred on it by the committee. The Chair of the committee may appoint themselves as Chair of a subcommittee.

[75] Subcommittee meetings may be held only when there is a quorum present, which is a majority. Reports are usually oral.

(6) “Ex officio” means by virtue of office. The plural is ex officious. An ex officio member of a committee is just like any other member of that committee, except that he/she is automatically a member because of his/her office. If he/she loses his/her office, he/she ceases to be a member of the committee.

A treasurer is usually a member or Chair of the finance committee. A president is frequently Chair of the executive board or member ex officio of all committees. A vice president may be Chair of the membership committee or the program committee, etc.

An ex officio member is counted in the committee quorum and can make motions, speak and vote like the other members. The only exception to this is when the president is ex officio a member of all *committees*. In this case, he/she is not counted in the quorum but may make motions, speak, and vote like every other member.

(7) A committee is sometimes instructed by the meeting. This may be done whether the committee is a special or a standing committee. The instructions may be to establish limits for committee action. For example, “The committee shall report at the next regular meeting,” or “The committee [76] is instructed to hire a certified public accountant to audit the books at a cost not to exceed \$50.” When a committee has received instructions, whether regarding time for report or any other, they are to be followed exactly. A committee is always responsible to the

organization and this responsibility begins with a careful attention to any instructions given.

(8) A majority of the committee makes a quorum unless the by-laws specify another number. A majority vote determines the report of the committee. For example, if there are ten members on the committee, six is a quorum. Four votes are necessary to adopt a motion if exactly six are present.

The report of the committee should be signed by all those who support the report, although the Chair may be authorized, by vote, to sign the report. He/she signs his/her name with “Chair” under it.

Under the heading of “Reports of Standing Committees” or “Reports of Special Committees,” the reporting member obtains recognition and reports.

As a rule, the committee Chair reads the report at the meeting. After reading it, he/she moves its adoption. Sometimes the Chair of the committee does not agree with the committee report or he/she may be unable to attend the meeting when [77] the report is to be made. In either case, he/she may ask another committee member to make the report. This person is then called “the reporting member.”

When a report contains recommendations, they should be placed at the end of the report and usually should be acted upon separately. The reporting member moves the adoption of each resolution. It is, of course, open to debate, amendment, etc., as in the case of other motions.

(9) In case a committee reports against a resolution or motion, the form to be used is “the question is on the adoption of the resolution, the recommendation of the committee to the contrary notwithstanding.” Sometimes a committee will recommend that an amendment should not be adopted. The form would be “the question is on the adoption of the amendment, the recommendation of the committee to the contrary notwithstanding.”

(10) If the committee reports a resolution or motion with amendments, the reporting member reads first the motion as referred to the committee, then the amendments, as offered by the committee. The presiding officer, who should have the complete report of the committee, states the question on the adoption of the amendment. A vote is then taken on this amendment and so on through all the amendments separately.

[78] It is in order to offer amendments to the committee amendments. There can be no amendments of amendments from the floor when a committee amendment is pending.

When all the committee amendments have been disposed of, additional amendments are in order from the floor.

If a committee reports a motion with a substitute, the Chair states the question on the substitute in the following form: “The committee recommends substituting the following motion for the motion referred to it.” The vote is first taken on the substitute. If this carries, no vote is taken

on the original motion referred to the committee. If the substitute is lost, then the Chair immediately states the motion as referred to the committee. If a membership committee reports, the Chair immediately states the question on the acceptance as members, of the candidates recommended by the committee.

(11) As soon as a committee submits its final report, the committee ceases to exist, without a motion being made.

Sometimes a committee does not function, or fails, or refuses to submit a report. When this happens, the only remedy for the organization is to discharge the committee. The motion to discharge is necessary because once a matter has been given to a committee, it cannot be brought [79] before the meeting until the committee reports.

(12) Form: "I move to discharge the committee from further consideration of _____."

(13) It takes a two-thirds vote to discharge a committee unless notice has been given. If there has been notice, a majority vote can discharge.

(14) A motion to "refer to a committee" is an incomplete motion and should not be accepted by the Chair. The Chair should ask the mover to complete the motion by stating in it the committee to which he/she wants the matter referred. When this is done, the motion is accepted. It is a debatable motion and may be amended. When a motion is made to refer a matter to a special committee, the following items must be in the motion as offered by the mover.

1. How many are on the committee.
2. How are they selected.
3. When they are to report.

"I move that this motion be referred to a committee of three, to be appointed by the Chair and to report at the meeting in November." If the motion is offered without specific details, it should not be accepted by the Chair.

When a motion to refer to a committee has been adopted, the committee should be chosen at once before other business is considered. If the motion specified that the committee is to be elected, that should be done at once. If the Chair wants additional [80] time to consider appointments, he/she should announce that the committee will be named later on in the meeting. In this case, other business can be taken up, but the Chair must announce his/her appointments before adjournment.

(15) When a committee report has been received, it is sometimes found that additional information is developed during the debate on the report. This added information may change the whole attitude toward the motion or resolution. Rather than amending the committee report, if time permits, it is better to offer the motion "to recommit." If adopted, this motion means that the matter originally referred to the committee is again referred to them. The committee at its next meeting again considers the matter referred and reports again at the next organizational meeting.

(16) The executive committee consists of the elected officers and a number of elected committee members. There are in most cases, about a dozen members. It is the general duty of the executive committee to take charge of the affairs of an organization subject to the approval of the meetings of that organization. Therefore, the executive committee should report at each regular meeting.

The president is usually Chair of the Executive Committee. As Chair, his/her function is quite different from his/her function as presiding officer [81] of the organization meetings. When the committee meets, the Chair expresses his/her views while presiding and can make motions like any other member. The Executive Committee, because its responsibility is to run the organization subject to meeting approval, must be informed of all activities of the officers and committee Chair. This means that reports are given to the committee and questions are freely asked. Each committee member should be encouraged to ask questions as the reports are submitted.

The agenda for the committee is prepared by the Chair. He/she should add to the agenda whatever items are suggested by the members. Action taken by the committee must be guided by the provision of the by-laws and the practice and custom of the organization.

The Minutes of the Executive Committee are to be acted on *only* by the Committee, not by the organization meeting. There should be a report from the Committee at each meeting, which should usually be read by the Secretary. The motion made after the reading of the report is “to accept the report of the Executive Committee,” or “to confirm the acts of the Executive Committee.”

As is true of other committee reports, the report of the Executive Committee can be amended. If it is, the Minutes of the meeting must first have the report as submitted, then the amendments of the [82] report.

(17) The program committee is in charge of obtaining speakers and entertainment. The members usually hold office for one year. It is usual in such a committee to have subcommittees in charge of the various functions. These subcommittees are helpful for a program committee: speakers, printing, decorating, entertainment, publicity and refreshments. A subcommittee may consist of from one to three members, depending on the amount of work involved. For this reason, a program committee should be larger than other standing committees. For example, there would be a subcommittee on speakers. This subcommittee would meet and agree on a list of possible speakers and would report to the committee. When a majority of the committee has agreed on the speakers to be invited, a subcommittee member would be assigned to talk with the person specified. Determining of the dates on which each speaker will appear and the subject matter of their talk, is made by the committee. The subcommittee acts as agent for the committee. All final action is taken by the committee.

When arrangements have been completed, the subcommittee on printing is given the information. This subcommittee arranges with a printer to have proofs of the program for submission to the committee. After committee approval, this subcommittee [83] completes arrangements and has the program printed. In the same way, all other activities of the program committee are done through subcommittees.

The Chair of the program committee appoints all subcommittees. It is his/her job to talk frequently with the Chairs of all subcommittees to assure himself/herself that he/she is doing the work.

(18) It is often necessary to have a membership committee whose duties include obtaining candidates for membership and maintaining the interest of the members in the organization. An alert membership committee will obtain the names of prospective members, call on them, invite them to sign application forms and present their names to the meeting. This committee should also consider the applications obtained by other members of the organization.

The by-laws should provide for the procedure as to the report of the membership committee on applications for membership. As is true of any other committee report, the membership committee votes on the applications and if a majority voting is in favor, recommends the names for membership. The meeting then votes on the names presented.

If the committee does not approve an application, it is brought to the meeting as an adverse report. [84] The reporting committee member would say "The application of so and so is unfavorably reported." The Chair would say "The question is on the admission to membership of so and so, the report of the committee to the contrary notwithstanding." The vote is taken according to the rules of the organization, which may be by ballot or by use of white and black balls, or by standing vote.

It is a function of the membership committee to talk with members who have been absent from several successive meetings, urging them to attend, etc.

This committee should have an up-to-date list of members in good standing. The secretary will provide the names of members added or dropped from the list.

(19) Nominating committees should consist of members who are not candidates for office. I suggest former presidents or long-time members who have previously held office.

This committee should meet, discuss possible nominees, and designate a member to talk with each nominee who is agreed upon by a majority of the committee. It is necessary that the proposed nominee accept the nomination.

Several meetings are often necessary before the complete slate of officers is ready.

In some organizations, the nominating committee is a standing committee. When this is so, the [85] committee should meet regularly and keep a list of those members who have demonstrated their ability as

leaders. Such members can be noted by the committee, thus lessening the work involved in finding nominees.

In most situations, control of the nominating committee means control of the election. It is essential that the members of this committee be carefully chosen.

(20) The Credentials committee is either appointed by the president with confirmation of the Executive Board, or appointed or elected at the previous convention.

It is the duty of this committee to have prepared badges or cards to be issued to delegates as they register. The members of this committee should be present several hours before the time scheduled for the opening session.

As delegates register, their names are entered on the delegate roll and they are given identification.

If there is a dispute as between rival delegates, the credentials committee has a choice of action. It can:

1. When reporting to the convention, report a contest regarding this delegation. In this case, neither side is issued identification until the convention votes to seat one of them.
- [86]**2. Issue identification to one delegate or delegation, leaving it to the convention to change to the other if so voted.

Depending on the various factors involved, a credentials committee might proceed one way or the other. For instance, a rival faction might present a delegate or delegates just to attempt to disrupt the convention. If this fact is known to the credentials committee, they would probably issue identification to the delegates representing the local administration.

On the other hand, a local situation may be in control of people who are not in sympathy with the convention organization and the rival delegates might be issued identification.

The report of the credentials committee containing the names of delegates and alternates is read to the convention. Like any other report, it is subject to amendment. Once the report is accepted, only those whose names appear on the list may vote.

When there is a contest, the delegates in the hall whose right to a seat has been challenged, cannot vote on the question of amending the credentials committee report.

(21) The object of a finance committee is to provide estimates for expenditures, to prepare items and reports, and to make recommendations regarding expenditures. The treasurer is usually a **[87]** member ex officio of this committee. The finance committee has no authority to spend money, or to incur obligations. Its function is to prepare estimates and make recommendations.

In all its duties, it follows the provisions of the by-laws and constitution with the greatest care. Whenever any money is involved, the rules must be exactly followed.

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CONVENTIONS

(1) The executive committee plans for a convention. This includes the location of the convention, the election of necessary committees, approval of the selection of speakers and program, choosing the temporary Chair and selecting the nominee for permanent Chair.

(2) In preparing for a convention there are four committees that should be selected with the greatest care. These are credentials, program, resolutions, and rules.

CONVENTIONS

(3) If the convention is to include more than 500 delegates, the credentials committee should be large enough so that each committee member should have about 100 delegates to register. It is the duty of the credential's committee to have badges or cards to be given to the delegates as they register. The members of this committee should be present several hours before the time scheduled for the opening meeting. As delegates [90] register, their names are entered on the delegate roll and they are given identification.

(4) If there is a dispute between rival delegates, the credentials committee may do one of two things.

1. Report to the convention a contest regarding this delegation. If this is done, neither side is issued identification or allowed in the hall until the convention votes to seat one of them.
2. Issue identification to one delegate (or delegation) reporting a rival delegate is claiming admission and leaving it to the convention to change that decision if they want to do so.

(5) The program committee has charge of the convention program including speakers and entertainment. There should be subcommittees on speakers, printing, decorating, entertainment, publicity and refreshments. As each of these subcommittees will consist of at least three members, the program committee must be large. The proper functioning of this committee would be as follows: The subcommittee would meet and agree on a list of possible speakers. These speakers would not be approached at this time. The subcommittee would report to the program committee that would either approve or change the list. The list would then be given to the executive board for final [91] approval. Once approved the subcommittee would invite the speakers on the list. The same general procedure would be followed by the other subcommittees.

(6) The resolutions committee should begin its work early enough to give careful consideration to the resolutions. Those that are prepared in advance will be presented to the convention for possible amendment and adoption. The resolutions offered from the convention floor are usually referred to the resolutions committee. The committee then considers the resolutions, reporting them back with amendments if this is desirable. In selecting this committee the various factions in the organization must be represented. This committee may have subcommittees if there are many resolutions to be prepared or considered.

(7) The rules committee, consisting of officers of the organization, would meet before the convention and prepare the rules for conducting the convention. These would include time limits for each delegate in debate, motions that are in order, hours for convention meetings, provisions for recess, etc.

(8) When the time arrives for the convention to meet, the temporary Chair, who has been chosen by the executive board, calls the convention to order. He/she does this by rapping with the gavel a few

times and then waiting for quiet. This usually [92] takes quite a few minutes, especially in a large convention where many delegates are moving around and talking. After all are seated, the temporary Chair continues with the opening exercises. These usually consist of prayer, playing the national anthem, an address of welcome and response. The address of welcome is given by the president of the local group or by the mayor, governor or other politician as the situation requires. This is responded to by either the temporary Chair or some officer of the organization. Both of these talks should be brief.

(9) The report of the credentials committee is given next. The report consists of delegate names whose credentials have been received and who are present. If there is a contest for a seat in the convention, the credentials committee reports that fact.

(10) Those delegates whose names are read by the credentials committee without contest are delegates entitled to vote on the acceptance of the credentials committee report.

(11) When there are rival delegates the convention must seat one of them by majority vote. Neither may vote until the convention has decided.

(12) The temporary Chair now makes remarks. In political conventions these remarks are known as the “keynote speech.” They should tell [93] the delegates something about the objectives for the coming term, and provide inspiration for the session.

(13) Following the remarks of the temporary Chair, the permanent Chair is elected. This is usually done by having a nominee presented by the executive board. Such nominee is usually elected, even though others may be nominated from the floor.

(14) The secretary of the convention is elected in the same way.

(15) It is frequently necessary to appoint an official reader. This person should not be a delegate. He/she must have a good clear voice and be able to read well. The reader should have a chair near the Chair of the convention, although it need not be next to the Chair. He/she should be provided with a suitable reading table equipped with an adequate light. All resolutions and written motions are read by the reader. The Chair would say, “The resolution will now be read by the official reader.” The Chair does not read a pending resolution or written motion, but always refers it to the reader.

(16) As soon as the permanent Chair takes the chair he/she calls for a report from the rules committee. This report may be amended from the floor. As soon as the rules are adopted, the Chair calls for a report from the program committee. [94] This report should be in the form of a printed program, which is now distributed to the delegates.

(17) During the debate on accepting the program committee report, any changes voted may be written in by the delegates on their printed copy. Once the program is adopted by a majority vote it takes a 2/3 vote to make any changes.

(18) Because there may be additional delegates arriving, the credentials committee continues to function during the entire convention.

(19) Sometimes speakers fail to arrive or for some reason changes in the program are desired. The program committee continues to exist during the convention.

(20) The business of the convention can now be considered. One of the first things to occur would be the introduction of and debate on resolutions. These would come from the resolution's committee whose report would now be submitted. Other business might include annual reports of the president and other officers and the standing committees. These might have recommendations requiring action by the convention.

(21) The convention may next elect officers, executive board members, etc., for the following term. This must be done strictly according to the provision of the by-laws.

(22) The convention minutes of the preceding [95] day are read at the beginning of the first meeting each day. On the final day of the convention a motion should be made that the minutes for that day be approved by the executive board. If the proceedings of the convention are to be printed, this is a function of the program subcommittee on printing.

(23) Constitutions often require election and voting by roll call in conventions. The following methods may be used in roll call voting in conventions.

1. If states or districts are represented, a majority of the delegates from each state or district would cast one ballot for that state or district as determined by the majority.
2. Each individual delegate may vote separately as their name is called by the secretary.
3. The delegates from each state or district meet and by majority vote determine how the whole number of delegate votes from that state are to be cast. This method is less usual but you will find it occasionally.
4. The Chair of each delegation finds out how each delegate is voting and announces the totals when the name of the state or district is called.

(24) The procedure to be used in voting must be included in the rules adopted at the beginning [96] of the convention session.

(25) It is always necessary in a convention to have a sergeant-at-arms. The convention rules should specify that he/she may appoint as many assistants as may be required. He/she assists the convention Chair in maintaining order. He/she stations some of his/her assistants at the convention hall doors to admit only properly identified delegates.

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(1) Before there can be any debate on a motion, three things must happen.

1. A motion must be made by a member recognized by the Chair.
2. This motion must be seconded by another member.
3. The motion must be “stated” by the Chair. This means that the Chair repeats the motion. If it is in writing, the Chair may read it or give it to the secretary or official reader who will read it. In any case, it must be repeated.

Only after these three things have been done, is it possible to have any discussion or to offer any motion regarding it. Often members are so eager to begin debate that they stand immediately after a motion has been made and seconded, not waiting for the Chair to state the questions. This is out of order. Such members should be told to sit down until the Chair has stated the motion. Only after he/she has done so, is there anything before the meeting.

(2) The motion, having been properly made, seconded and stated, is now open to debate. The mover of the motion is entitled to recognition in preference to anyone else, if he/she rises to speak. When a member wants to talk about a motion, he/she stands and addresses the presiding officer [99] by their title, “Mr./Madam President,” “Mr./Madam Chair,” “Mr./Madam Speaker,” etc. The Chair calls him/her by name so that the meeting may know who it is that speaks. If a member wants to speak but is ill, he/she may speak sitting. If the Chair does not know the name of the member who stands to claim the floor, he/she should identify him/her as “the brother/sister in the middle aisle” or “the brother/sister in the third row” or in some similar way.

- (3)
- a. No member may speak more than once on the same motion on the same day, or even on another, if the debate is adjourned, unless he/she is the mover of the pending motion. If he/she is the mover, he/she is permitted to speak again but not until other members, who want to, have spoken. Even a change of opinion does not give a right to be heard a second time. He/she can only speak a second time to clear a matter of fact, or to explain some important part of his/her remarks, or if he/she asks permission to speak a second time and is given permission.
 - b. A member may not refer to another by name.
 - c. Motives of others cannot be questioned. You may attack the idea but not the person who offers the idea.
 - d. Debate must be limited to the last motion stated by the Chair.
 - e. Each member must address his/her remarks to the presiding officer.
 - f. A member cannot speak against his/her own motion, although he/she can vote against it.
 - g. Whenever the Chair stands to make a ruling, or for any other purpose wants to speak, the member who has the floor must immediately be seated until the Chair stops talking.
 - h. During debate and while the presiding officer is talking, or a vote is being taken, no member may disturb the meeting by walking, talking or in any other way. If the Chair calls a member to order, either for language used, getting away from the subject, or other reason, the member must be seated at once.
 - i. When two or more members rise at once, the presiding officer shall name the member who is first to speak, giving preference to the mover of the motion. This decision of the Chair is [101] not subject to appeal.
- [100]

- j. Each member who speaks in debate is entitled to talk for ten minutes. This applies to all debatable motions. If your by-laws state a different time limit, of course they are to be followed.

You will see from these rules that the presiding officer has to listen closely to what is being said. He/she has to be ready to interrupt a member who is violating a rule and to do so immediately after such a violation. He/she has to know what the rules are to enforce them.

(4) The authority of the Chair in debate is found in two basic principles. One is the right of recognition and the other is that members must follow the rules. He/she must insist upon the observance of both the rules of debate and the provisions of the constitution and by-laws. When the presiding officer enforces the rules fairly and without hesitation, so that they apply to all equally, the members have confidence. This is shown in his/her attendance and participation.

(5) The object of debate is to talk about the motion that is before the meeting. Differences of opinion are expressed. There may be amendments offered which, in turn, bring on more debate. If there is no opposition to a motion, don't have debate. Instead, use general consent also called **[102]** unanimous consent, "Without objection, such and such are done."

(6) The general rule in this country is for each member to have ten minutes in debate if he/she wants it. This may be provided for in the by-laws with a longer or shorter time. Unless there is mention of time for debate, it is ten minutes for each debatable motion. This means that a member who has talked about a pending motion is entitled to talk about each amendment as it is presented. Such motions, as to refer to a committee, or, to postpone to a later time, are debatable, and the same time limit applies.

(7) If a member does not use all of his/her ten minutes, he/she cannot speak again later in the debate to use his/her remaining time. When time runs out before a member has completed his/her remarks, he/she can "ask unanimous consent to talk for _____ minutes more." This is usually given. If it should not be, someone else should make a motion, "That the time of the member who is now speaking be extended for _____ minutes." This requires a 2/3 vote.

(8) It is sometimes a good idea to make a motion regarding time at the beginning of the debate. For example, suppose that you are in a meeting in which a motion comes up which you know is very controversial. So that all who want to may have the chance to speak on the motion, you **[103]** might make a motion, "That on the pending motion each member shall have five minutes for debate." This motion requires a 2/3 vote.

It is one of the duties of the Chair, in small meetings, to keep track of the time used by each speaker. In large meetings, the parliamentarian keeps the time.

(9) When a member has been recognized by the Chair, he/she may not be interrupted, except by the following, and even then only when it is urgent. The Chair must protect the right of members to debate.

1. A point of order.
2. Appeal from a decision of the Chair.
3. Object to the consideration of a questions.
4. A question by another member.
5. Chair has to interrupt for a special order.
6. Chair tells him/her when his/her time has expired.

(10) Whenever anyone of these interruptions is to take place, the member who is interrupting must address the presiding officer. The member who was speaking sits immediately, and remains seated until the interruption has been decided upon. He/she then continues his/her talk, the time of the interruption not to be taken from his/her time, except when a question is asked. In the case of a question by another member, he/she does not sit. When a member who is speaking is [104] asked whether he/she will answer a question, he/she can simply answer “no,” This ends it. If he/she agrees to answer a question, the time consumed by the question, as well as the time involved in the answer, comes from his/her time.

(11) FOR MEMBERS:

“I move that _____.”

“I move the adoption of the following resolutions.”

“I offer the following resolution.”

“I move to amend the motion by striking out 30 and inserting 60.”

“I ask unanimous consent to speak again on the pending motion.”

“I move that the member who is speaking have 5 minutes additional time.”

“I move that each member who talks on the pending motion may have up to 15 minutes.”

(12) FOR THE CHAIR:

“Is the motion seconded?”

“Are you ready for the questions?” Or “Are you ready for the motion?”

“An amendment has been offered to strike out ‘30’ and insert ‘60.’”

“Are you ready for the question?”

“An amendment of the amendment has been offered to add the words ‘no later than January.’” “Are you ready for the questions?”

“All those in favor of the pending motion [105] (repeating it) raise your hand.”

“You have heard the request for additional time.” “Without objection the request is granted.”

“A motion has been made to extend the time of speaking to 15 minutes for each member who debates this motion.” “Those in favor of extending the time to 15 minutes, raise their hand.”

“The member’s time has expired.” (Interrupt the member who is speaking when the time limit is up.)

“The Chair reminds the brother/sister that personal references cannot be made in debate.” “You will continue in order.”

(13) Any meeting has the right to enforce its rules for maintaining order. No person can create a disturbance in a meeting, nor prevent others from hearing what is being said, or talk after being requested to be seated. The meeting may eject such a person from the hall. This is done by the sergeant-at-arms and his/her assistants. It is customary in most organizations for the presiding officer to have the authority to order persons ejected.

The first thing that the Chair should do when a person is violating the rules is to call the violation to his/her attention. If, for example, a member insists on debating an undebatable motion, the Chair calls to his/her attention that this is an undebatable motion, and asks him/her to be seated. [106] If the member continues to talk, the Chair should interrupt him/her again, and ask him/her to be seated. “Failing to be seated immediately will result in the sergeant-at-arms removing you from the hall.” Almost always such a warning is sufficient. If, however, the disorder continues, the sergeant-at-arms should be directed to “remove the member.” If it appears that force will be required it is a good plan to declare a short recess. Ejecting a person is the last resort; first, there must be warning, and a statement of why the disorder must stop.

(14) The following rules always prevail in any meeting. They are to be enforced by the sergeant-at-arms without being directed by the Chair. If there is no sergeant-at-arms, the presiding officer has the responsibility for enforcing the rules. These rules are:

1. While the Chair is putting a question, no member shall walk across the room.
2. When a member is speaking, no other member may pass between him/her and the Chair.
3. No member may remain at the secretary’s table during a roll call.

Adverse Report—The report of a committee recommending against a matter referred to it, as a membership committee report.

Agenda—An agenda is the order of business containing the items to be considered at a meeting.

Amend—To amend is to change in any way by adding to, striking out, striking and inserting and substituting.

Appeal—When a decision has been made by the Chair, any two members may appeal from it. It means asking the meeting to make the final decision on a matter.

Assembly—Assembly is another name for a meeting.

Authorization—The written document issued as a result of a vote, as in the spending of money by the Treasurer; the vote to permit an act, as an officer authorized to sign papers.

Ballot—Any voting by means of writing on a piece of paper. The paper must be uniform in size, color, texture. There must be no markings for identification purposes.

By-laws—By-laws are rules regarding meetings, committees, duties of officers, etc., to supplement the provisions of the constitution.

Censure—A motion to disapprove of something [108] done by a member or officer.

Clerk—The secretary of an organization. Usually the secretary of a committee is called a clerk. The term is used interchangeably with secretary.

Commit—A motion to refer a matter to a committee; the same as refer.

Committee—A committee is a member or several members chosen to perform a specific function.

Committee of the whole—A committee of the whole is all the members of a meeting from a temporary special committee to consider a matter informally.

Conference committee—A committee consisting of members from separate groups in an organization, whose duty it is to try to arrange differences between the groups, as in shift meetings, where different action has been taken by the separate meetings.

Constitution—A constitution is the fundamental document containing the essentials of the organization.

Credentials—A written or printed form issued by a local that authorizes the member holding it to represent the local at a convention or other meeting.

Debate—Debate is to discuss a motion that has been moved, seconded, and stated by the Chair.

[109] *Decorum*—In debate means the rules applying to all members as they discuss a motion; proper behavior according to the rules.

Discharge a committee—A motion to take from a committee a matter that had been referred to the committee, but not reported. To discharge a special committee means to end the committee.

Dilatory motion—A motion made with the object of holding up necessary business.

Disorder—Disorder is any violation of the rules of debate.

Disorderly words—In debate, referring to the motives of another member; or ridiculing another; or language unsuited to public use.

Division—Division means the taking of a vote by having the members stand until counted.

Division of the question—Voting separately on parts of a motion.

Ex officio—Ex officio means “By right of office.” It refers to committee membership held by an officer because he/she is an officer, as when a president is ex officio a member of all committees.

Germane—The term used to describe an amendment that is directly related to the motion being considered.

Indefinitely postpone—A motion whose purpose is to kill the motion to which it applies. Its only objective is to defeat a motion, it does not postpone it.

[110] *Instruction to committee*—A committee, whether special or standing, can be given directions as to the handling of the matter referred. These are clear instructions; orders; directions.

Lay on the table—A motion to put a matter aside temporarily.

Mass meeting—A gathering of people in response to a general invitation to consider a matter.

Majority—At least one more than half the votes cast.

Meeting—A meeting is that time between when the Chair calls to order and adjournment takes place. There can be several meetings in one session. When a meeting is in recess, even though the recess is for several hours, when the Chair again calls to order, it is the same meeting. In an annual meeting, there may be occasion to adjourn until the next day and possibly the day afterward. In this situation, all the meetings constitute one session. Because of this, any business that legally must be done at the annual meeting may be completed at any of the meetings of this session.

Minutes—The record of the business executed in a meeting as written by the secretary or, in his/her absence, the acting secretary.

Minority views—Minority views is the written opinion of a minority of a committee.

Monitor—In legislative bodies, a monitor is a member designated to count the votes in his/her **[111]** section of the hall during a division, and to report to the Chair.

Motion—A suggestion made by a member, who has been recognized by the Chair, that the meeting vote on something.

Nomination—A nomination is the proposal of one member for office by another member.

Nominee—A qualified member whose name has been placed before a meeting either on the ballot or from the floor orally, with the object of obtaining votes for a specific office.

Null and void—Of no effect; illegal; as if not passed.

Objection—When the Chair asks, “Is there objection to the adoption of the report?” Or says, “Without objection, the report is adopted,” any member has the right to say “I object,” or “objection.”

Official reader—A person appointed by the presiding officer to read motions and resolutions as offered from the floor. The person is not necessarily a member of the organization, but chosen for clear speaking voice and ability to read aloud.

Order of business—The agenda for the meeting; the items to be considered.

Parliamentarian—A person who has studied parliamentary law and who is able by means of this study and experience to advise others; a member of a professional parliamentarian’s organization.

[112] *Parliamentary inquiry*—A question addressed to the Chair by a member as to the parliamentary situation at the time of asking.

Parliamentary law—Parliamentary law is the method of proceeding in meetings as established by the House of Representatives and the usages of parliamentarians.

Pending question—A motion after it has been stated by the Chair.

Place on file—To be kept by the secretary. It is done automatically without the need for a motion.

Plurality—The obtaining of more votes than another, but not a majority.

Point of order—The term used when a member notices a violation of the rules and brings this to the attention of the meeting, addressing the presiding officer.

Preamble—The preamble is the statement occurring in the first part of a resolution.

Precedence—The priority which one motion has over another.

Previous question—Previous question is a motion to stop debate.

Privilege—Another word for a member’s right to do something in a meeting; a right as contrasted with permission as “the privilege of the floor,” a “question of privilege.”

Privileged motions—A motion that has priority [113] over other motions as, for example, the motion to adjourn.

Pro tempore—Also pro tem. An officer who is in office temporarily or during the absence of the regular officer.

Putting the question—Repeating the motion and immediately taking a vote, either by voice, show of hands, standing, ballot, or a roll call.

Question—Another name for a motion as “Are you ready for the question?”

Question of privilege—Calling attention of the Chair and the meeting to a violation of personal rights or group rights.

Quorum—The number of members specified in the by-laws who must be present to have a legal meeting.

Ratify—To endorse action previously taken by an officer or committee.

Recess—A time in a meeting, as a result of a majority vote, when all business is suspended; an automatic suspension of business as when a member is writing a motion.

Recognition—The saying of the member's name by the Chair when a member rises to speak in a meeting; the designation by the Chair of a member who rises to speak as, "the member in the second row," etc.

Recommit—To refer again to a committee something [114] already considered by that committee and reported.

Reconsider—To bring a matter again before a meeting after it has once been adopted.

Refer—To give a motion or resolution to a committee for study or action and report.

Regular order—The order of business or agenda adopted by vote.

Renewal—Making a motion again, after it has previously been defeated.

Report—The written or oral statement of an officer or committee regarding duties performed or recommendations made.

Reporting member—The member who reports for a committee when its Chair is either absent or prefers not to give the report.

Rescind—To take back, cancel; a motion to cancel the effect of a motion previously adopted.

Resolution—A form of motion in which the reasons for the action are stated, with the word, "whereas" preceding each reason. At the end of each paragraph, the word "and" is placed until the final reason ends "therefore, Resolved that."

Rise—The motion at the end of a committee meeting, used instead of motion to adjourn.

Roll call—A method of voting in which the secretary calls the name of each member who answers "yes," "no," or "present." The answer is recorded on a special form by the secretary.

[115] *Second*—To endorse, or to agree. When a motion is seconded, it means that another member agrees with it.

Secondary motions—A motion that is made to improving or disposing of a pending motion. For example, to amend, postpone, or refer.

Select committee—Another term for special committee; a committee appointed or elected to do a certain thing, such as study something or take action on something. When the final report is submitted, committee goes out of existence.

Sergeant-at-arms—An appointed or elected member whose duty it is to assist the Chair in preserving order. He/she acts under orders of the Chair. He/she may have assistance.

Session—A session is the meeting or meetings held for the accomplishment of a specific purpose. An example would be the session of Congress, each session lasting several months. Another example is the convention that lasts for several days.

Sine die—In adjourning, with no day stated for the next meeting.

Speaker—The speaker is the presiding officer of a legislative assembly, as the Speaker of the House of Representatives, a presiding officer.

Special committee—A committee appointed to do a certain thing, such as study something or take action on something. When the final report is submitted, the committee goes out of existence.

[116] *Special order*—A motion postponed until a specified time.

Standing committee—A committee elected or appointed for a term, usually one or two years; and often including some member's *ex officio*.

Standing rules—The special rules adopted to meet the particular needs of a group. They usually include priority of motions when different from Parliamentary law, time for debate, etc.

Stating the question—Stating the question is the repeating of the motion by the presiding officer.

Subsidiary motions—A word used by some Parliamentarians to refer to such motions as amend, table, etc., called in this book secondary motions.

Substitute motion—An amendment that changes the pending motion by having an entirely new motion, a paragraph or section struck out and another motion, paragraph, or section inserted in its place.

Take from the table—Take from the table is to reconsider a matter that was temporarily put aside.

Tellers—Members appointed by the Chair to count votes.

The Chair—The Chair refers to the presiding officer without regard to whether permanent or temporary and regardless of marital status.

To rise—1. Claim the floor by standing. 2. Stand while being counted. 3. The motion used to end a **[117]** committee meeting instead of the motion to adjourn.

Two-thirds of the members—Two-thirds of the members refers to two-thirds of the entire membership. This phrase sometimes occurs in by-laws.

Two-thirds of the members present—This phrase refers to the members physically present, even though some may not vote either way.

Two-thirds vote—Two-thirds of the votes cast.

Unanimous consent—Also called silent consent. Unanimous consent is when no one objects; consent without voting; or general consent.

Unfinished business—A motion that has been stated and discussion started at a previous meeting, but on which no final action was taken; also, business postponed to this meeting, but not made a special order.

Viva voce—The voice vote, the asking of those in favor to say “aye” then those opposed “no,” and determining the result by the difference in volume.

Withdraw a motion—Taking back a motion which has already been stated. After being stated, a request for permission to take back the motion.

Yield—The permission given by a member who is speaking, to another who wants to ask him/her a question. Also a motion that gives way to another, as a main motion yields to a secondary motion.

[118] *Yield the floor*—Yield the floor is to stop talking in debate even though the member has some time remaining in his/her time limit; giving up the floor at the end of a talk.

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ELECTIONS

(1) The first thing to do when you plan for an election is to read the articles in your by-laws which refer to elections. If a nominating committee is provided for, it should be appointed in sufficient time so that meetings may be held and possible candidates notified. Every provision of your by-laws should be closely followed.

(2) When your by-laws provide for “election by ballot” that is the only way that election can take place. It is not a legal election even when there is only one candidate for an office, to have the secretary cast one ballot.

If it is the custom in your organization to have the secretary cast one ballot when there is no contest, put such a provision in your by-laws. Unless this is done, such a procedure is illegal.

There are two points to consider in this connection. One is that each member has the right to vote by ballot and to write in the name of their choice even though they were not nominated. The other is that each member, when voting by ballot, has the right to secrecy. Their vote for an officer is their business. When there is a motion to instruct the secretary to cast a ballot, his/her right of secrecy [121] is taken away because they cannot vote against this motion without showing that they are against that nominee.

(3) When the day of election comes, there should be ballots for every member of the organization. The reason for this is that every member in good standing is entitled to vote. If an unusually large number of members appear, and you are using a mimeographed or printed ballot, you may find yourself short of ballots if you have only enough for an average attendance. As a practical matter, it costs very little more to have a number sufficient for any attendance.

In the event that an insufficient supply of ballots is found, and they are mimeographed or printed, you cannot distribute a different type of ballot to those not having any. Ballots must be all exactly alike in size, color, texture, and printing. Therefore, an insufficient supply could void the election.

(4) The presiding officer should appoint tellers. There should be one teller for every 30 ballots cast to save time in the counting of the ballots. The tellers must not be candidates in the election nor close friends or relations of the candidates. The expression, "the polls are open" or "the polls are closed," refers to the fact that it is now time to mark and turn in the ballots or that the time has passed to mark and turn in ballots. After the polls [122] are closed, no ballot may be received by the tellers.

(5) After the nominating committee has submitted its report, the presiding officer reads the nominations of the committee and says, "You have heard the nomination of _____ for the office of president." "Are there any other nominations?" He/she pauses to give opportunity for the making of other nominations. After other nominations are made, he/she continues to the next office in the same way, and so on, through the list of all who are to be elected.

(6) When the by-laws provide for election by ballot and there is a nominating committee, its report consists of the printed or mimeographed ballots. A line should be provided under each committee nominee so that members may write in their choice for each office. If the by-laws provide that the nominating committee shall bring in two names for each office, a line would still be provided under such names.

(7) The tellers count the ballots with the exception of the blanks. For example, a member might vote for president and may not vote for vice president. In that case, the vote cast for president would be counted but the total of votes for vice president would not include this blank.

(8) The tellers report would be as follows:

For President:

- [123]1. Number of ballots cast (not including blanks)—200.
2. Necessary for choice (majority of votes)—101.
3. A has received—160.
4. B has received—40.

For Vice President:

1. Number of ballots cast, etc., etc., etc.

The reporting teller does not announce who has been elected. He/she simply reads the items in his/her report. The report is then handed to the presiding officer and the ballots are given to the secretary. The secretary should keep the ballots for six months following the elections. After this time, they should be destroyed. The presiding officer reads the report again and announces who has been elected. Until this announcement by the presiding officer, there is no official statement of the election. The tellers never announce who has been elected.

(9) The new officers assume their duties as stated in the by-laws. Sometimes that is immediately after elections. This may cause some confusion, especially when a new secretary has been elected. It is also difficult for the new president to carry on a meeting already under way. Because of this fact, I suggest a brief recess to allow the new officer some time to understand what is being done. It is much better to have the term of office [124] begin at a later meeting. It might be necessary to amend the by-laws to provide for this item.

(10) Special committees should be appointed by the president. This should be provided for in your by-laws or standing rules. If it is not in your rules, a motion may be made “that there be a special committee, elected from the floor.” If this motion is carried, there are three ways that the election can be accomplished.

1. After all nominations have been made, each nominee is voted on by voice vote (this is the method followed in the House).
2. The election can be by raising the hand, a majority of the votes counted being required to elect.
3. Election can be by ballot as in the case of officers.

The voice vote method is, of course, limited to those situations where there is a clear majority. If there is a more evenly divided meeting, the show of hands method or the ballot would be better. Remember that no person can be elected to any position without a majority vote, unless your by-laws provide for plurality elections. Obtaining a majority vote for committee members could be a lengthy procedure.

If it is the custom in your meeting to elect special committees, have this wording in your standing rules or by-laws; “Election to special committees, [125] when voted to take place from the floor, shall be by plurality vote.” If you have special committees elected from the floor by a majority vote, the following should be added to your by-laws or standing rules; “When there are more nominees than the number of committee members to be elected, and a majority vote is not obtained, the candidate

receiving the lowest number of votes shall be dropped following each successive vote until a majority is obtained.”

(11) If a committee of five members is to be elected and only five are nominated, no election is necessary. The Chair would then say, “Without objection, the members named will serve on this special committee.”

(12) Sometimes the by-laws provide for a committee to be nominated by the Chair and elected by the Executive Board. If such a motion is carried, the election will take place at the next meeting of the Executive Board. In this case, the Chair submits the nominations and the voting continues as an election from the floor.

(13) A standing committee is elected or appointed for a definite term of office. This is usually the same as the term for the officers of the organization. Sometimes the members of a committee do not have their terms expire at the same time, but two or three may be up for election at each annual meeting. When this is done, the [126] committee, at its first meeting following the annual meeting, organizes again. If the committee has the power to elect its own Chair, this is done at this first meeting. A secretary or clerk is also elected. Subcommittees may be appointed.

(14) When your by-laws provide for election by roll call, the procedure is as follows. The secretary reads the names from the roll call list. Each member, as his/her name is called, answers by giving the name of his/her choice for the office. If he/she does not want to vote for anybody for office, the member answers “present.” No nominations are *needed* for this method of voting, although sometimes nominations are made. It is important to remember that on a roll call election, as in a written ballot, each member votes for any eligible member for office. A majority vote is required on a roll call.

(15) The Chair has the right to vote in an election the same as any other member, whether the voting is by ballot, roll call, or show of hands. In the same way, the tellers have the right to vote. The voting by the Chair and by tellers takes place while the “polls are open.” After the closing of the polls, no one can vote.

(16) “Polls” means voting. In the sense we use it here, it refers to the time when ballots may be marked and collected. After polls are closed, no more ballots can be distributed, marked, or collected.

[127] A motion “to close the polls” takes a 2/3 vote. This motion should not be accepted by the Chair until all who want to do so have had an opportunity to mark their ballots and give them to the tellers.

If some members arrive in the hall after the polls are closed, someone can move “to re-open the polls.” This motion takes only a majority vote.

Usually the Chair continues by unanimous consent, both to close polls and to re-open them. He/she would say “without objection the polls are closed” or “without objection the polls are re-opened.” If no one says “object” or “objection,” the polls are closed or re-opened as the case may be. It is not necessary for a motion to be made “to open the polls,” as this

is automatic at the end of nominations. Sometimes by-laws provide for the opening of polls at a certain time. If this is so, ballots cannot be distributed before the time stated nor can they be collected after the time stated.

(17) Nominations can be made by a nominating committee or by members from the floor. If there is a nominating committee, it must be provided for in the by-laws. When nominations have been made, either from the floor or by a nominating committee, the Chair should inquire if there are any further nominations.

(18) Sometimes people are so eager to prevent [128] other nominations that a motion is made immediately “to close nominations.” This is out of order and the Chair cannot allow the motion until members who want to have had a chance to nominate. The motion to close nominations requires a 2/3 vote.

(19) If for any reason, such as members arriving late, someone wants to “re-open” nominations, it can be done by majority vote. The motion to close nominations nor the motion to re-open nominations is debatable. It is not necessary to be nominated for office to be elected, unless your by-laws or constitution state that nomination is required.

The executive secretary is an officer chosen by the executive board to run the affairs of an organization. Such an officer is necessary in certain social, civic, and religious organizations where the regular elected officers are unpaid. The executive secretary is usually not a member of the organization. He/she occupies roughly the same status as a city manager does in a city. He/she is responsible for the overall success of the organization. The executive secretary does not keep the minutes of meetings nor handle the routine duties of a secretary. It is an administrative position, and he/she sometimes has charge of the headquarters office with whatever people are employed there under his/her supervision. When this is true, the president of the organization gives his/her directions to the executive secretary who in turn sees that it is done.

When it is considered advisable to have an executive secretary, the by-laws must provide in detail for his/her duties, his/her compensation, to whom he/she reports and how frequently, his/her term of office, and how to get rid of him/her if he/she proves unsatisfactory. This section of the by-laws should be written with much care. It frequently happens that an executive secretary, because of being a full-time worker, [130] builds up a personal following in the organization and "takes over." This can be prevented only by the executive committee, under a carefully written by-law.

Any organization has the right to add to its membership and to expel members for cause. The by-laws should contain specific procedures for trying and expelling a member. There can be no action taken without presenting the suspected member with the charges brought against him/her. When such charges have been given to a member, he/she is automatically deprived of his/her usual rights as a member.

When the time has been determined for the trial, the secretary sends the accused member a notice to appear at the time and place agreed on and encloses a copy of the charges. This notice should be sent by registered mail or by messenger with a return receipt requested. At the meeting called for the trial, the committee to which the charges had been referred will report. The accused member must have the right to speak in his/her own defense, to present witnesses in his/her favor and to question witnesses against him/her.

When the evidence is completed, the accused member leaves the room. It takes a 2/3 vote to expel a member. In many instances the trial of a member takes place before a committee, either chosen for the purpose or a standing committee assigned as a trial board. The procedure would be the same whether before the meeting or a committee. [132] If there is a trial committee, it would conduct the trial, take a vote and report the result to the next meeting. (A majority vote in the committee.) The report would include this phrase, "The committee recommends that Charles Blank be dismissed." In either case, a vote on the report is necessary. A majority is all that is required to accept the report of the committee to dismiss the charges.

FIRST MEETING OF A PERMANENT ORGANIZATION

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FIRST MEETING OF A PERMANENT ORGANIZATION

(1) Those who are interested in forming a permanent organization should have several informal meetings before calling the meeting to organize. At these informal meetings, plans should be made to include such things as who is to be [134] temporary Chair and secretary. Also a draft of a constitution should be prepared to place before the large meeting. When these preliminary plans are completed, all those who may be expected to be interested in the new organization are invited. The invitations should be sent out at least a week in advance. The reason for sending personal invitations is that to simply carry a newspaper, poster, or radio advertisement will bring in many who are only slightly interested. General invitation also permits the possibility that some enterprising person may stack the meeting by bringing in many who will agree to vote as a unit.

(2) When the time mentioned in the notice arrives, the person previously agreed upon at the informal meeting advances to the front of the hall and calls the meeting to order. The first thing to be done is to elect a temporary Chair. The person who called the meeting to order could nominate the individual previously agreed upon at the informal meeting. A vote is then taken on that nominee and, if elected, he/she at once takes charge of the meeting. The same thing occurs in the election of the secretary.

(3) After these temporary officers have been elected, the Chair recognizes one of the members of the informal meeting, who talks of the proposed organization. A resolution is offered “That such and such organization should be formed in [135] this community.” Others of the group are recognized and each discusses some phase of the new organization. Any other individuals, who want to talk are now recognized by the Chair, giving each no more than 10 minutes. After the resolution is adopted, one of the original group now suggests the adoption of a constitution and moves that a committee be appointed by the Chair for that purpose. If this motion carries, the Chair appoints the committee, the majority being from the original group.

(4) If the planning has been properly done, the committee can meet immediately during a recess of the meeting. When the recess is over, the committee reports back and the constitution is adopted by the meeting.

The procedure for adopting a constitution is as follows:

1. Read by committee Chair.
2. The presiding officer reads the first section of the first article and asks “Are there any amendments to this section?”
3. If there are amendments offered from the floor, they are debatable and are voted on. Only a majority is needed.
4. The section as amended is not voted upon at this time.
5. The presiding officer proceeds to the next section and so on until the whole constitution [136] has been considered.
6. The Chair says “Those in favor of adopting the constitution as amended, raise their hand.” He/she counts. A 2/3 vote is required for adoption of the constitution.

As soon as the constitution is adopted, those present are invited to sign their names on a paper attached to that document. Those signing become charter members of the new organization. Only those who are members may vote from now on in the meeting.

(5) It is extremely important that the originators of the organization control the organizational meeting. If this is not done, those who have thought about the new organization and have called the first meeting may easily find themselves a helpless minority when the first meeting is held.

(6) As soon as the constitution is adopted, permanent officers *can* be elected, although it is a good idea to have this take place at the second meeting. If the constitution has been carefully prepared there will be a procedure for the first election. This will include the appointment by the Chair of the first nominating committee. He/she will appoint a majority from the original group, thus retaining control. Of course, when the election occurs, a majority is necessary.

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GERMANE

(1) The word *germane* means “closely related.” An amendment is *germane* if it is closely related to the objectives of the motion. The fundamental purpose of an amendment must be the same as the fundamental purpose of the motion.

(2) The rule that amendments must be *germane* applies to amendments reported by committees. For example, a resolution is referred to a committee. The committee reports the resolution with an amendment adding some words to the resolution. This amendment must be *germane* to the resolution. If it is not, it should be ruled out of order the same as an amendment not *germane* offered from the floor.

(3) Because of the necessity for an amendment to be *germane*, it is necessary to know some amendments that are not *germane*. These include [138] the following:

1. Any amendment that strikes out or inserts words which would leave no sensible motion before the meeting.
2. An amendment which brings an entirely new motion in the form of an amendment.
3. An amendment which is the same as one previously defeated at that meeting.
4. An amendment which strikes out such words as “resolved,” “therefore,” or “whereas” in a resolution.

(4) An amendment is really a main motion when it applies to a motion already adopted. Such an amendment might concern by-laws, constitutions, or standing rules.

(5) An amendment of an amendment must be *germane* to the amendment.

(6) Many decisions have been made by the Speakers of the House of Representatives as to when an amendment is *germane*. The rule followed is with regard to the fundamental purpose. That must be the same as the fundamental purpose of the motion. In this, as in other items of parliamentary law, it is essential to use common sense.

(7) If an amendment is ruled out of order because it is not *germane*, the ruling can be appealed.

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HONORARY OFFICERS

(1) In many organizations it is customary to have honorary officers. These are usually people who have served many years in elective office and who are not continuing, either for health reasons or because they feel that younger members should be chosen. For example, a secretary has served for 20 years and is not a candidate for reelection. He/she is voted the title, "Secretary emeritus" and has honorary office.

(2) At other times, an honorary officer is chosen from outside the organization because of helpfulness and interest over the years. This person might be given the title, "Honorary President."

[140](3) Sometimes an honorary office is given to a politician such as honorary Chair of a convention. In this case, the honorary office is for the period of the convention only.

(4) With the exception of politicians referred to, honorary office is for life unless repealed by vote of the organization.

(5) An honorary officer may be elected to an actual office while holding honorary office. The two do not conflict in any way.

(6) An honorary president is seated near the president during meetings. If there is sufficient room, the seating arrangement should be: the secretary at president's right; parliamentarian at president's left; sergeant-at-arms at left of parliamentarian and honorary president at secretary's right.

(7) There are no duties involved in honorary office. If the honorary officer is a member, he/she can participate in debate just like any other member. If he/she is not a member, of course, he/she has no right to debate or make motions. He/she may be given the privilege of speaking by vote or by unanimous consent.

(8) There can be no honorary officers unless there is a provision for the same in the by-laws. Such a provision must describe the qualifications for honorary office and the number of such officers.

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INFORMAL CONSIDERATION

Member: “I move that the motion be considered informally.”

Must be seconded.

It is debatable.

Cannot be amended.

Requires a majority vote.

Effect: Members are not restricted as to the length of their remarks nor as to the number of times they can speak on the pending motion or any amendment.

(1) The motion to consider informally must be made *before* the main motion to which it applies is stated. *Example:* A motion is to be considered under Unfinished Business. Just before that motion [142] comes up a motion for informal consideration could be voted. The wording of the motion would be “I move that the motion to have a dance, when it is debated today, be considered informally.”

Another example: A main motion has been stated. It is moved to consider this motion informally. The motion is out of order because it is not a priority motion and there can be only one main motion pending at a time.

(2) It is often desirable to have an informal debate. There are two ways that this can be done; by going into committee of the whole or by considering the motion informally.

(3) The advantage of informal consideration is that it is much simpler. All that is necessary is that the motion for informal consideration be carried by a majority vote. Debate is then informal on the pending motion and any amendments.

(4) As soon as *any* motion, except an amendment, is voted on, informal consideration ends. No vote on ending informal consideration is necessary.

(5) When the motion “to consider this matter informally” is carried, the secretary notes in the minutes, “it was voted that this motion be considered informally.”

(6) If a motion is being considered informally, the informality refers to debate by the members. It does not mean that the president can [143] debate from the chair. If the situation call for the president to debate, the proper procedure is to go into committee of the whole. Then the chair would be occupied by another member and the president could debate from the floor.

(7) When it is too late to make the motion for informal consideration, it might be done by unanimous consent. *Member*: “I ask unanimous consent that we consider this motion informally.”

LIMIT OR EXTEND LIMITS OF DEBATE—PRIORITY NO. 7

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PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, request for information and personal privilege are not motions and are not included.

1. Main motion*
- [145] 2. Postpone indefinitely*
3. Amend*
4. Amend an amendment*
5. Refer to a committee*
6. Postpone to a certain day*
- 7. Limit or extend limits of debate 2/3 vote
8. Stop debate 2/3 vote
9. Appeal
10. Table
11. Recess (if other business is pending)
12. Adjourn (unless no provision for future meeting)

*Debatable

LIMIT OR EXTEND LIMITS OF DEBATE

Member: “I move that during debate on the pending motion, each member be limited to 5 minutes,” or “I move that the member’s time be extended 3 minutes,” or “I move that the time for debate be limited (or extended) to 1 hour.”

- Must be seconded.
- May be amended.
- It is not debatable.

Requires a 2/3 vote.

Has to be repealed if an amendment to the main motion is to be offered.

No motion of lower priority can be made while this is in effect.

[146](1) Time limit can be either general time limit or for each member. For example, 1 hour might be the time limit for debate. This would mean that at the end of 1 hour, debate would end, even interrupting a member who has the floor. If the time limit applies only to each member, it means that the Chair interrupts the member when the time is up.

(2) After it has been voted to limit debate or extend it, no motion of lower priority can be made while this motion is in effect. The only way that a motion of lower priority can be made while this motion is in effect, is to repeal the motion to limit debate.

(3) *Example:* A main motion is pending. A motion is made to limit debate to 1 hour, and this motion carries. During debate a member wants to amend the main motion. He/she states that they want to amend, then moves to repeal the motion to limit debate. "I move to repeal the motion limiting debate to 1 hour." This motion is not debatable and takes a majority vote. If the motion to repeal the time limit carries, a member (either the one who moved to repeal or another), may offer an amendment.

(4) When a member is debating and his/her time has expired before he/she finishes, a motion is in order "to extend the time of the member who is speaking" by specifying the number of minutes, [147] or by including in the motion "such additional time as he/she needs to finish his/her remarks."

(5) It is in order to limit debate on a pending amendment without having a limit apply to the main motion. *Example:* A main motion is pending, an amendment is offered. During debate a motion is voted "to limit debate on the amendment to 15 minutes." At the end of 15 minutes all debate on the amendment stops and a vote is taken on the amendment. Of course, a motion of higher priority, such as "to table," could be made before the vote was taken.

(6) If the motion to limit debate has been voted and the time arrives as specified in the motion, it would be in order to offer an amendment to the main motion if this were done immediately.

(7) When a member wants to limit debate and have a vote taken at the end of this period, it should be included in the motion. "I move that debate end and a vote be taken on the pending motion at 11:00 a.m." If this motion carries, the Chair would announce at the end of time, "It is 11 o'clock." "Debate is closed and the question is _____ (repeating the pending motion)." He/she then puts the motion to a vote at once.

(8) The motion to limit or extend the limits of debate can be made only when a debatable motion is pending. This means that the list of "priority of motions" should be consulted before [148] offering the motion.

(9) While the motion to limit debate is in effect, the motion to stop debate is in order. For example, a main motion is pending and it is

LIMIT OR EXTEND LIMITS OF DEBATE

voted to limit debate to 1 hour. At the end of 45 minutes, it appears that no new ideas or points of view are being presented. A motion could be voted to stop debate. This gives a 2/3 majority of those voting the right to prevent repetition in debate.

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PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, requests for information and personal privilege are not motions and are not included.

- ➔ 1. Main motion*
- 2. Postpone indefinitely*
- 3. Amend*
- [150] 4. Amend an amendment*
- 5. Refer to a committee*
- 6. Postpone to a certain day*
- 7. Limit or extend limits of debate 2/3 vote
- 8. Stop debate 2/3 vote
- 9. Appeal
- 10. Table
- 11. Recess (if other business is pending)
- 12. Adjourn (unless no provision for future meeting)

*Debatable

MAIN MOTION—PRIORITY NO. 1

Member: “I move that we have a picnic on July 4th.”

Must be seconded.

It is debatable.

Can be amended.

Requires a majority vote (a few main motions take a 2/3 vote).

(1) A main motion is a suggestion or proposal, made by one member and seconded by another, that a meeting do something. It is a

motion without priority and can only be made when no other business is before the meeting.

(2) There can be only one *main motion* before a meeting at one time. Because this is so, some people think that there can be only one motion of any kind before a meeting. Such people have to be [151] reminded that there are certain necessary motions that must be made in order to really consider the pending main motion. For example, the motion to amend. It is very often necessary to make changes in a motion after it has been presented to the meeting. Other members may want to refer the motion to a committee or postpone consideration until another day, etc. These motions are called “priority motions,” because they can be made even though there is another motion or maybe several other motions pending.

(3) Included among *main* motions are the following:

Accept a report.

Amend by-laws, constitution, standing rules.

Fix the time to which to adjourn.

Ratify action of Executive Board or officers.

Reconsider.

Renew a motion.

Suspend the rules.

Take from the table.

(4) You can refer to a motion as “questions” or “motion” or “order.” When the motion is first made, the Chair might ask, “Is the motion seconded?” During debate he/she would say, “Are you ready for the question?” Or “Are you ready for the motion?” When the vote is being taken, “Those in favor of this motion.” Or “Those in favor of this question.”

[152](5) If a motion includes directions for something to be done, it is called “an order.” For example, a motion to request the secretary-treasurer to prepare new roll call lists would be called an order. When such a motion is put in writing, it often begins with the words, “Ordered, that.” A motion to have the meeting express opinions about something is called a “resolution.” Such a motion should start with the words, “Resolved that.” The words “motion” and “resolution” have very definite meanings. The words “question” and “motion” may be used for each other. It makes no difference whether you refer to a “pending question” or to a “pending motion.”

(6) The presiding officer has the right to suggest to a mover that the motion be reworded if it appears to him/her that the original wording is not clear, or is incorrect as to one of these terms.

(7) The presiding officer has the right to require a motion to be in writing. The secretary may ask the Chair to have a motion in writing so that the minutes will be accurate. The secretary cannot ask the member directly to do this. If the mover is asked to put his/her motion in writing, there is an automatic recess until he/she has done so. A reasonable time

must be allowed for writing the motion. While this is being done, there can be no discussion nor can motions be made or points of order raised.

[153](8) A motion that consists of two or more parts can be divided into the parts, each one being voted on separately. In this case, each part is treated as a motion, being open to amendment, etc.

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MASS MEETING

(1) A mass meeting is a meeting of a group of individuals to consider a particular problem. It is held as a result of an announcement usually posted in a public place. This announcement, whether posted or mailed or given orally contains information regarding the place, the time and the object of the meeting. When interested people have met together, the meeting is ready to begin.

(2) A quorum of this type of meeting consists [155] of those who are there. One of those people who signed the call for the meeting, or one who has taken an active part in gathering people for the meeting should now advance toward the front of the room and call the meeting to order.

(3) The first item of business is the election of a Chair. The interested person who has called the meeting to order asks for nominations from the floor for Chair. If only one nomination is received, those present are asked, “Will you have Mr./Madam Blank as Chair of the meeting?” “All those in favor raise their hand.” The individual thus selected now comes forward to preside.

(4) If there are two or more nominations proposed, a show of hands should be asked for those favoring the first nominated, then a similar vote for the others, in the order named. The votes for each nominee should be noted. The total number of votes for all names are added together. It is necessary in any election that the winner receive a majority of the votes cast. This means at least one more than half the votes cast. Whichever nominee receives a majority is declared elected. If no one receives a majority, voting must be done again until someone receives a majority.

(5) Another method of electing a Chair for a mass meeting is as follows. The person who calls the meeting to order may simply ask, “Is

there objection to Mr. Blank being the Chair of this [156] meeting?" Usually, if the individual is known to the group, there will be either applause or cries of "yes," etc. This is a much simpler method and entirely satisfactory for most occasions.

(6) mass meetings are usually held by groups of citizens who are favoring or protesting something. Sometimes such a meeting is held to obtain information, as when a civic or political group sponsors a mass meeting to hear a candidate for public office. If this is the case, the Chair may be designated by the sponsoring group.

(7) After a Chair has been elected, the next requirement is that someone should be elected as clerk. The object here is to obtain someone who will make brief notes of the proceedings. The procedure for election is the same as that for a Chair. After this is done, the Chair should call upon those who wanted the meeting. The individual who is called on should then explain the reasons for having the meeting. Other members of the original group are then called on for additional explanation. Following this any member of the meeting who asks to do so should talk about the subject.

(8) You should remember that a mass meeting, even though no rules have been adopted, still is conducted by the principles of parliamentary law. Just the fact of people meeting together in public for the purpose of interchanging ideas and [157] obtaining collective action, means that parliamentary law takes effect.

(9) Of course, any group of people has the right to adopt special rules, whether for a mass meeting or otherwise. If they do not adopt special rules, they are governed by parliamentary law.

(10) Usually action at a mass meeting consists of resolutions. These resolutions should be prepared in advance by those responsible for calling the meeting. Such resolutions may be amended from the floor.

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MEMBERSHIP

(1) A member is considered to be in good standing when the provisions of the by-laws regarding membership have been followed. Usually such provisions include the payment of dues and the attendance at a specified number of meetings.

(2) Only members in good standing may vote or hold office. It is the duty of the treasurer and the secretary to work closely together in maintaining the active membership list. The treasurer notifies the secretary of the names of those whose dues are unpaid or who have fines or other assessments. The secretary then sends notices to such members. In some organizations, the offices of secretary and treasurer are combined thereby [159] greatly simplifying the functions.

(3) Each member in good standing has the following rights in a meeting:

1. The right to debate all debatable motions unless debate is closed by a 2/3 vote.
2. The right to make motions.
3. The right to second motions others have made.
4. The right to offer secondary motions.
5. The right to ask a member who is speaking a question.
6. The right to raise a parliamentary inquiry.
7. The right to raise a point of order.
8. The right to vote.
9. The right to hold office.
10. The right to resign an office held.
11. The right to object to a unanimous consent request.
12. The right to look at organizational records and papers at reasonable times.

(4) It is the obligation of members to attend meetings whenever possible. However, when members are absent, their rights cannot be suspended. For example, a rule requiring notice of a motion to be given at a previous meeting cannot be suspended by an unanimous vote, if there

are any absentees. Any action that would have the effect of depriving absent members of their rights under the by-laws or their rights under [160] parliamentary law, is out of order. If an amendment to the by-laws is proposed, it is out of order at the meeting where the proposed amendment is being considered to amend any *other* by-law than the one specified amendment. In the same way, absentees are protected in cmt. meetings. This occurs when the absent members have the right to move reconsideration at the next meeting (provided the cmt. has not in the meantime reported).

(5) An absentee cannot vote in a meeting unless the by-laws provide for so doing. It is most unusual to find such a provision except in business corporations at their annual shareholders' meetings. The voting by absentees giving their votes to someone else to cast for them is called "proxy voting."

(6) Honorary membership is often given to those who have had many years of continuous, active membership. Sometimes it is extended to those outside the organization who have shown unusual interest on behalf of the organization. If it is thought desirable to provide for honorary membership, there should be a section in the by-laws of the organization given to this subject. Once a member is voted an honorary member, he/she loses his/her right to make motions and to vote. He/she does not have to pay dues. He/she has the right to attend meetings and to speak. Honorary membership is for life unless repealed.

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MINORITY VIEWS

(1) When any committee, whether a standing committee or a special committee meets, there must be a quorum present. Unless the by-laws specify a different one, a committee quorum is a majority of the committee.

(2) Whatever the majority vote in a committee meeting is, the committee reports. However, the minority have the right to present their side to the members of the organization. They do this by means of "minority views." This means that the minority of the committee write their reasons for not agreeing with the majority.

(3) The minority views are read to the meeting [162] during debate on the committee report. A member of minority reads the minority views and then says, "I move that the minority views be substituted for the committee report." This motion is an amendment by way of substitute. If voted for by a majority, the minority views can become the committee report.

(4) When minority views are presented, the secretary should note the same in the minutes as follows: "The report of the Finance Committee was submitted by its Chair Mr. White." Minority views were read by Mr. MacDonald as follows: (Copy minority views.) Mr. MacDonald then moved to substitute the minority views for the report of the committee. This motion carried 40 to 32. The report of the committee as amended was accepted 40 to 32.

(5) There can be a legal meeting of a committee with a legal vote taken but with only a minority of the committee making a decision. For example, there are 12 members of a committee. At a committee meeting 7 are present. On a vote, 4 are in favor and 3 opposed. This is a legal vote and becomes the committee report although only 4 out of the 12 members voted in favor of it. This situation is not uncommon. This is a reason for having the provision for minority views.

(6) Sometimes the vote in a committee meeting is close and the minority members want the [163] membership to have a choice. For example, there are 12 on a committee. At the committee meeting, all are present. A motion is passed 7 to 5. The minority want to present their ideas about this motion to the meeting. They then write the minority views and move to substitute them for the committee report, which gives the members at the meeting a choice between the committee report and the minority views.

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MINUTES

(1) The secretary keeps a record of what happens at each meeting. This is called “the Minutes.” This record should contain only what was *done* not what was said. It should be brief. Many recording secretaries try to cover too much, with the result that it takes too much time to read the Minutes. This is why meetings may bore some of the members.

Minutes should contain the following items:

- a. Time of beginning meeting and the number present.
- b. The names of who presides at the meeting.
- c. Reading and adopting the minutes.
- d. Routine matters such as reports of [165] committees, etc.
- e. The main motions that were before the meeting, whether passed or defeated.
- f. Points of order made or motions relating to the main motions.

(2) The opening statement of the Minutes must show whether this is a regular meeting or a special meeting. This is a record for future reference and has to contain the information that will be required by those who will be reading the Minutes. The fact of the presence of a quorum may be handled either one or two ways. The phrase “quorum being present” can be used after the opening. “The regular meeting of Local 234 was called to order by the President at 8:10 p.m., a quorum being present,” or the number of members present can be noted as “the regular meeting of Local 234 was called to order by the President at 8:10 p.m., 36 members being present.”

A reference is then made to the Minutes of the previous meeting. “The Minutes of the previous meeting were read and approved,” or “The Minutes of the previous meeting were read and with certain corrections were approved.” Either wording is correct.

(3) Reports of committees are referred to without detailing the report. “The Program Committee reported that they had met regularly [166] and were preparing a list of speakers for future meetings.” If a committee comes in with a recommendation, that recommendation is

written in the Minutes. “The program committee submitted the following recommendations: _____,” then the wording is copied into the Minutes. If a recommendation is amended by the meeting, the wording should be “the Program Committee submitted a resolution which after amendment, was adopted as follows.”

(4) The original resolution, as submitted by the committee, is placed on file if someone wants to know what it was. No changes are made in the original paper as turned in by the committee.

(5) Minutes should be first written on a notepad and, after being adopted, should be copied into a bound book. It is not a good practice to have the permanent Minutes on a loose leaf record book.

(6) In many organizations, the president writes “approved,” the date of approval and his/her signature on the page where the secretary has signed his/her name. This is a fine way to help in assuring the accuracy of the Minutes.

(7) A motion is in order to amend the Minutes. This is not often used as generally the suggested correction is made by the secretary. However, when there are differences of opinion as to what correction is needed, the motion is “to [167] amend the Minutes by adding the following words” or “to amend the Minutes by striking out the following words.”

After Minutes have been adopted, if an error is noticed at the same meeting, the motion to adopt the Minutes may be reconsidered. If it is too late to reconsider, there are two ways that the Minutes may be amended. First, by notice before the meeting, either reading the same at a prior meeting or in the notice of the meeting. This takes a majority vote. Second, without notice, it takes a 2/3 vote to amend.

(8) Minutes of a convention are usually called “The Journal” and may be read at the beginning of each meeting or may be approved by a committee authorized by vote to do this.

(9) Sometimes a motion is made “to dispense with the reading of the Minutes.” If this is done, the minutes may be read later when no business is pending. Otherwise, they will be read at the next meeting.

A better motion to make, if it is desirable to avoid having the minutes read, is “to dispense with the reading of the Minutes and that the Minutes be approved.” This is the form used in the Congress.

- Amend constitution and by-laws
- Amend standing rules
- Change an item in adopted agenda
- Change the time previously voted for a recess
- Change the time previously voted for adjournment
- Change time of special order
- Close nominations
- Close the polls
- Discharge a committee from further consideration of a motion
- Expel a member
- Limit or extend limits of debate
- Make a special order
- Object to consideration of a motion
- Reconsider in a committee
- Repeal (unless notice previously given)
- Stop debate
- Suspend the rules

On any motion that requires a 2/3 vote, the vote is taken by having those in favor rise and remain standing until counted, then having those opposed stand. The rising vote is necessary for all the motions listed above.

Adjourn (unless no provision for future meeting)
Amend an undebatable motion
Appeal
Close or re-open nominations
Dispense with reading of the minutes
Limit or extend limits of debate
Motions regarding methods of voting
Object to consideration of motion
Reconsider an undebatable motion
Stop debate
Suspend the rules
Table
Take a recess
Take from the table
Withdraw a motion

The reason that some motions are undebatable is that it is necessary to have an immediate vote on a motion to accomplish a definite purpose. For example, the motion to stop debate is not debatable. The idea of the motion is to have a vote on whether debate should continue. This purpose would be defeated if it were possible to debate the motion to stop debate. The same reasoning is true regarding the other undebatable motions.

Even though a motion is undebatable, the Chair should permit questions regarding it or an explanation [170] of it. Members are entitled to know what the result would be of the adoption of a motion. It is true of other subjects in parliamentary law that there is danger in too strict a following of some of the rules. For example, if a motion is made which is out of order at the time, it is better to explain the reasons why it is out of order, than to simply rule it out of order. You must remember that most people know very little about parliamentary law. To them it appears to be a complicated subject. It could happen that a person would be discouraged from further activity in a meeting by abruptly being ruled out of order.

[171]

MOTIONS THAT CANNOT BE AMENDED

Adjourn
Amend an amendment
Appeal
Informal consideration
Nominations
Object to consideration
Permission to withdraw a motion
Postpone indefinitely
Reconsider
Stop debate
Suspend the rules
Table a motion
Take from the table

[172] MOTIONS THAT CANNOT BE RECONSIDERED

A motion referred to a committee
Adopt by-laws and constitution
Amend by-laws and constitution
Change the order of business
Election to membership
Election to office
Motion to adjourn
Reconsider
Repeal by-laws and constitution
Suspend the rules
Table
Take a recess
Take from the table

When you have made a motion and it has been voted on and defeated, you *may not* be able to make that motion again during the same session. For example, if you offer an amendment to a main motion and it is defeated, you cannot offer the same amendment again. In the same way, if you make a motion to reconsider and the motion is lost you cannot again move to reconsider the same motion.

The following motions cannot be renewed (made again) on the *same subject* during the *same session*.

Remember that a session may consist of two or more meetings.

Amend

Amend an amendment

Appeal (on a similar subject)

Main motion

Object to consideration

Reconsider

Suspend the rules (for the same purpose)

If a motion is tabled, it cannot be renewed until after the close of the next session.

In organizations whose regular sessions are held either two times a year or annually, any motion that has not been referred to a committee or [174] postponed to the next session, may be renewed at the next session.

A point of order cannot be renewed if the same point has already been raised during the same session. An appeal cannot be renewed if the Chair has been sustained in a ruling on a similar decision during the same session. It is the duty of the Chair to prevent the renewal of motions if, in his/her opinion, the renewals are to obstruct the business of the meeting.

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NOMINATIONS

(1) A nomination is the placing of the name of a candidate for office before a group. This can be done by members from the floor or by a nominating committee. If there is a nominating committee, it must be provided for in the by-laws. When nominations have been made, either from the floor or by a nominating committee, the Chair should inquire if there are any further nominations. If no one makes a nomination, he/she announces that nominations are closed. This cannot be done until there has been time for members to [176] stand for recognition.

(2) Sometimes people are so eager to prevent other nominations that a motion is made immediately to “close nominations.” This is out of order and the Chair should not allow the motion until members have had a chance to nominate. The motion to close nominations requires a 2/3 vote.

(3) If for any reason (such as members arriving late) it is desired to re-open nominations, it may be done by majority vote. This motion is not debatable. Any number of nominations may be made.

(4) The presiding officer calls for nominations in the following way: “You have heard the report of the nominating committee.” “The committee has nominated Mr./Madam _____ for president, are there further nominations?” (Pause)

(5) In conventions and in some organization meetings, nominating speeches are permitted. When this is so, the qualifications of the candidate, a brief account of his/her experience and a plea for votes comprises the nominating speech. The motion to nominate is not debatable.

(6) It is not necessary to be nominated for office in order to be elected, unless your constitution or by-laws specify that nomination is required.

NOMINATIONS

(7) Nominations for election to committees are handled in the same way. If only enough [177] nominees to fill the vacancies are presented, election of the entire group may take place at the same time. In this case, the Chair would say, “Are there any nominations for this committee?” (Pause) “Without objection the nominees are elected as members of the committee.

When there are more nominations than vacancies to be filled, the Chair would present the names of the nominees in the order of their nomination.

(8) When there is no nominating committee, the presiding officer calls for nominations, “Nominations are now open for the office of president.” After a nomination is offered, “Are there further nominations for the office of president?”

[178] OBJECT TO CONSIDERATION OF A MOTION

Member: "I object to the consideration of this motion."

No second necessary.

Not debatable.

Cannot be amended.

Requires a 2/3 vote.

Effect: To prevent any discussion of the main motion that has just been stated by the Chair.

Let us assume a main motion is presented at a meeting. This motion is debated and voted on. It is defeated by a very large majority. At the next meeting, the same motion is made again. Let us assume further that you are against the motion and are present at this second meeting.

As soon as the motion has been stated by the Chair, you should obtain the floor and say, "I object to the consideration of this motion." This objection does not have to be seconded. The presiding officer will then say "Objection has been made to the consideration of this motion." "All those who *also* object stand until counted." (He/she counts) "Those who do *not* object please stand." (He/she counts) A two-thirds vote is necessary to prevent a motion from being considered.

If any debate has taken place, it is too late to object to the consideration of the motion. You cannot object to the consideration of the report of [179] a committee on a matter referred to the committee. The member who obtains the floor to object does not have to give any reason for objecting.

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PARLIAMENTARIAN

(1) The president is responsible for the whole of the organization. Among his/her duties is that of presiding at the various meetings. A president may be very effective in getting people to cooperate and in taking care of the affairs of the organization, but may not have knowledge of parliamentary law. If we assume that the meetings over which the president presides will have members knowing something about parliamentary law, the president *could* be made to appear ineffective. In such a case, the president should appoint a parliamentarian.

(2) In making this appointment there is only [181] one requirement and that is that the member must know parliamentary law. It is not necessary that such a member be an expert or a professional parliamentarian. Of course, if there is an expert or professional in the membership, he/she is the logical one for the job. Usually it is possible to obtain someone who, while not an expert, does have more knowledge of the subject than the average member.

(3) It is not *necessary* for the by-laws to specify that the president may appoint a parliamentarian. He/she has that authority anyway.

(4) The duty of a parliamentarian is to advise the Chair. It is not his/her function to answer any questions asked of him/her directly from the floor, but he/she is to suggest proper procedure to the presiding officer. Any question, request for information, parliamentary inquiry, etc., must be addressed to the presiding officer. The presiding officer, if he/she does not know the answer or is not quite sure about it, asks the parliamentarian, who replies to the Chair and not to the member.

(5) Because the parliamentarian is in frequent conversation with the presiding officer during a meeting, he/she should be seated next to the president.

(6) If the parliamentarian is an appointee of the president with no provision in the by-laws for such an office, he/she functions only when the [182] president is present.

(7) If the by-laws provide for a parliamentarian in some such language as “the President may appoint a qualified member as parliamentarian to serve in that capacity during the regular term of office,” the parliamentarian would serve during each meeting regardless of who presided. The office is then separate from the president.

(8) When you have the duty of serving on a committee to write or revise constitutions, or by-laws, my advice is that you obtain the services of a professional parliamentarian. Do not make the mistake of asking a lawyer to assist in this work, unless he/she is a parliamentarian. A lawyer may or may not know anything about parliamentary law.

PARLIAMENTARY INQUIRY

A member who does not understand the parliamentary situation or his/her rights as a member, may ask the Chair the question for which he/she wants an answer. If the question is urgent in the opinion of the member, he/she may interrupt the remarks of another who has the floor.

Form: “Mr./Madam Chair, I rise to a Parliamentary Inquiry.”

Chair: “You will state your question.”

If the presiding officer thinks that this inquiry deserves an immediate answer, he/she will then [183] give it. If he/she feels that the question is not a parliamentary inquiry, or is not sufficiently urgent to interrupt a member who is speaking, he/she should inform the member that the answer will be given later.

It is not the function of the presiding officer to answer general parliamentary questions. He/she should, however, answer questions that relate directly to the pending business, provided that he/she thinks the questions are asked in good faith.

The answer to a parliamentary inquiry is not a decision of the Chair and therefore cannot be appealed from.

The Chair may recognize and answer a parliamentary inquiry even though the motion to stop debate has been voted.

No one knows when motions were first made in a meeting. We do know that in the Senate of ancient Rome motions were made, debated and voted. The councils of the cities of ancient Greece had procedures for conducting meetings that were something like our own.

Parliamentary law is the body of rules that has gradually been adopted for the use of meetings. It has been developing for many hundreds of years as men and women have struggled toward a clearer understanding of individual liberty.

The history of the House of Commons in Great Britain shows the gradual growth of parliamentary law. The rights of a member to debate and try to protect his/her viewpoint by offering motions received its great development. The various British colonies and settlements naturally followed the procedure of the Commons. This was true of the British colonies in America.

When the colonial legislatures sent delegates to the continental congress, parliamentary law was well known to them as they had participated in meetings of one kind or another all their adult lives.

The continental congress, the constitutional convention and the first few sessions of the Congress under the Constitution, were all run according to the practice of parliament. Certain [185] changes to fit the needs of the situation here had been put into effect, although there was no manual on the subject.

It was to meet this need that Thomas Jefferson in 1797 wrote his "Manual of Parliamentary Practice." He wrote it for his own use when serving as President of the Senate. The House adopted this manual in 1837 and in it is found many of the basic principles that guide that body today. In the United States, the source of parliamentary law is the practice of the House of Representatives. House practice comes from four sources: first, the Constitution of the United States; second, Jefferson's Manual; third, the rules of the House of Representatives; fourth, the decision of the Speakers of the House.

Do not confuse parliamentary law with law as made and enforced by lawyers. The subjects are quite different in development, background, and purpose. Parliamentary law is a specialized field and one that is not necessarily included in a lawyer's knowledge. He/she may or may not have studied parliamentary law. The language used by some writers on parliamentary law might lead to the conclusion that it is as burdened with Latin phrases and cumbersome expressions as lawyer's law. While this is true of the House rules, it certainly is not necessary that this type of language should be used for people in social, civil, [186] trade union and religious organizations.

Beginning with the continental congress, continuing with the first congress under the Constitution and down to the present time, the House has adopted rules for its procedure. Over the years, many of these rules

have been changed to meet the increased amount of work facing the House.

The rulings of the Speakers of the House and the Chairs of the Committee of the Whole form the interpretations of the House rules. It is seldom that a question comes before the House that has not been previously decided. All of these decisions have been compiled in Hinds' and Cannon's Precedents. While a Speaker is not bound to follow the precedents, it is seldom that they are not followed.

It is obvious that parliamentary law as used in the House is not entirely suited to organization meetings. The great amount of business, the pressure of politics, the large membership who can be compelled to attend, and the need for working with the Senate, all result in many rules that could not apply to voluntary associations.

It has been necessary, since the early days of the Republic, to make some changes in parliamentary law to meet the needs of organizations. Many manuals and rule books have been written with this in mind. Those who have prepared these [187] books have tried to follow the general principles of parliamentary law. Because of the difference in understanding and because some of these writers were not professional parliamentarians, there is much variation among these rule books.

Many by-laws specify which manual is to be used as authority in the meetings. It is well to remember that your organization has the right to draw up whatever rules would meet your needs. These are called standing rules. Whenever there is a difference between the manual that has been adopted and your organization rules, it is the provision of your constitution, by-laws, or standing rules that you follow.

You can see that there is no standard and uniform use of parliamentary law. Under our idea of freedom, there cannot be uniformity in this subject. However, while there are differences, certain basic principles must be followed because these are rights of free men and women. These principles are:

1. That the minority have the right to express their views.
2. That the majority have the right to prevail.
3. That the rules followed must apply to all, must be In writing, and are adopted by majority vote.
4. That the rights of the individual, whether present or absent, must be protected.

[188] These principles contain the elements of parliamentary law. It exists to protect these rights.

When a motion has been made, seconded and stated by the Chair, it is referred to as “the pending question.” It continues to be the pending question until it is disposed of, either temporarily or permanently. There can be several pending questions, for example: a main motion, an amendment, an amendment of the amendment, and a motion to refer to a committee. In this case, they are all pending questions. A distinction should be made between a pending question and an *immediately* pending question. The last motion offered is the immediately pending question.

The term “question” is used to refer to a motion after it has been stated by the Chair and before it has been voted upon. When you want to know if the meeting is ready to vote, you would say, “Are you ready for the question?”

When you want to explain what is to be voted on next, you would say, for example, “The question now is on the motion as amended.”

When the pending question is debatable, debate must be confined to the pending question. The exception to this is the motion to indefinitely postpone. This motion, which has for its object to defeat a motion, opens the main motion to debate. You cannot debate indefinite postponement, but instead debate the pending main motion.

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POINT OF ORDER

Member: “I rise to a point of order,” or “A point of order.”

Does not require a second.

Effect: To draw attention to a violation of the rules and to ask for a decision.

[191] *Chair:* “State your point of order.” The member does so and the Chair makes a ruling.

Not debatable: The Chair may ask for information from various members before making his/her decision.

Chair: “Your point of order is well taken,” or “Your point of order is not well taken.”

(1) If the Chair is in doubt whether a point of order is well taken, he/she can ask the meeting to decide. “Well taken” means that there is indeed a violation of a rule.

(2) If the Chair asks the meeting to decide about a point of order, he/she says, “As many as are of the opinion that the point is well taken, raise their hand,” etc. A majority vote decides.

(3) Every member has the right to expect that the rules of the organization will be followed. If a rule is not being observed, the member noticing this should rise and say, “A point of order.” This can interrupt a member who is talking. This member immediately is seated and does not continue until the point of order is decided. As soon as it is decided, he/she continues speaking. Time taken by a point of order and the decision on it does not come from the time of the member who was interrupted.

(4) A point of order must be raised at the time the violation of the rule takes place. If a point of order is raised *after* there has been debate or [192] vote, it is too late to raise the question of order.

(5) If a motion is in violation of state or federal law or of the constitution, by-laws, or rules of the organization, it is of no effect. A point of order raised against such a motion *at any time* is in order.

(6) The Chair is not required to decide a point of order not directly presented by the business being considered. It is not the duty of the Chair to decide a supposed situation, only an actual one.

(7) The Chair may require a point of order to be presented in writing.

(8) Decision of the Chair should be entered in the minutes.

(9) Example:

Member: (interrupting a member speaking): “A point of order.”

Chair: “State your point of order.”

Member: “The member who is speaking has already talked for 15 minutes. Our rules state the time limit is 5 minutes.”

Chair: “Your point of order is well taken. The member’s time has expired.”

(10) Another example:

Member: “I rise to a point of order.”

Chair: “State your point of order.”

Member: “The amendment just stated by the Chair is not germane to the motion.”

[193] *Chair:* “The Chair is in doubt. Those who are of the opinion that the point of order is well taken raise their hand...,” etc.

(11) The advantage of having the meeting vote on such a point of order as this is that it ends the matter at once without any possibility of appeal.

(12) Once a decision has been made on a point of order and the decision has been either upheld on appeal by the meeting, or the appeal has been tabled, the same point of order cannot be made again.

(13) A point of order may interrupt a member who is speaking but *only* if it is an urgent matter. Frequent points of order should not be allowed. Many people who have a little knowledge of parliamentary law like to rise to points of order to show off their knowledge. It is the duty of the presiding officer to prevent this from taking place.

(14) A point of order is not to be used to hold up debate. If it is used in this way, the Chair has the right to rule it out of order.

**POSTPONE INDEFINITELY--
PRIORITY NO. 2**

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PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, requests for information and personal privilege are not motions and are not included.

- 1. Main motion*
- ➔ 2. Postpone indefinitely*
- 3. Amend*
- 4. Amend an amendment*
- [195] 5. Refer to a committee*
- 6. Postpone to a certain day*
- 7. Limit or extend limits of debate 2/3 vote
- 8. Stop debate 2/3 vote
- 9. Appeal
- 10. Table
- 11. Recess (if other business is pending)
- 12. Adjourn (unless no provision for future meeting)

*Debatable

POSTPONE INDEFINITELY--PRIORITY NO. 2

Member: “I move that this motion be postponed indefinitely.”

Must be seconded.

It is debatable. The debate continues on the main motion.

It cannot be amended.

Requires a majority vote.

Effect: The effect is to kill the main motion. It does not postpone the motion.

- (1) The motion to postpone indefinitely has three great advantages.

1. It allows further debate. Let's suppose that you have already talked about the pending motion. When the motion to postpone indefinitely is made, you are entitled to speak again on the motion.
2. If the motion to postpone indefinitely is [196] carried, the main motion is defeated. No further vote on it can be taken.
3. If the motion to postpone indefinitely is defeated, there is opportunity to work against the main motion and you know how many votes you have.

(2) I suggest that this motion to postpone indefinitely be used whenever you have a controversial motion and are not sure of your votes. By making this motion and noting carefully the votes for it, you will be in a position to know what next step to take.

(3) *Example:* (Assuming you are *against* the main motion.) Motion to postpone indefinitely loses 40 to 48. This show you that you need at least 5 votes. (A majority, one more than half of the votes cast.) Some of these members might be persuaded during further debate. Others might be influenced by means of amending the main motion to remove objectionable parts of it. It might be possible to get enough votes to refer this motion to a committee, especially a committee of which you are a member. Sometimes through persuasive talking in debate, enough votes can be picked up to postpone the main motion until the next meeting.

(4) You should think of the motion to postpone indefinitely as a trial motion so that you know how many votes you have toward the defeat [197] of the main motion. You cannot lose either way whether the motion to postpone indefinitely is carried or lost. If carried, the main motion is killed. If lost, you still have a number of motions with which to attack the main motion.

(5) *Example:* (Assuming that you are *in favor* of the main motion.) The motion to postpone indefinitely is stated. Your first move would be to take the floor as soon as possible and again speak for the main motion. You would oppose a motion to refer to a committee unless the committee members are favorable to the main motion. Because it is in your interest to have a vote on the main motion as soon as possible, you should move to stop debate as soon as you think there are enough votes to do this. If this motion loses, your next step might be to move a recess during which some missionary work can be done. This would involve getting votes to defeat such motions as postponing until a later meeting, referring to a committee and amending the main motion. The motion to postpone indefinitely will help you determine your next move. If this motion is defeated by a large majority, you know that you have the votes to carry the main motion.

(6) The only time that the motion to postpone indefinitely is in order, is during debate on a main motion before any amendments or other motions have been made.

**POSTPONE TO A CERTAIN DAY--
PRIORITY NO. 6**

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PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in [199] order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, request for information and personal privilege are not motions and are not included.

1. Main motions*
2. Postpone indefinitely*
3. Amend*
4. Amend an amendment*
5. Refer to a committee*
- ➔ 6. Postpone to a certain day*
7. Limit or extend limits of debate 2/3 vote
8. Stop debate 2/3 vote
9. Appeal
10. Table
11. Recess (if other business is pending)
12. Adjourn (unless no provision for future meeting)

*Debatable

POSTPONE TO A CERTAIN DAY--
PRIORITY NO. 6

Member: "I move that the pending motion be postponed until our next regular meeting."

Must be seconded.

It is debatable.

Requires a majority vote.

[200] *Effect:* To put off further consideration of the motion until the next meeting when it will be again considered.

(1) When a motion has been postponed to another meeting, it becomes the first item under "unfinished business." Those who have already spoken in debate on this motion at the first meeting cannot speak again until all others who may wish to, have spoken.

(2) Sometimes it is necessary to postpone a matter to another meeting and give that meeting to its consideration. For example, when a motion is pending to amend the by-laws or constitution, "I move that the motion to amend the by-laws be postponed and made the special order for our next regular meeting." This form of the motion, to make "the special order" means that right after "committee reports" at the next meeting, the amending of the by-laws will be considered and will continue until completed. This motion takes a 2/3 vote.

(3) If the time of the day is specified as "I move that the pending motion be postponed until 9 p.m.," it becomes a special order for that time. If debate is taking place at 9 p.m., the Chair would interrupt a member speaking and say, "the hour of 9 p.m. having arrived, the special order is now before you. This special order is (states motion which was postponed)." The postponed motion is **[201]** debated and action is taken. The motion that was being debated at 9 p.m. is then resumed.

(4) The motion to make a "special order" requires a 2/3 vote.

(5) Once a motion has been made a special order, it cannot be considered before the specified time except by a 2/3 vote.

(6) The motion to postpone to a certain day is limited to postponing until the next regular meeting or a special meeting called before the next regular meeting. It is not in order to "postpone until next year" or "the next annual meeting" or any other extended time.

(7) It is the duty of the Chair to refuse to accept a motion to postpone to a certain day when the obvious result of such a motion is to postpone indefinitely. For example, a motion is pending "to invite Mr. Small as speaker at the next meeting." A motion to postpone this pending motion until the next meeting would obviously be for the purpose of killing the motion. It would not be in order.

(8) The motion to postpone to a certain day cannot apply to committee reports, the motion to adopt the minutes, or motions to open, close, or re-open the polls or nominations.

(9) It is not in order to postpone a class of business such as “unfinished business” or “new business,” only specific motions may be postponed.

[202](10) It is in order to postpone an election to an adjourned meeting. For example, an annual meeting occurs Friday on a very stormy day. There is only a quorum present. A motion is made “that the election be postponed until Monday at 10 a.m.” This makes the election the special order for Monday and because this is an adjourned meeting, the effect will be the same as though the election had been held on Friday.

(11) If the motion to postpone to a certain day is pending and a motion is made to table and it carries, the pending motion is tabled as well as the motion to postpone. The motion to postpone cannot be tabled by itself.

(12) The motion to postpone has to apply to the whole of the proposition. An amendment cannot be postponed without postponing the main motion also.

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PRESIDENT (PRESIDING OFFICER)

(1) The president’s duties are divided between those of presiding at the meetings and those of administrating the affairs of the organization. Because the president is more than a presiding officer, he/she has a responsibility for the overall success of his/her organization. He/she must be alert to *all* of his/her duties.

Some presidents take the chair at a meeting without any preparation or planning. He/she hopes that everything will come out all right. Sometimes that does happen, but not because of leadership by the president.

In planning for a meeting, it is necessary to *anticipate* matters which may be brought up. This means having members ready to make certain motions as they may be in order and second motions made by others. In large meetings, it is often necessary to have a floor leader. He/she should assist the president in talking with members before [205] and after meetings, making motions favored by the administration and securing cooperation. Such a member, if selected for his/her good judgment and tact, can be of the greatest assistance in the planning and functioning of a meeting.

(2) When the time for the meeting arrives, the president should count the members present to see if there is a quorum. If there is, the president calls the meeting to order. In a large meeting, the gavel should be used for this purpose. The president should not shout to get people quiet. The presiding officer sets the pace for a meeting, he/she establishes the feeling which will prevail. If he/she begins by shouting, he/she loses some of the dignity of this position. So he/she uses the gavel and as quiet is obtained, begins the meeting.

(3) The gavel is the symbol of authority and comes to us from very early times. It is to be used to preserve order and for ceremonial purposes. For example, in some fraternal and social organizations one rap is the signal for those standing to be seated. Two raps is for officers to rise, while three raps is for everyone present to rise. These, of course, are determined by local rules and customs. Parliamentary law does not assign any such use of the gavel.

When attention is to be obtained, or order restored, one or two firm taps with the gavel should [206] be sufficient. In very large gatherings, the one or two taps of the gavel should be repeated after an interval. Avoid repeated banging with the gavel. Too frequent use will result in members ignoring it.

The principle use of the gavel is as a symbol of authority. As such it is handed to the newly elected president by the retiring president. Often this is part of the ritual of inauguration. It is the custom in some organizations for the outgoing officers to buy the incoming president a gavel, then it is his/her personal property.

(4) When the president or a temporary officer refers to themselves while presiding, it should always be as “the Chair recognizes the member in the middle aisle,” or “the Chair cannot accept that motion at this time.” The reason for this language is that it helps to maintain a more impartial approach than “I” or “my.” When a ruling is made, the use of “my decision” weakens the force of the statement.

It is very important that the presiding officer should at all times remain *outwardly* serene. We all know that under some conditions it is impossible to feel entirely calm. But we also realize that a president who

gets angry loses much of his/her effectiveness. To appear calm requires much self control. There are those in meetings who will create a disturbance. It isn't always obvious that such [207] people have this object. Some of them keep rising to points of order, or appealing from decisions, personal privilege, etc. Some are constantly hollering "question." These and many other devices are used by members. When you are convinced that repeated interruptions are being made by certain members with the object of disturbing the meeting or preventing free debate, you should take action. First a warning: Then an additional warning, saying that "if such conduct continues, it will be necessary to remove you from the hall." Third, if the conduct continues, you have no choice but to have the offending member removed. This is done by the sergeant-at-arms.

Of course, the removal of a member is the last resort. First there must be a warning and a statement of why there is disorder. The warning is repeated once with the additional statement of what will happen if it does not stop. When you have given the second warning and the disorder continues, you must do as you have said you would do. If you fail to carry out your warning, you are all done as presiding officer.

Your first duty is to enforce the rules for maintaining order. Unless there is order, nothing can be accomplished. This means that all the members must obey the rules. It is your job to see that they do. As the Chair has the responsibility for order, he/she has the authority also.

[208](5) The Chair can refuse to accept motions which are obviously made for the purpose of obstructing business, or motions which are contrary to the provisions of the constitution or by-laws of the organization.

(6) The Chair may adjourn the meeting on his/her own authority, without a motion when:

1. There is a disturbance in the meeting which cannot be stopped by other means.
2. A fire, flood, or other "Act of God" would make continuation impossible or hazardous.
3. A time for adjournment as stated in the agenda or the by-laws is reached.

(7) When you preside at a meeting be alert. Give close attention to what is being said by each member who obtains the floor. Listen to all that is said and note all the proceedings in order to avoid confusion and waste of time. Such close, careful listening will have several important effects. It will help to encourage diffident members. It will aid you in stopping offensive language, and so cut down the number of points of order. The timing of members' talks can be more easily accomplished.

(8) In determining points of order and in making other decisions, as well as in guiding the proceedings in meetings, the following will help you.

- [209]1. After a motion is made, you should not allow anyone to debate until there has been a second and you have stated the question. If no one seconds the motion immediately, you should ask this question, "Is the motion seconded?" You ask it only once. If no one seconds it, you should pass on to the next item of business.
2. When there is no minority to protect, and the rights of absent members are not at issue, the strict form of procedure is not necessary. Act by general consent. Get the meeting over.
 3. The object of the rules is to serve people. It is not to restrain them. We have rules to make it easier to get things done-not to obstruct getting things done. Do not be so concerned about the strict observance of rules that you forget why you are working together.
 4. Preside with dignity and authority.
 5. Keep the Chair. If you are a good leader there is no need for debating. By keeping the Chair, you retain authority. You can also answer parliamentary questions, make statements of fact, and express your reasons for rulings you have made, from the Chair.

(9) On routine matters time can be saved by [210] using general consent. An example of this is the adoption of the minutes. Rather than wait for a motion to be made, seconded and voted on to adopt the minutes, you should say, "without objection, the minutes are adopted as read." If no one objects, the minutes are adopted. If even *one* member objects, a motion has to be made in the usual way.

(10) When a member makes an improper motion or one that is out of order at the time, it is your duty to tell the member what the correct form is or when the motion will be in order. It is most unwise to simply rule a motion out of order without any explanation. As presiding officer, you should have a good working knowledge of parliamentary law. Try to avoid being too technical. If there is no minority at the meeting, you can often overlook small breaches of the rules.

(11) Before there can be any debate on a motion, three things must happen.

1. A motion must be made by a member recognized by the Chair.
2. This motion must be seconded by another member.
3. The motion must be "stated" by the Chair. This means that the Chair repeats the motion. If it is in writing, the Chair may read it or give it to the secretary or official reader who will read it. In any case, it must [211] be repeated.

Only after these three things have been done, is it possible to have any discussion or to offer any motion regarding it. Many times members are so anxious to begin debate that they stand immediately after a motion has been made and seconded, not waiting for the Chair to state the questions. This is out of order. Such member should not be allowed to

debate until the Chair has stated the motion. Only after he/she has done this is there anything before the meeting.

(12) The motion, having been properly made, seconded and stated, is now open to debate. The mover of the motion is entitled to recognition in preference to anyone else, if they rise to speak. When a member wants to talk about a motion, he/she stands and addresses the presiding officer by his/her title, "Mr./Madam President," "Mr./Madam Chair," "Mr./Madam Speaker," etc. The Chair calls him/her by his/her name so that the meeting may know who it is that speaks. If a member wants to speak but is ill, he/she may speak sitting. If the Chair does not know the name of the member who stands to claim the floor, he/she should identify himself/herself as "the brother/sister in the middle aisle," or "the brother/sister in the third row" or in some such way.

If someone asks recognition before a motion has [212] been seconded and stated, you should ask the question, "For what purpose does the member rise?" It may be that he/she is entitled to the floor because he/she wants to: (1) move reconsideration, (2) take a motion from the table, (3) raise a point of order.

Some other rules for assigning the floor are as follows:

1. If two members claim the floor at the same time and one is the mover of the pending motion, he/she is recognized in preference to the other.
2. The reporting member of a committee is recognized in preference to others, in the same way that a mover of a motion is.
3. Each member may speak but once, until all have spoken who want to, therefore, recognition would be had of the member who had not previously spoken.
4. If you know the position taken by one of the members claiming the floor and it is contrary to that taken by a previous speaker, assign the floor so that those in favor of a motion and those opposing it may alternate.
5. If a motion is tabled, the one who moved to table, if he/she claims recognition at once, he/she is entitled to the floor to present his/her motion.
- [213]6. The mover of a motion to suspend the rules is entitled to make the motion for which the rules were suspended.
7. A member who moves to reconsider a vote, stating that it is for the purpose of amending the vote, is to be recognized in preference to another.

The principles of assigning the floor should be thoroughly mastered by anyone who intends to preside at a meeting.

(13) When debate has finished, the presiding officer repeats or reads the pending motion and says, "All those in favor raise their hand." The raised hands are counted. Then, "all those opposed raise their hand." These are counted. Then the vote is announced. It is poor practice to take

a voice vote when the matter being discussed is controversial, because it is difficult to determine accurately whether those voting “yes” or voting “no” are in the majority. Because it is frequently necessary to take the vote again after a voice vote, I suggest taking the first vote by raising the hand.

When putting the vote, you should stand, although up to this time you may have been seated. After the affirmative vote has been taken and before the negative has been put to a vote, a member is entitled to recognition provided that he/she was trying to get the floor before the affirmative vote was taken. If this happens and there is further [214] discussion, secondary motions, etc., when debate stops, voting must begin again as if none had taken place at all.

(14) Always take the vote requiring a 2/3 majority by having the members rise and count those standing. In motions requiring only a majority vote, the first vote should be taken by a show of hands.

Example 1. “All those in favor of stopping debate will stand until counted. (Pause) Please be seated. Those opposed will please stand until counted.” _____.

Example 2. “Those in favor will raise their hand until counted. (Pause) Down hands. Those opposed will raise their hands until counted. Down hands.” (Announce result)

(15) When a vote has been taken, it is your duty to immediately announce the result. This is done by first announcing the affirmative and then the negative votes, even though the negative may have prevailed. For example, “I having voted in the affirmative, and 99 in the negative, the motion is lost.” After you have announced the vote, you should announce the next item of business.

(16) When an equal number of votes are cast in favor and opposed, the Chair has a choice of action. [215] He/she can, if in favor of the pending motion, vote in favor and thus break the tie. If he/she is opposed to the motion, he/she simply announces the result as follows, “24 having voted in favor and 24 opposed, the motion is lost.” A tie vote defeats a motion. As a practical matter, it is unwise for the Chair to vote to break a tie. When there is such an even division of opinion, it is well to let the matter be defeated.

The Chair may give a decisive vote after other business has come up or after the announcement of the result. He/she has the right to withdraw his/her vote in case a correction shows it to have been unnecessary.

Example: Chair announces “50 having voted in the affirmative and 50 in the negative, the Chair votes in favor and the motion is carried.” A member doubts the vote. The Chair takes the vote again and announces “51 having voted in the affirmative and 49 in the negative, the motion is carried. The Chair withdraws his/her vote.”

The Chair can vote on any motion if he/she wants to do so, whether by show of hands, standing vote, ballot or roll call.

(17) Whenever a financial report is made, whether by committee or the treasurer, it is the [216] duty of the Chair, automatically, to refer such reports to the auditor or auditing committee. When the auditor's report is received, it should be adopted.

(18) The presiding officer has a choice when a report is made by a committee.

1. He/she may say, "Without objection the report is accepted."
2. Or, "The report of the committee will be placed on file."
3. "A motion has been made and seconded that the committee report be accepted." He/she does this even though no one has made a motion, as the submitting of a report from a committee proves that at least two members favor the matter.

(19) The president has the responsibility for the functioning of all activities. He/she should be in frequent contact with the committee Chairs, making sure that committee meetings are held when needed and that reports are made when due.

(20) In appointing committees these suggestions should be followed:

- a. When a committee is for action, it should be small, and should be made up of members who are all in favor of the proposed action.
- b. When a committee is for investigation [217] or deliberation, the membership should be larger, and include all known opinions on the subject. Especially should such a committee include some of the opposition.
- c. The Chair of any appointed committee should be one who is favorable toward the president.

(21) The president pro tempore is elected for one meeting when the president and the vice presidents are absent. It is his/her duty to preside over the meeting for which he/she is elected. He/she shall sign the minutes, if that is usually done by the president. He/she may appoint special committees that are voted at that meeting. A president pro tempore, being elected because of the absence of the president and vice presidents, gives up the chair to any of those officers upon their appearance in the hall.

(22) The practice of turning the gavel over to someone else during a meeting must be avoided. Presiding officers frequently participate in debate, and call a vice president to the chair. Except in very unusual situations, this should not be done.

Some by-laws provide that in case of an appeal the vice president occupies the chair until the appeal is settled. If this is true in your by-laws, that is the way it must be done.

Under general parliamentary law, however, the [218] president continues to preside in case of an appeal from his/her decision. He/she

states from the chair his/her reasons for his/her decision, and he/she puts the vote, "Shall the decision of the Chair stand?"

On those rare occasions when the presiding officer wants to debate a matter, he/she can call any member to the chair, he/she does not have to call a vice president. The member who is called to the chair presides only until the motion being debated is voted on. The president cannot leave the chair, debate, and go back and put the same motion to a vote. The by-laws usually specify, "The vice president shall preside in the absence of the president, or during his/her disability." If this, or similar language is used, the president may appoint any member as stated here.

(23) The president should have close relationship with the other officers. This includes frequent talks with them, and an awareness of what he/she is doing officially, or plan to do.

He/she should see that the secretary gets all the correspondence as soon as action has been taken on it. Also all papers. He/she signs all orders for paying bills, and generally is required to sign the minutes.

If the by-laws provide that he/she is a member ex officio of all committees, he/she should be notified of all committee meetings, and insist upon [219] this. He/she would not attend all of these, of course, but certainly would attend the important sessions.

The first vice president ought to be assigned specific duties. At any rate, there is need for working together. If the president is to be absent, plans for the meeting should be reviewed with the first vice president.

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PRIORITY OF MOTIONS

(1) A main motion is a suggestion that the meeting take some action. This may be a resolution, an authorization, the acceptance of a committee report, amendment of constitution or by-laws, ratifying acts of officers or committees, or to rescind action previously taken.

(2) When a motion is before a meeting it is often necessary to take some action to dispose of it. For example, it might be desirable to refer it to a committee for further study. While the motion is [221] being debated, it is in order to move that the motion being debated be referred to a committee.

(3) There are many other things that can take place while a main motion is being debated. These include: amend, amend an amendment, postpone to a certain day, limit debate, table, take a recess, adjourn, ask a parliamentary question or question of privilege.

(4) When the first Congress assembled in 1789, one of the first things they did was to adopt rules for procedure. Among these was a rule about the priority of motions. There has to be a definite and recognized priority of motions to provide for an orderly disposal of the business before a meeting. We find in the House rules that certain motions have priority over others. This priority list is the basis for similar use in organizational meetings.

(5) Three motions have been added to the House list. These are: to take a recess; limit and extend limits of debate; and appeal. They are added because of their frequent use in meetings. All of these motions are in use in the House although not included in the original priority list.

(6) The priority list is as follows:

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list.

The number must be larger than the last motion for it to be in [222] order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, a request for information, and personal privilege are not motions and are not included.

1. Main motion*
2. Postpone indefinitely*
3. Amend*
4. Amend an amendment*
5. Refer to a committee*
6. Postpone to a certain day*
7. Limit or extend limits of debate 2/3 vote
8. Stop debate 2/3 vote
9. Appeal
10. Table
11. Recess (if other business is pending)
12. Adjourn (unless no provision for future meeting)

*Debatable

(7) There are some organizations that have a list of priority of motions different from this list. Of course, this is the right of any organized group. There are dangers, however, in changing such a fundamental part of parliamentary law. For example, if you happen to be a member of an organization having its own list of the priority of motions, you must recognize that most meetings outside [223] of your organization will follow the House rule on this subject. In addition to this, setting up a different list usually means that some members of the organization, who favor the new list, do so for their personal advantage.

There may be, of course, sound reasons for making up a special priority list. In such instances, the needs of the organization deserve first consideration. At any rate, you should find out whether there is a special list of motions for your organization and if there is one, it is to be followed exactly. If there is no such list, the one in this book is to be followed exactly.

(8) There are 12 motions that have priority. As each of these motions is taken up in this book, you will find a separate priority list. An arrow will point to the motion being considered, which shows the position of the motion on the list.

(9) Some of the priority motions are debatable. These are marked for your convenience.

(10) Recess, No. 11, has priority only if other business is pending. For example: A motion, an amendment, and a motion to table are pending. A motion to recess is in order and, because it has priority, must be voted on first.

(11) If no business is before the meeting and someone moves to take a recess, it is an ordinary main motion.

(12) The motion to adjourn, No. 12, is a motion [224] of the highest priority except when there is no provision for a future meeting. For example, a mass meeting is being held. There is no provision for a later meeting. The motion to adjourn is made. It is just another main motion and is not in order if another main motion is pending.

(13) When there is a regular organization with scheduled meetings, the motion to adjourn is of highest priority. This does *not* mean that a motion to adjourn can always be made at any time. If the by-laws include an order of business with the statement, “adjournment cannot take place until the completion of the agenda” or, “the motion to adjourn is not in order until the agenda is completed,” the motion to adjourn cannot be made *until* the agenda is completed.

(14) The Chair has the duty of protecting the meeting from the motion to adjourn when it is being used to obstruct or delay the meeting. For example, a motion to adjourn has been defeated. After some additional debate, the motion to adjourn is made again. The Chair should rule it, “Out of order for the reason that it is made to delay action.”

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QUESTION OF PRIVILEGE

(1) From time to time things happen in a meeting that affect the rights of the members, either as individuals or as a group. When this occurs, any member can call attention to the situation. He/she does this by raising “a question of privilege.” This means that in the opinion of this member, a *right* has been violated.

Member: “I rise to a question of privilege.”

This is not a motion and therefore is not seconded.

[226] *Chair:* “Please state your question of privilege.”

(2) The member then brings up the matter which he/she feels interferes with or takes away some right of the meeting or of himself/herself.

The following are matters that come under the heading of privilege.

1. The rights, reputation and conduct of members.
2. Question relating to the conduct of officers and employees.
3. The comfort and convenience of members and employees.
4. Admission of non-members and their conduct.
5. Conduct of representatives of the press.
6. Protection of the records (accuracy, safety, etc.).

(3) After the member has made his/her statement, the Chair must make a decision. This may be either:

1. If within the authority of the Chair, a ruling is made. For example, if the question of privilege is that the member is seated behind a pillar and therefore cannot see the Chair, another seat might be assigned. Or:
2. If the question of privilege concerned something not under the control of the Chair, the member should be asked to **[227]** make

a motion. For example: (At a convention.) In the meeting hall is a gallery where the general public may sit. During debate, the people in the gallery applaud several times when members are speaking and have been warned by the Chair. This could be a matter of privilege. A member raises the question of privilege saying, "The people in the gallery are making so much noise that we can't hear the speakers." The Chair would then ask the member who raised the question of privilege, "Do you make a motion that the occupants of the gallery be asked to leave?" *Member*: "I make that motion." *Another member*: "I second it." *Chair*: "A motion has been made and seconded that the occupants of the gallery be asked to leave." This motion carries by a majority vote. *Chair*: "The sergeant-at-arms will clear the gallery and in the meantime the Chair declares a short recess."

(4) A question of privilege cannot interrupt a member who is speaking, although the question can be raised while any other business is pending except a motion to adjourn.

(5) Only one question of privilege may be considered at one time.

(6) You should remember that a question of [228] privilege is not a motion and cannot be discussed. If the Chair decides that the subject brought up by the question of privilege is not under his/her control, he/she requests the member who raised the question to make a motion. Once this motion is made, if debatable, debate continues in the usual way. The difference between a question of privilege and a point of order is that the point of order concerns a violation of the rules. A question of privilege does *not* necessarily mean that a violation occurred. For example, during debate one member makes references to another member in such a way as to bring charges against him/her, without actually making the charges. The member who has been referred to has the right to raise a question of privilege. There may not have been a violation of the rule to allow a point of order to be made. This would be especially true if the member making the references were clever enough to avoid *direct* charges.

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QUORUM

(1) A quorum is the number of members who must be present to have a legal meeting. This number must be given in the by-laws. It should be based upon the experience of the organization averaging attendance over a number of years. If the quorum is 20 members, 19 being present there could not be a meeting. In the absence of a quorum, the only business that can be legally done is [230] to decide about the next meeting.

(2) The presiding officer takes the chair at the time designated in the notice. He/she counts the number of members present and announces, “A quorum being present, the meeting will be in order” or, “As we do not have a quorum, it will be necessary to wait for a few minutes for late arriving members.” If other members don’t appear, or not enough of them to make a quorum, the Chair announces, “As there is not a quorum present, the only business to come before the meeting is to determine the time for the next meeting, or adjourn this one.” A motion is in order to adjourn until a later time, the same day, or the next succeeding day. A motion is also in order to have a special meeting later the usual notices being sent to each member.

(3) One of the greatest mistakes is to have the quorum too large. This makes it difficult to have a legal meeting. Sometimes a quorum is a percentage of the membership. If this is used, great care must be taken to keep the percentage low enough to make it probable that a quorum would be present.

(4) If *no* quorum is stated in the by-laws, it is automatically a majority of the membership. As a practical matter, this would make a legal meeting impossible in most organizations.

(5) In amending by-laws regarding quorum, [231] be sure to have one motion include the figure taken out and the new figure. For instance, “I move to amend article four of the by-laws by striking out 35 and inserting 20.” Unless this is done, there is danger that the organization will be without a legal quorum. This could happen in this way. Let us assume that an amendment is offered “to strike out 35 in article four of the by-laws.” If this amendment were adopted, then, automatically, the quorum would become a majority of the members. It might then become impossible to obtain a quorum.

(6) *In committees*, a quorum is a majority of the committee, unless the by-laws specify a certain number. Ex officio members are counted as part of the quorum. In committee of the whole, the quorum is the same as for the meeting itself.

A quorum never refers to the number voting but only to the number *present*. Assume a committee of 12 members, with 7 present. This is a quorum. On a motion, 4 vote in favor and 3 are opposed. This is a legal vote of the committee because there was a quorum present.

(7) When a meeting has begun with a quorum, it is assumed that there continues to be a quorum. It is not the duty of the presiding officer to do anything further about a quorum unless the point of order is raised.

Member: “I raise the point of order that a quorum [232] is not present.”

Chair: “The Chair will count.” (Counts) “There are 43 members present, a quorum.” Or, “There are 40 members present, not a quorum.”

The count of the Chair is not subject to question by a point of order or any other method.

(8) *After* a point of order has been made that a quorum is not present, and the Chair has counted and found that there is no quorum, any action taken is invalid. The only motions that can be made are: to determine the time for next meeting if that seems necessary; to adjourn until later that day or the next day; or to adjourn at once.

(9) Any business that was done *up to the time* when the Chair counted and found no quorum, is legal business, provided a quorum was present at the beginning of the meeting. After a motion has been voted, it is too late to make a point of order of no quorum. No motion can be called to question later because of alleged lack of quorum.

The number present as a quorum, has nothing to do with the number voting. For instance, if 40 is the quorum and there are 40 present, on a motion 15 might vote in favor and 5 opposed, the other members not voting. It is a legal vote.

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RATIFY

Member: “I move that the act of the Executive Board in renewing the contract with the auditing firm be ratified.”

Must be seconded.

It is debatable.

It cannot be amended.

Requires a majority vote.

Effect: The purpose of the motion to ratify is to endorse action already taken by an officer or a committee.

(1) The motion to ratify can only apply to such actions of the officers or committees as are within the provisions of the constitution and by-laws and which could have been authorized by the meeting.

(2) Some people think that it is in order to vote to ratify action taken at a previous meeting [234] where there was no quorum. This idea is wrong. There cannot be a meeting without a quorum and a later motion to ratify will not cause a quorum to exist if there wasn't a quorum.

(3) The motion to ratify should be made soon after the acts to be ratified occurred. Upon ratification, the action takes effect from the original date and time when the officer or committee took the action. For example, the secretary is getting ready to send out some important mimeographed papers to the membership. The mimeograph machine suddenly breaks down. The secretary has it repaired, and reports the fact to the meeting. The proper motion is to ratify the act of the secretary.

(4) A committee can ratify the acts of one of its subcommittees. The same rules apply to its use in committees as to the meeting itself.

(5) A committee can ratify acts of its Chair, provided that such act is within the power of the committee. For example, a committee is authorized to arrange for a dance. The committee Chair is able to obtain an orchestra if the decision is made at once. They engage the orchestra. At the next committee meeting, it is in order to vote to ratify the act of the Chair.

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PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary [236] inquiry, a request for information and personal privilege are not motions and are not included.

1. Main motion*
2. Postpone indefinitely*
3. Amend*
4. Amend an amendment*
5. Refer to a committee*
6. Postpone to a certain day*
7. Limit or extend limits of debate 2/3 vote
8. Stop debate 2/3 vote
9. Appeal
10. Table
- 11. Recess (if other business is pending)
12. Adjourn (unless provision for future meeting)

*Debatable

RECESS--PRIORITY NO. 11

Member: "I move that we recess for ten minutes." Or, "I move that we recess at 1 o'clock for 15 minutes." Must be seconded.

Debatable *only* if no motion is already pending. If a motion is pending,

The motion to recess has the next to the highest priority.

Requires a majority vote.

(1) A motion to recess is not in order in the absence of a quorum. If a point of order of no [237] quorum is made, the only thing that can be done is to adjourn.

(2) A recess cannot occur while any form of vote is being taken.

(3) There cannot be a recess in the Committee of the Whole unless permission for a recess was given by the meeting before the Committee of the Whole was voted.

(4) There should be a provision, either in the by-laws or the standing rules of the organization, giving the Chair authority to call a short recess at his/her discretion. This recess by the Chair should be limited to 15 minutes, and not more than one such recess during a meeting. Such a rule is often necessary in order for the president to perform his/her duties as a leader. He/she cannot debate a motion while presiding and should have the opportunity to confer with members if necessary.

(5) When no motion is pending, the motion to take a recess becomes an ordinary main motion. It then can be debated and amended.

(6) When a time for a recess has been previously set by the meeting or in the rules, and that time arrives, the recess is taken even though a quorum may not be present.

(7) When a time for recess is stated in the rules or by vote of the meeting, and a motion to adjourn is made before that time, the motion to recess has no effect.

[238](8) The motion to recess when made while another motion is pending, cannot be debated but may be amended as to the length of time for the recess.

(9) When a motion to recess at a certain time has carried, the meeting may before that time arrives, change it by a 2/3 vote.

(10) If the agenda provides for recess at a certain time, when that time comes, the Chair declares that the meeting is in recess. He/she cannot do this if a vote is being taken at the time, but would instead declare the recess immediately after the vote is completed and before it is announced. When the recess is over, the Chair calls the meeting to order. The first thing done would be the announcement of the result of the vote taken before the recess.

(11) The distinction between an adjournment and a recess is the time involved. A recess is a short interval for a specific purpose such as to count ballots, to restore order in an unruly meeting, for the floor leaders and president to confer, for a member to write out a motion, for a meal, etc.

(12) A motion can be made "to stand in recess subject to the call of the Chair." When this motion is adopted, the Chair calls the meeting back to order after the purpose for which the recess was called has been completed. Usually this form of [239] the motion is made when there is a

guest speaker invited to a meeting. When he/she arrives, a recess is voted and at the end of his/her talk, the Chair calls the meeting again to order.

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RECONSIDER

Member: “I move that we reconsider the motion that we have a dance next month.” Can be moved only by a member who voted with the winning side. (Except at committee meetings.)

Effect: To bring a motion back as it was before being voted on.

It requires a second. Any member can second.

It is debatable if the motion to be reconsidered is debatable.

[241] It cannot be amended.

The motion is in order only on the same day or the next succeeding day.

(1) The following motions *cannot* be reconsidered:

- A motion referred to a committee.
- Adopt by-laws and constitution.
- Amend by-laws and constitution.
- Change the order of business.
- Election to membership.
- Election to office.
- Motion to adjourn.
- Reconsider.
- Repeal by-laws and constitution.
- Suspend the rules.
- Table.
- Take a recess.
- Take from the table.

(2) The motion to reconsider is agreed to by majority vote, even when the motion to be reconsidered requires a 2/3 vote. However, one motion to reconsider having been acted on, another motion to reconsider is not in order (on the same subject).

(3) When the motion to reconsider is made, it can be tabled at once. I suggest that the motion to table reconsideration should be made whenever it appears that the motion is being made simply to hold up action.

[242](4) In the case of a tie vote, any member who voted against the motion is entitled to move reconsideration.

(5) When it has been voted to stop debate, and a motion is made and carried to reconsider that vote, no further action is needed. The motion that was being debated is before the meeting just as it was before the motion to stop debate.

(6) If the option to reconsider is lost, it cannot be made again. The only way to obtain reconsideration then would be to ask unanimous consent. "I ask unanimous consent that we reconsider the motion for a dance next month."

(7) If the motion to reconsider is carried, the motion that was reconsidered is exactly the same as it was before any vote was taken. Therefore, the motion is again open to debate, any priority motion, etc., as it was originally.

(8) The motion to reconsider may not be applied to the vote by which the meeting has laid another motion to reconsider on the table. Example: A main motion is carried. A motion is made to reconsider this motion. This motion (to reconsider) is tabled. It is not in order to make a motion to reconsider the motion to table.

(9) In the House of Representatives there is a procedure by which a member may make a motion to reconsider while another motion is pending. This motion to reconsider is later "called up." [243] Now as I have several times informed you, there are many rules in the House that cannot apply to ordinary group meetings. This is one of the rules.

If you have adopted a manual of rules that provides for "calling up" a motion to reconsider, my suggestion is that a standing rule be adopted as follows: "The motion to reconsider is a main motion." As you know, a main motion cannot be offered while another motion is before the meeting.

**REFER TO A COMMITTEE--
PRIORITY NO. 5**

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PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number [245] must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, request for information and personal privilege are not motions and are not included.

1. Main motion*
2. Postpone indefinitely
3. Amend*
4. Amend an amendment*
- ➔ 5. Refer to a committee*
6. Postpone to a certain day*
7. Limit or extend limits of debate 2/3 vote
8. Stop debate 2/3 vote
9. Appeal
10. Table
11. Recess (if other business is pending)
12. Adjourn (unless no provision for future meeting)

*Debatable

REFER TO A COMMITTEE--PRIORITY NO. 5

Member: "I move that the pending motion be referred to the Executive Board." Or, "I move that the pending motion be referred to a committee of three to be appointed by the Chair and to report at the next meeting."

[246] Must be seconded.

Debatable only as to instructions of the committee, number of members, or time for report. The main motion itself may not be debated while this motion is pending.

Requires a majority vote.

Effect: Reference to a committee is to have the committee consider the motion, to take action on a matter, or after consideration, to suggest amendments, etc.

(1) While a motion is in the custody of the committee, until the committee reports, no action can be taken on the motion unless the meeting votes "to discharge the committee from further consideration" of the motion, which takes a 2/3 vote.

(2) A motion "to refer to a committee" is an incomplete motion and should not be accepted by the Chair. When such a motion is made, the Chair should ask the mover to complete the motion by including the committee to which they want it referred. This motion may be amended.

(3) When a motion is made "to refer this matter to a special committee," the Chair should request the mover to include the following items in his/her motion and should not permit the motion until they are included.

1. How many on the committee.
2. How elected.

[247]3. When they are to report.

(4) When a motion to refer to a special committee has been adopted, the committee should be chosen at once before other business is considered. If the motion is "to be elected," that should be done immediately.

If the Chair is to appoint the committee, it should be done at once. If the Chair wants additional time to consider the appointments, it should be announced that the committee will be named later in the meeting. Other business can then be taken up, but the Chair must announce the appointments before adjournment.

(5) Instructions may be given to a committee as to particular things to be done. It is not, however, in order to propose instructions that could not be offered as an amendment.

(6) These motions may not be referred to a committee: To Table, Stop Debate, Postpone Indefinitely, Postpone to a Certain Day, or Amend.

(7) If the motion to refer is being debated (as to instructions, time of report, etc.) and a motion is made to stop debate, such motion would apply to the motion to refer and not to the main motion.

(8) When a matter has been referred to a committee, it cannot be reconsidered by the meeting.

(9) A motion that has been offered may be [248] one that requires study or investigation before being debated. By referring the matter to a committee, two things are accomplished. First, an immediate vote is avoided. Second, the benefit of the committee consideration will be had. In a well-organized meeting, discussion of controversial motions should take place for the most part in committees. The member who makes the motion to refer to a special committee, should be appointed on that committee.

(10) A special committee to consider the advisability of a matter, should consist of members who are on *both* sides of the question. This is essential so the report will be the result of deliberation and debate in the committee.

(11) When a special committee is appointed to *act* on a matter, it should consist of few members and all of them in favor of the action to be taken.

(12) When a special committee is appointed, the Chair might not designate a committee Chair. In this case, the member named first is the one to call the committee meeting and the committee would elect a Chair.

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REPEAL

Member: “I move that the motion to have a special meeting on December 14 be repealed.”

Must be seconded.

It is debatable.

Cannot be amended.

Requires a 2/3 vote (unless previous notice is given, then majority vote).

Effect: To do away with a motion that has been passed.

(1) The motion to repeal is not in order if something has been done as a result of adopting the original motion, which cannot be undone. For example, in May, a motion is adopted to have a dance on July 4. A committee is set up to arrange for this event. The committee arranges for an orchestra and hires a hall. A motion to repeal cannot [250] be made under these conditions.

(2) If a motion is adopted but no contract with another person is involved, and if nothing has been done which cannot be undone, the motion to repeal applies.

Example a: During debate a motion is made to limit debate to one hour. A member wants to offer an amendment. As an amendment is of lower priority than the motion to limit debate it is not in order. The thing to do would be to repeal the motion to limit debate. Then the motion to amend could be made.

Example b: It is voted at the September meeting to have a special meeting on December 14. After some of the members have talked about this motion, they become convinced that a special meeting is not necessary. At the regular meeting in November, these members want to prevent the special meeting. It is too late to reconsider the motion for a special meeting. The only thing that can be done is to repeal that motion.

(3) The motion to repeal has two uses. One is to repeal a main motion and the other the secondary motion to limit debate. When the motion [251] to repeal concerns a main motion, it can only be made

when no other business is before the meeting. Other secondary motions cannot be applied to it. If the motion applies to the limiting of debate, it can be offered by the member who wants to move an amendment. First, he/she moves to repeal the limit on debate. If this motion is carried, he/she then moves his/her amendment. It is obvious that only when a proposed amendment meets with general approval that this can be done. Often the same thing can be accomplished by the mover of the original motion asking unanimous consent to include the amendment.

(4) An amendment to the constitution or by-laws may be repealed. This would have to be done by way of another amendment: "Amendment No. 14 is hereby repealed."

When you participate in a meeting, you have the right to know what is going on. If the presiding officer does not make it clear as to pending business, agenda, plans for the meeting, etc., you can request the information you need. This is done by obtaining the floor as soon as you can (you cannot interrupt a member who is speaking) and saying, "Mr./Madam President, I request some information." You then state what information you want.

Sometimes a request for information is a better method to follow than a point of order. It might be that a mistake has been made which can be easily corrected as a result of your request for information. A point of order is properly used to call attention to the violation of a rule. A request for information is just what the name indicates -- the asking of a question because you want the answer.

A request for information must be on a subject concerning the meeting, the session, proceedings, program, or some related subject. If the presiding officer does not know the answer, he/she should obtain the answer if possible. It is not always necessary for the answer to be given immediately. For example, if the request for information concerns the program, the Chair might refer the request [253] to the program committee Chair who would have the answer in a short time.

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RESIGNATIONS

(1) As each qualified member has the right to hold office if elected, so any member holding office has the right to resign. A resignation should always be in writing. It need not state the reasons for resigning, but the effective date of the resignation must be included. For example: “To the President of the _____ organization: I hereby resign as secretary of the [255] _____ organization, this resignation to be effective October 27.”

(2) The president would read this resignation as an item under new business and would then say, “You have heard the resignation of the secretary.” “What action do you want to take?” There are two actions that could be taken by the meeting. One is to accept the resignation and the other is to refuse to accept the resignation. It is most unwise to refuse to accept a resignation unless it is known to be a test of confidence. Usually if an officer resigns, it is because he/she no longer wants to do the job. In such case, there is no obligation on his/her part to continue after resigning.

(3) If a treasurer wants to resign, he/she should always make the effective date far enough in advance to allow time for an audit of the books. If time before the effective date is not sufficient for an audit and a motion is made to accept the treasurer’s resignation, the presiding officer should say, “The motion has been made to accept the Treasurer’s resignation.” “This acceptance will be effective after an audit of the Treasurer’s books.”

(4) The Chair of a standing committee addresses his/her resignation to the President. The resignation is handled in the same way as that of the officers.

(5) All resignations should be filed and a statement should appear in the minutes as follows, [256] “A letter of resignation from the secretary, to be effective on Oct. 27, was read.” “The resignation was accepted.” If reasons are given for the resignation, they need not be entered in the minutes.

(6) If the president resigns, the letter of resignation is addressed to the membership, not to the vice president. When the time comes for reading the resignation, the president should call the vice president to the chair and should take a seat with the rest of the members. After obtaining recognition’ the president reads the letter of resignation. The vice president then puts the question, “What action will you take on the resignation?”

The reason for resignation of a president is often to obtain a vote of confidence. When this is true, there should be a clear cut vote on accepting the resignation. The president should state in his/her resignation that he/she feels that they no longer have the confidence of the majority of the members, and for that reason resign. His/her friends and supporters will vote against accepting the resignation.

(7) The procedure of obtaining a vote of confidence in this way should be the last resort after all other possible methods have been tried. The president should be prepared for an adverse vote. He/she must be sincere in a willingness to give up the job if the vote is against him/her.

[257] (8) Resignations of members of committees, both standing and special, and of Chairs of special committees, are received and acted upon in the same way as other resignations.

(9) In the case of accepting the resignation of the Chair or a member of a special committee, the Chair immediately appoints another member to fill the vacancy.

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[259]

SECRETARY

(1) The secretary of an organization has the general responsibility for the records. These include all permanent papers, minutes, reports of committees, treasurer's statements, annual reports, etc.

(2) If there is an assistant secretary, the secretary assigns such duties as may be convenient, but is still responsible for the records. Any member of the organization has the right to read any of the records at reasonable times. A member does not have the *right* to look at any records during a meeting. The secretary is to allow no record, report, book or paper out of his/her custody.

(3) It is one of the secretary's duties to prepare a list of matters that should come before a meeting and to give this to the president before the meeting.

(4) The secretary should give the Chairs of committees, whether standing or special, the papers necessary to do his/her work. For example, a copy of the motion creating a special committee should always go to the Chair so that no confusion will exist about what is to be

done by the committee. All written reports of committees must be kept by the secretary for one year. This keeping of reports, letters, and original resolutions, is called "placing on file." There is no need [260] for a motion to place on file, as the secretary should do this automatically. Motions that have been put in writing are not kept but are copied into the minutes by the secretary. Minority views should be filed with reports of committees.

(5) In the absence of the president and vice president, the secretary calls a meeting to order. Under these conditions, the first item of business is the election of a president pro tem. As soon as this has been done, the secretary resumes regular duties.

(6) The secretary's table should be near the president. On the table should be the following:

1. The minute book.
2. A copy of the constitution and by-laws of the International (or any superior body.)
3. A copy of the constitution and by-laws of the local organization.
4. A copy of the standing rules.
5. A copy of the parliamentary authority adopted by the organization.
6. A list of the members of each standing and special committee.
7. A list of the local membership.

(7) It is the duty of the secretary to read to the meeting any correspondence, and to write such letters on behalf of the organization as are voted in meeting or directed by the president.

(8) Because many letters are long and take [261] much time, such letters from outside the organization need not be read word for word. The substance of such a letter can be given by the secretary. Letters from a superior body, state or national officers, etc., must be read in full.

(9) The secretary should always have a sufficient supply of letterheads, envelopes, postage stamps, cards, etc. There should be an item in the budget for such supplies.

(10) Notices of all meetings, both regular and special, must be sent on time. If, for example, your by-laws provide that the notices must be sent "at least 7 days before the meeting," it is necessary that the notices be in the mail, to be postmarked within the time specified.

(11) The secretary must maintain an up-to-date membership list. It is efficient to have this list in the form of a file so new names can be added as members are admitted and suitable notations when members are dropped.

(12) When a long or involved motion is made, the secretary has the right to ask the presiding officer to have the motion in writing. The secretary may not ask the member directly, but only through having the presiding officer make the request.

(13) During a meeting, the secretary has to make notes of action taken, to be later placed in the permanent minutes. A notebook or

stenographic [262] pad can be used for this purpose. There should be two steps in preparing minutes; first, the notes taken during the meeting, second, the rewording and expanding of the notes. This rewording should be done either immediately after the meeting or the very next day while the events are clearly in mind. The second draft is saved for reading at the next meeting. After the minutes are approved, they should be copied into the permanent minute's book.

(14) The permanent minutes should be in a bound book with numbered pages. Ink should be used rather than pencil. A loose-leaf notebook should never be used for the permanent minutes.

(15) The secretary should ask the president or the temporary presiding officer to sign the minutes when they are in final form as evidence that they are the official record of the meeting.

(16) In many organizations the secretary is also the treasurer. In such a case, it is equally important that the duties of both offices be completely carried out.

(17) By-laws often provide that the secretary is ex-officio clerk of the executive board. If this is so, the minutes of the executive board should be kept in a separate "executive board minute book."

(18) The secretary is not an ex-officio clerk of any cmt., including the executive board, unless there is a provision in the by-laws to that effect.

	Section
Acts Under Direction Of Chair	4
Appointment By President	6
Appointment For Same Term As Officers	1
Calls Meeting To Order Under Some Conditions	5
Duty Of	2
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Requirements For, If Appointed	6
Right To Appoint Assistants	1
Rules Enforced By, Without Directions	2
Seated Near President	1
Suggested Wording, By-Laws For	7
Warns Members Violating Rules	4

SERGEANT-AT-ARMS

(1) The sergeant-at-arms is either elected by the membership or appointed by the Chair. He/she holds office for the same term as the other officers. He/she should have a seat near the president. He/she has the right to appoint assistants subject to the approval of the president.

(2) The sergeant-at-arms has the general duty of maintaining order at the direction of the presiding officer. It is his/her duty to enforce certain rules without being asked to do so by the Chair.

[264] These rules are:

1. While the Chair is putting a question, no member shall walk across the room.
2. When a member is speaking, no other member may pass between him/her and the Chair.
3. No member may remain at the secretary's table during a roll call.

(3) If the president, the vice presidents, and the secretary are all absent from a meeting, the sergeant-at-arms calls the meeting to order and presides until the election of a temporary Chair.

(4) With the exception of the three rules mentioned, the sergeant-at-arms acts only under the direction of the Chair. When asked to do so by the Chair, he/she warns members who are violating rules and may remove him/her from the hall if directed to do so by the Chair, according to the by-laws.

(5) There must be a provision in the by-laws for a sergeant-at-arms in order for one to be chosen.

(6) Although in many instances he/she is elected, sometimes by-laws provide that the sergeant-at-arms "shall be appointed by the Chair." If appointed, it is well to remember the following:

1. The nature of the duties of sergeant-at-arms require that he/she be in good physical [265] condition.
2. As the sergeant-at-arms must work closely with the presiding officer, he/she must be one who is in the confidence of the Chair.
- (7) Suggestion for wording of by-laws regarding sergeant-at-arms:

“*Section 1.* There shall be a Sergeant-at-arms appointed by the President at the annual meeting. His/her term of office shall be the same as that of the other officers. He/she may appoint such assistants as may be necessary, subject to the approval of the President.”

“*Section 2.* It shall be the duty of the Sergeant-at-arms to maintain order in the meetings under the direction of the presiding officer.”

	Section
Action Taken Referred.....	5
As One Meeting.....	3
Conference Committee In.....	1
Example, Total Votes Counted.....	6
Example, Votes On Amendment.....	7
Free Conference Committee.....	1
Instructed Conference Committee.....	1
Motion Of One Meeting Amended By Other.....	4
Report Of Conference Committee.....	2
Separate Meetings.....	1
Total Number Of Votes Counted.....	6
Two Methods For Handling Shift Meetings.....	1

SHIFT MEETINGS

(1) When a trade union local consists of members working different shifts, it is necessary to have separate meetings. There are two ways to handle shift meetings. One, to have each meeting separate as to its voting. For example, the day shift votes for a motion, the evening shift votes against it. A conference committee could then be appointed consisting of members from each shift. When the shift meetings are considered as separate meetings and a conference committee is appointed, it can be either a free conference or an instructed conference. A free conference means that [267] the members of the conference committee may use his/her own judgment in trying to arrive at an acceptable solution. An instructed conference committee consists of members who have been given definite instruction by their shift meeting on how to vote in the committee. In either type of conference committee, it is necessary that each member make a sincere effort to agree.

(2) The conference committee members report back to their shift meetings and this report is voted on. If the report of the conference committee is not accepted the motion that was the subject of the conference is defeated.

(3) The second method is to consider the shift meetings as parts of one meeting. The total votes cast for and against a motion in all the meetings determine whether it is passed. These meetings, although held separately, must work together.

(4) A motion passed by one meeting can be amended and sent back to the first meeting, but cannot be tabled.

(5) Action taken by one meeting must be referred to the other except when a final vote is taken.

(6) The *total* number of votes for and against a motion at both shift meetings (or three shift meetings) determines whether a motion is passed. For example, let's assume that the midnight and evening shift

SHIFT MEETINGS

meetings both vote for a motion and [268] that the day shift meeting votes against it.

	For	Against
Midnight shift meeting	65	55
Evening shift meeting	80	60
Day shift meeting	<u>40</u>	<u>50</u>
	185	165

The total vote is 350. Vote necessary for adoption of the motion, a majority of 175. So, the motion is adopted.

(7) If the day shift meeting adopts a motion and the evening shift meeting amends it and sends it back to the day shift meeting, and the day shift meeting defeats the amendment, the total number of votes in *both* meetings would determine whether the amendment was passed.

	For	Against
Evening shift meeting	80	50
Day shift meeting	<u>50</u>	<u>55</u>
	130	105

The total vote was 235. Vote necessary for the adoption of the amendment 118. So, the amendment is adopted.

	Section
Adjourning Special Meeting	5
Agenda For	8
By-Laws Provide For.....	1
Committees Do Not Report In	10
Executive Board Calls.....	1
Minutes Not Read In.....	9
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No Unfinished Business In	7
Notice Must Include Subject For	3
Only Subject In Notices Considered.....	3
President Calls	1
Quorum For.....	4
Secretary Records	11
Special Meetings Only When Necessary	2
Treasurer Not Required To Report	9

SPECIAL MEETINGS

(1) There should always be a provision in the by-laws for special meetings. These may be called by vote of the executive board at the request of a certain number of members. Sometimes the president is given the authority to call special meetings at the request of a certain number of members of the executive board. Whatever the provision for calling special meetings, it should be carefully written.

[270](2) Special meetings should seldom be necessary. It is much better, whenever possible to wait until the next regular meeting.

(3) In the notices sent to the members regarding a special meeting, be sure that the reason for having the meeting is included. The business to be taken up must be in the notice. Only the business that has been specified in the notices of the meeting can be considered at a special meeting. It is out of order to bring up any subject that is not directly related to the subject for which the special meeting is called.

(4) A quorum for a special meeting is the same as for regular meetings. In the absence of a quorum there cannot be a meeting.

(5) If the business for which the special meeting is called is not completed, the special meeting can be adjourned until the next day, over a weekend or holiday, but no adjournment for longer than three days can take place.

(6) A motion is in order to postpone the business of a special meeting to the next regular meeting if this seems desirable.

(7) When a motion has been considered at a regular meeting, but no final action has been taken, it is *not* brought up under Unfinished Business at a special meeting. There is no unfinished business at a special meeting.

SPECIAL MEETINGS

- (8) The agenda for a special meeting is :
- [271]**1. Call to order.
2. A statement by the Chair of the reason for the special meeting.
3. Debate and action on the subject.
- (9) The minutes are not read and the treasurer is not required to submit a statement at a special meeting.
- (10) Committees do not report to a special meeting unless the report is necessary to the object of the meeting.
- (11) The secretary makes entry in the minutes about the special meeting. At the next regular meeting, the account of the special meeting is read.

SPECIAL ORDER – PRIORITY NO.6
 (POSTPONE TO A CERTAIN DAY)

	Section
Chair Puts Motion For	5
Effect Of	3
Entire Meeting For Special Order.....	6
Example Of Entire Meeting For Special Order.....	6
Example Of Special Order As Main Motion.....	10
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Main Motion Pending, When.....	1
Must Apply To Whole Proposition	8
No Main Motion Pending	9
No Main Motion, When.....	2
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Special Order As Main Motion.....	9

PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, request for information and personal privilege are not motions and are not included.

- [273]
1. Main motion*
 2. Postpone indefinitely*
 3. Amend*
 4. Amend an amendment*
 5. Refer to a committee*
 - 6. Postpone to a certain day*
 7. Limit or extend limits of debate 2/3 vote
 8. Stop debate 2/3 vote
 9. Appeal
 10. Table
 11. Recess (if other business pending)
 12. Adjourn (unless no provision for future meeting)

*Debatable

SPECIAL ORDER--PRIORITY NO. 6
 (Postpone to a Certain Day)

(1) There are two ways to use the motion to make a special order. The first way occurs when a motion is pending. The motion to make a special order when a main motion is pending, is really the motion to postpone to a certain day, priority No. 6.

(2) The second way to use the motion is when you want to make a motion, which is not before the meeting, a special order. This may be a special order later in the same meeting or it can be another meeting.

(3) *When a main motion is pending.*

[274] *Member:* "I move that the pending motion be a special order for 8:30 p.m. at our next regular meeting."

Must be seconded.

It is debatable.

May be amended as to time and date.

Requires a 2/3 vote.

Effect: To put off further consideration of the motion until the next meeting at a time specified. It cannot be considered before that time unless by a 2/3 vote.

(4) *Chair:* "It has been moved and seconded that the motion to _____ be made a special order for 8:30 p.m. at the next regular meeting."

(5) Chair puts motion: "Those in favor of making the motion just read a special order for 8:30 p.m. at our next regular meeting please stand," etc.

(6) Sometimes it is necessary to postpone a matter to another meeting and give all of that meeting to its consideration. For example, when a motion is pending, to amend the by-laws or constitution, "I move that the motion to amend the by-laws be postponed and made the special order for our next regular meeting." At the next meeting, right after the "committee reports" the amending of the by-laws will be considered and will continue until completed.

(7) When the time of day is specified, as in, "I **[275]** move that the pending motion be postponed until 9:00 p.m.," it becomes a special order for that time. If debate is taking place at 9:00 p.m., the Chair would interrupt a member speaking and say, "It is now 9:00 p.m. and the special order is before you." The special order is (states motion that was postponed). The motion is debated and action is taken. The motion that was being debated when the interruption occurred is then resumed.

(8) The motion to make a special order must apply to the whole of the proposition. For example, an amendment cannot be made a special order without also making the motion to which it applies a special order.

(9) *When there is no main motion pending.* When no main motion is pending, the motion to make a special order loses its priority and becomes a main motion.

(10) An example of this use of the motion would be in the case of an election. If an election occurs on the day indicated in the by-laws with only a quorum present, a motion could be made "That the election be postponed until tomorrow at 10:00 a.m." This makes the election the special order for the following day. Because the next day's meeting will be an adjourned meeting, the effect will be the same as though the election had been held on the day originally specified.

	Section
Adoption Of Rules	8
Amendment Of Rules	6
Copies Of Rules Should Be Provided	11
Example, No Standing Rules	3
Form, Adopting Standing Rules.....	9
Need For Standing Rules	2
Suggestions For Standing Rules	10
Suspension For Specific Purpose	7
Suspension Of Rules	5
Three Basic Documents Explained	1

STANDING RULES

(1) Every organization should have three basic documents: a constitution, some by-laws and standing rules. The constitution contains such fundamentals as the name of the organization, its purpose and the term of office, annual meeting date, etc. By-laws include standing committees and their duties, time of regular meetings, how special meetings may be called, etc. Standing rules deal with special needs such as the amount of time each member can talk in debate, whether the reading of minutes can be dispensed with, etc.

(2) Standing rules should consist of the rules that meet the needs of the organization. When considering the adoption of standing rules, remember [277] that unless you have them, the parliamentary authority mentioned in the constitution or by-laws will prevail.

(3) The following is an example of what could happen if there are no standing rules. Let us suppose that your organization has adopted a certain well-known book of rules as its parliamentary authority. A motion could be carried by a large majority and then held up by *one* member. All he/she would have to do would be to make the motion, "To reconsider and have entered on the minutes." This motion does not have to be seconded. It is not voted on at that meeting. But it does hold up all action on the motion that has been carried, until the next meeting.

It is not necessary for me to point out how unfair and arbitrary such a procedure as this is. I do not recognize such a motion as being part of parliamentary law and it is not, of course, included in these Rules. But it is included in the well-known book referred to and it could be used. Think for a moment about its possibilities if a presiding officer didn't like a motion that had been carried and he/she wanted to hold up any action until the next meeting. All he/she would have to do is to get one member to make the motion "to reconsider and have entered on the minutes."

(4) If a parliamentary authority meets the needs of your organization except for a few items, [278] the standing rules can take care of the situation. There are two items that are very important in the

STANDING RULES

standing rules, one is a provision for suspending the rules and the second for amending them.

(5) The motion to suspend a rule is not debatable. The motion cannot be amended, nor can any priority motion lower than No. 9 be made while it is pending. It can be renewed. Requires 2/3 vote.

(6) Amendment of the rules requires a 2/3 vote.

(7) When a standing rule is suspended, it is only for a specific purpose. When that purpose is accomplished, the rule automatically is again in effect.

(8) Standing rules are adopted in the beginning by a 2/3 vote.

(9) *Mover*: "I move the adoption of the following standing rules." This motion is debatable and can be amended. The rules may be debated and voted upon separately or together, as the meeting may determine.

(10) The following suggestions will be helpful by showing the type of subject that ought to be covered in standing rules. There will, no doubt, be several others that will occur to you. Be sure that any provisions of the parliamentary authority you have selected, and which are not followed in your meetings, are covered in the standing rules.

[279]

STANDING RULES SUGGESTIONS

- A. The presiding officer shall have the right to call a recess of not more than 15 minutes when, in his/her judgment, such a recess is needed. Only one such recess may be called during a meeting.
- B. The motion "to reconsider and have entered on the minutes" shall not be in order during any meeting of this organization.
- C. The motion to reconsider is a main motion and without priority and must be made only when no other main motion is before the meeting.
- D. The reading of the minutes may be dispensed with and the minutes approved when a motion to this effect is carried by a 2/3 vote. The motion shall be "I move to dispense with the reading of the minutes and that they be approved."
- E. Election to special committees shall be by plurality vote.
- F. Chairs of standing committees shall report, in writing, on the activities of their committees at each regular meeting.
- G. A standing rule may be suspended by [280] a 2/3 vote at any regular meeting.
- H. These rules may be amended by 2/3 vote at any regular meeting.

STANDING RULES

(11) There should be enough copies of the standing rules for each member to have one. This should be true also as to the constitution and by-laws.

**STOP DEBATE (PREVIOUS QUESTION)
--PRIORITY NO. 8**

	Section
Appeal After Motion Voted	9
Apply To All Pending Motions.....	6
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Question Of Privilege, Motion Applies To.....	13
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Right To Debate Taken Away By Vote	1
Separate Vote On Pending Motions.....	5
Separate Vote On Resolutions After Motion	12

PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in [282] order. If it is not on this list, the motion is not in order and must be made when no other business is before the meeting. A point of order, a parliamentary inquiry, request for information and personal privilege are not motions and are not included.

1. Main motion*
2. Postpone indefinitely*
3. Amend*
4. Amend an amendment*
5. Refer to a committee*
6. Postpone to a certain day*
7. Limit or extend limits of debate 2/3 vote
- 8. Stop debate (previous question) 2/3 vote
9. Appeal
10. Table
11. Recess (if other business is pending)
12. Adjourn (unless no provision for future meeting)

*Debatable

STOP DEBATE (PREVIOUS QUESTION)--
PRIORITY NO. 8

Member: “I move to stop debate and vote immediately” or “I move the previous question.”

Must be seconded.

It is not debatable.

It cannot be amended.

[283] Requires a 2/3 vote.

Effect: To close debate at once and to have a vote on the question.

Chair: “The motion has been made and seconded to stop debate and vote immediately.” “It is not debatable.” “All those in favor of stopping debate at this time, indicate by standing.” (Counts) “Those opposed.” (Counts)

(1) Each member has the right to debate motions. Under some conditions, however, it becomes necessary to take away this right. For example, after considerable debate has been had on a motion, no new material might be brought out by continuing the debate. It is under such conditions as this that the motion to stop debate and vote immediately is used. To take away the right to talk about a motion, a 2/3 vote is required. This motion may be worded in either one of two ways. “I move to stop debate and vote immediately” or “I move the previous question.”

(2) The use of the term “previous question” is one that leads to misunderstanding because people think that it refers to something that happened before. The word “previous” in this connection does not refer to anything that happened previously. It simply means, “I move that we stop debate and vote immediately.” As it is still in general use, you should know what it means, even though you may prefer to use the first form, “To stop [284] debate.” This expression “previous question” came to us from the British House of Commons where it had a different meaning.

(3) It is not in order to make the motion to stop debate until there has been some debate. It is therefore, out of order for a member to move “to stop debate” or “the previous question” as soon as the Chair has stated the motion. It cannot be combined with another motion.

(4) When the motion to stop debate is made, it is to be voted upon immediately, as it is not debatable. If the motion carries, the main motion that was being debated is immediately put to a vote. Remember that the motion to stop debate does only that. It does *not* mean the main motion has been passed.

(5) The motion to stop debate may be voted separately on a main motion, an amendment, an amendment of an amendment, a motion to refer to a committee or to postpone to a certain day. All these motions may have been applied to one pending main motion.

(6) It is also in order to vote to “stop debate” on *all* pending motions. If carried, this motion would prevent any further debate on any of the motions. It would mean that each would be voted on in turn until one was carried. These motions must be consecutive. For example, if a

main motion, an amendment and a motion to postpone to [285] a certain day are pending, it is out of order to move to stop debate on the amendment and the main motion. Instead it would be necessary to move to stop debate on the motion to postpone to a certain day and to amend. This would leave the main motion still open to debate and further amendment. Or they all could be included “I move to stop debate and vote immediately on all pending motions.”

(7) The only motions that could be offered after the motion to stop debate are those with higher numbers. These are No. 9 Appeal, No. 10 Table, No. 11 Recess, and No. 12 Adjourn.

(8) If the motion to adjourn is made and carried, the motion being debated would come up at the next meeting under “unfinished business.” The first motion voted at this next meeting would be to stop debate. (In the example given.)

(9) After the motion to stop debate has been voted, any point of order or ruling of the Chair, or appeal, is not subject to any debate or discussion.

(10) If the motion is tabled after the motion to stop debate has been voted, when the motion is taken from the table, debate cannot be had and there must be an immediate vote. There cannot be any motions made of a smaller number than No. 8 (on the priority list.)

(11) After the motion to stop debate has been voted, but before any action has been taken as a [286] result of it, it can be reconsidered.

(12) If a number of resolutions are pending and the motion to stop debate is voted, it is still in order to move for a separate vote on each resolution.

(13) It can be applied to questions of privilege.

(14) The motion to stop debate cannot be made while a point of order is pending.

(15) A parliamentary inquiry may be asked after the motion to stop debate has been voted.

Member: “I move that rule No. 4 be suspended.”

Requires a second.

May not be amended.

It is not debatable.

Requires a 2/3 vote.

Effect: To remove a standing rule temporarily, to consider a certain matter, or to accomplish a certain object. When the object has been accomplished, the rule that was suspended is again in effect.

Standing rules of an organization include such things as time each member may speak in debate, when a recess shall be taken, priority of motions when different from parliamentary law, etc. It becomes necessary from time to time to suspend these rules.

There must be one rule that provides for suspending the rules. I suggest the following language, “A rule may be suspended by 2/3 vote at any regular meeting.” The reason for including the word “regular” is to avoid a situation in a special meeting where a temporary majority could suspend a rule and take action that might not be to the advantage of the organization.

TABLE A MOTION (LAY ON THE TABLE)--PRIORITY NO. 10

	Section
Amending By-Laws, Adopted Motions, Etc.....	11
Appeal, Tabling An.....	12
Applies Only To A Pending Motion.....	7
Cannot Be Reconsidered.....	9
Cannot Be Renewed.....	8
Cannot Be Qualified.....	2
Cmt. Of The Whole, Table A Motion For.....	13
May Kill Main Motion.....	3
No Motion On Same Subject While Tabled.....	5
Object Of Motion To Table.....	1
Table An Appeal.....	12
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When Frequently Used To Prevent Debate.....	10
When Tabled Motion Taken From Table.....	3
When Used For Certain Other Motions.....	14

PRIORITY OF MOTIONS

The motions with larger numbers have priority over those with smaller numbers. To find whether a motion is in order, look at this list. The number must be larger than the last motion for it to be in order. If it is not on this list, the motion is not in order and must be made when no other business [289] is before the meeting. A point of order, a parliamentary inquiry, request for information and personal privilege are not motions and are not included.

1. Main motion*
2. Postpone indefinitely*
3. Amend*
4. Amend an amendment*
5. Refer to a committee*
6. Postpone to a certain day*
7. Limit or extend limits of debate 2/3 vote
8. Stop debate 2/3 vote
9. Appeal
- 10. Table (lay on table)
11. Recess (if other business is pending)
12. Adjourn (unless no provision for future meeting)

*Debatable

TABLE A MOTION (LAY ON THE TABLE)--
PRIORITY NO. 10

Member: “I move to table the resolution,” or “I move to lay the resolution on the table.” Or, “I move to table the motion.”

Must be seconded.

Not debatable.

It cannot be amended or qualified in any way.

Requires a majority vote.

[290] *Effect:* To put the motion aside for a time.

(1) It is moved when something else needs to be done at once, or to put a motion aside for a time. For instance, during debate, an invited guest appears to speak at the meeting. The pending motion is tabled. When the guest has finished speaking, a motion would be made to “take the motion from the table.”

(2) The motion to table cannot be qualified in any way. You *cannot* move “to lay the motion on the table until 3:00 p.m.,” or “to table the motion until the next meeting.” The motion is always “to table the motion,” or “to lay the motion on the table.”

(3) Many people think that if they get a motion tabled, it is killed. This may be so or it may not. A tabled motion may be taken from the table as soon as some business has occurred. This means that a committee report or debate on another motion having been considered, a motion to “take from the table” may be made. If the tabled motion is not taken from the table, either at the same meeting or the next regular meeting, it is killed.

(4) In organizations that do not meet as often as every three months, tabled motions remain there for that period. At the next meeting, such a motion can be taken from the table.

(5) When a motion is tabled, no motion on **[291]** the same subject may be offered, it would affect the motion on the table.

(6) A motion laid on the table carries with it all pending motions. For example, there might be a main motion, an amendment, a motion to refer and a motion to postpone until the next meeting. A motion to table, if carried, would take everything to the table. If taken from the table at the *same meeting*, the first thing voted on would be the motion to postpone. If taken from the table at the following meeting, the first motion voted on would be to refer to a committee.

(7) The motion to table must refer to a pending motion. It is not in order to table unfinished business for example, because it is not a pending motion but a class of motions.

(8) When a motion to table has been lost, it proves that the members want to continue debate on the pending questions. It is, therefore, out of order to renew the motion to table the same motion during the same day.

(9) A vote to table a motion cannot be reconsidered. The proper motion to make is “to take from the table.”

(10) The proper use of the motion to table is to put a matter aside temporarily, not to kill the motion. Many times this motion is used to prevent debate and to kill a motion without debate. Now the general rule of parliamentary law is that any [292] motion that takes away the right of a member must be by 2/3 vote. When the motion to table is frequently being used to kill motions without debate, a standing rule should be provided: "That the motion to table requires a 2/3 vote for its adoption."

(11) When an amendment to a motion already adopted or an amendment to by-laws, constitutions, etc., is pending, it is a main motion. If this amendment is tabled, only the amendment is affected, not the motion or by-law to which it applies.

(12) When a main motion is pending, and an appeal is tabled, the main motion is not affected. The object of the motion to table an appeal is to dispose of the appeal without a direct vote on it. This is so because an appeal must be voted on at the time it is taken or it is too late to do so. To allow a tabled appeal to take a main motion to the table is contrary to the principles of parliamentary law.

(13) The motion to "go into Committee of the Whole," the motion to suspend the rules, and any motion relating to the order of business *cannot* be tabled.

(14) The motion to table *can* be applied to: motion to discharge a committee; postpone to a certain day; reconsider; and also a question of privilege.

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TAKE FROM THE TABLE

Member: “I move that the motion to _____ be taken from the table.”

Must be seconded.

Not debatable.

Cannot be amended.

Requires a majority vote.

Effect: To again bring the motion before the meeting.

(1) This motion is not in order unless some business has come before the meeting since the motion was laid on the table.

(2) A motion taken from the table can be debated and again tabled.

(3) When a motion is taken from the table, it is in exactly the same condition as it was when tabled. For example, a motion has amendments and a motion to refer to a committee pending [294] when tabled. When taken from the table, the first motion considered would be to refer to a committee. If this motion is lost, the next would be the amendments.

(4) If a motion is taken from the table during the same meeting when it was tabled, members who have spoken cannot again debate until all have spoken who want to do so.

(5) If a motion to stop debate had been made before the main motion was tabled, there is no debate after it is taken from the table. As soon as the motion to take from the table is carried, the next vote put without debate is on the motion to stop debate.

(6) The motion to take from the table is only in order during the same meeting when the motion was tabled or the next meeting. If a tabled motion is not taken from the table, either at the same meeting or the next meeting, the motion is killed.

(7) After a motion has been tabled, the same subject cannot come before the meeting, nor can another subject that would affect the tabled motion. When a tabled motion is not taken from the table within the time limit (the same meeting or the next), the same motion that was tabled may be again moved.

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(1) In the absence of the president, the vice president presides. The vice president is then addressed as “Mr. President” or “Madam President,” or whatever other title the permanent presiding officer has. There is no difference in the provision for signing vouchers, the minutes, etc. The vice president would sign any such document the same way that the president would if he/she was there.

(2) In the absence of the president and the vice president, if there is a second vice president, he/she would preside. This is true of a number of vice presidents; in the absence of the others, the one present presides.

(3) In the absence of the president and the vice presidents, the secretary calls the meeting to order and presides until the election of a temporary Chair. A temporary Chair elected in this way, when required to sign the minutes or other documents, should put under his/her name the words, “Chair pro tem.”

(4) In the absence of the secretary when the regular president is presiding, a temporary secretary should be appointed by the Chair. (A vice president or an elected temporary Chair may do the same.) At the place in the minutes where the secretary’s name is written, the temporary secretary should write his/her name and under [297] it the words, “Secretary pro tem.” All duties normally performed by the regular secretary should be done by the temporary secretary. This means that the

secretary, when absent, should send the minutes to the hall for the use of the temporary secretary.

(5) When the treasurer is absent, the assistant treasurer automatically takes over. If there is no assistant treasurer, there can be no temporary treasurer appointed. The reason for this is that only the treasurer or his/her elected assistant is authorized to collect money or to spend it. If the treasurer is unable to be present and has a report to be submitted, this can be read by either the secretary or the president. The treasurer should never send his/her records to a meeting unless he/she has an elected assistant treasurer.

(6) In the absence of a sergeant-at-arms, the president should say, "Our regular Sergeant-at-arms being absent, the Chair appoints Mr./Ms. Blank."

(7) If the Chair of a standing committee is absent, any member of the committee who is present may submit the report of the committee. Such a member is not "acting Chair."

(8) In a committee meeting, in the absence of the regular Chair, one of the members would call the committee to order and then an acting Chair would be elected.

[298](9) The president has authority to appoint any member he/she desires as temporary presiding officer after the meeting has started. It is not necessary for the president to ask a vice president to take the chair. The president must be in the hall at the time of the appointment of the temporary Chair.

(10) A president should very seldom give up the gavel. Only a very important and pressing situation in debate would be an excuse for leaving the chair. If such a situation exists, the president should ask a competent member to take the chair. This may be a past president or some other capable member. By not requesting the vice president to preside the president has the advantage of having the vice president free to debate. This he/she could not do if presiding.

(11) It is well to remember that most by-laws use the language "the vice president shall preside in the absence of the president." Sometimes the words "absence or disability" are used. In either case, the vice president would not automatically preside just because the president did not preside.

(12) The member appointed by the president to preside is addressed in the same way as the permanent presiding officer.

(13) If the president, the vice presidents and the secretary are all absent from a meeting, the assistant secretary would call the meeting to order. **[299]** If there is no assistant secretary, the sergeant-at-arms calls the meeting to order. Any of these officers presides only until the election of a temporary Chair.

(14) While a temporary officer is presiding, he/she must give up the Chair to whichever permanent officer is entitled to it, when such officer enters the hall.

(15) When a presiding officer asks another to take the Chair, it is during debate on the pending motion. He/she does not resume the chair until the vote is taken on the motion being debated when he/she gives up the chair.

A tie vote occurs whenever there are as many votes for as there are against a motion. This means a *total* vote for and against. The presiding officer can vote to make a tie. A tie vote defeats the motion, except on a vote to appeal the decision of the Chair. If there is a tie vote on an appeal, the decision of the Chair stands.

In announcing a tie vote, the affirmative is announced first as in any other situation, then the result of the vote in the usual way. *For example*, “52 have voted in favor and 52 are opposed.” “A tie vote and the motion is lost.” “The secretary should enter in the minutes _____ on this motion a tie vote 52 to 52.” “The motion was lost.”

If the Chair votes to make a tie, the following is a guide for the language: “52 having voted in favor and 51 opposed, the Chair votes against the motion. The vote is now 52 for and 52 against. A tie vote and the motion is lost.” In this case the secretary notes in the minutes, “_____ on this motion 52 to 51. The president voted to make a tie and the motion was lost.”

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TREASURER

(1) The treasurer of an organization has custody of its funds. He/she should insist, if there is no provision in the by-laws, upon a procedure that would have authorizations signed by the president before he/she spends money. A simple form of authorization is as follows:

“The Treasurer is hereby authorized, as a result of a vote taken on _____, to spend the sum [302] of \$_____, for _____.”

_____”
President

Of course the wording would be according to the practice of your organization. At any rate, it is essential that there be some kind of authority in writing for the spending of money.

(2) The Treasurer should submit a statement of the finances at regular intervals as provided in the by-laws. Such a statement could well be in a form similar to this:

Statement of the Treasurer	
<i>Receipts</i>	
Balance on hand July 1	\$ 250
Initiation fees	500
Member's dues	1,650
Fines	<u>160</u>
	\$2,560

TREASURER

Disbursements

Rent of hall	\$ 300
Custodian.....	700
Stationery and Printing	320
Secretary's Office expenses.....	<u>400</u>
	\$1,720
Balance on hand Sept. 30.....	\$ 840

(3) You will observe that the disbursements [303] are not itemized except into general categories. If a member wants to know more details about such an item as "stationery and printing," he/she should ask the treasurer for such information.

(4) In some organizations an auditing committee will examine the books of the treasurer on a quarterly basis. If this is done, the following language should be added on the final page of the statement just under the treasurer's signature.

"Examined and found correct. Date _____.
(signature)

(signature)

(signature)

_____."

(5) When the auditor has performed his/her duty and has signed his/her name to the statement, the Chair puts to a vote the question of the auditors' report in the following way: "You have heard the statement of our Treasurer and the auditors' report, the question is on the acceptance of the auditors' report." "All those in favor raise their hand, etc."

(6) You will notice that the vote is not taken on accepting the treasurer's statement. The motion to accept the auditors' report is put to a vote by the Chair without a motion being made.

(7) If the treasurer's statement is not accompanied [304] by an auditors' report, no action whatever can be taken. The treasurer's report or statement is never accepted. The Chair would say, "You have heard the treasurer's statement which was made for your information." "The next item of business is _____." If a member makes a motion to accept the treasurer's statement, the Chair should say, "The Chair reminds the member that the Treasurer's report is never accepted and therefore your motion is out of order."

(8) When the auditors are performing their duties, the treasurer must, of course, make available to them, all the authorizations, check books, bank statements, etc.

(9) The duties of treasurer require a person who is good at figures and exact in performing routine office procedures. Once such a person is in office, it is sound practice to keep him/her there. When by-laws limit the number of terms that an officer may serve, exception should be made

in the office of treasurer. This should be definitely stated in the by-laws.
Example: “The officers, with the exception of the Treasurer, shall not be eligible for the same office for more than two terms.”

Unanimous consent is the expression used when there is so little opposition that no member thinks it worthwhile to vote against a proposition. It might be, in some cases, that there is no opposition at all. There are then two situations in which unanimous consent would exist.

Much time can be saved in a meeting by using unanimous consent. Take, for example, the minutes of the previous meeting. One way to handle the minutes would be to wait for a motion, "That the minutes be approved (or adopted) as read." Then a second is made, and a vote is taken. This procedure is a waste of time. Instead, after the minutes are read, the Chair should say, "Are there any errors or omissions in the minutes?" After a very slight pause, "Without objection, the minutes are approved as read." If no one says, "I object" or "objection" that takes care of the minutes. If a member does bring errors or omissions to the attention of the secretary, the changes are made. Then the Chair would say, "Without objection, the minutes are approved as corrected." Motions of any kind can be handled in the same way. If no one objects, reports of committees can be accepted, recesses may be declared, adjournments may be had, all by unanimous consent.

There are certain things that cannot be done by [306] unanimous consent, these are:

1. Elect to office when the by-laws require "election by ballot."
2. Amend by-laws or constitution.
3. Adopt a motion that is out of order under parliamentary law.
4. Adopt a motion which is contrary to the by-laws, constitution, or rules of the organization.

When you are presiding and you want to use unanimous consent, explain first what you are going to do. Make it clear to the members that any *one* member, by saying "I object," or "Object," or "Objection" will require a vote to be taken in the usual way. A member who objects to unanimous consent, does not have to tell *why* he/she objects. That is entirely his/her own affair.

Unfinished Business is any motion that has been brought before a previous meeting and on which final action has not been taken. For example, a motion that was postponed until the next meeting becomes the first item under Unfinished Business at the next regular meeting. A motion that was tabled can be taken from the table under Unfinished Business. A motion that was being debated when the previous meeting adjourned is Unfinished Business for the next regular meeting.

If a motion is discussed at one meeting but action is not completed because it is referred to a committee, it does *not* become Unfinished Business at the next meeting. It would instead come up under reports of committees.

It is not in order to move to table Unfinished Business. Instead the motion can be made “to take up New Business at this time.” This motion requires a 2/3 vote. This would be done when an urgent matter of New Business requires that Unfinished Business should be passed over temporarily.

The practice of calling Unfinished Business “Old Business” is misleading. The reason for having Unfinished Business in the agenda is to provide a definite time to finish this business. The word “old” does not mean “unfinished.”

[308] When a motion has been considered at one meeting and tabled, it can be taken from the table under Unfinished Business at the next regular meeting. After it has been discussed, it can be again tabled. It would then be Unfinished Business at the succeeding meeting.

Your constitution should provide for methods of filling vacancies in office. There are several ways by which this can be done.

1. In some offices there can be an automatic filling of the vacancy. For example, the first vice president becomes president when that office is vacant. The assistant secretary becomes secretary; the assistant sergeant-at-arms becomes sergeant-at-arms. In all of these cases I am assuming that the by-laws provide for these various assistant officers.
2. A special election is often the method for filling vacancies in office. Advance notice of such special election must be given. The election is held in the same way as a regular election with nominations, ballots, etc.
3. The executive committee is sometimes given the power (in the constitution) to fill vacancies in office. When this provision is made, the election can be by any method the committee cares to follow. A subcommittee could be appointed to bring in a nomination or the vacancy could be filled by voice vote, show of hands, or roll call. Unless there is specific detail in the by-laws or constitution, the executive committee is free to follow any method in this [310] election.
4. In many organizations the nominating committee is a standing committee. When this is true, it becomes the duty of that committee to provide nominations for either a special election or for the executive committee. When the nominating committee is a standing committee, this procedure is to be followed even though it is not specified in the constitution. The object of having the nominating committee as a standing committee is to provide for the proper amount of consideration both in filling vacancies and in planning for future elections.
5. Some constitutions give the president the power to fill vacancies in office subject to the approval of the executive committee. This means that the president would submit the name of his/her choice to fill the vacancy and put to a vote the following question, "Will the executive committee consent to the appointment of Edward J. White to fill the unexpired term as Treasurer?" A majority vote of the committee is needed.

Constitutions usually provide that the vice president presides in the absence of the president and fills the office of president if that office becomes vacant. When there are two or more vice presidents, the first vice president takes the chair when the president is absent. If both the president and first vice president are absent, the next in line (second vice president) takes the chair.

The vice presidency of an organization should involve much more than presiding in the absence of the president. In most cases the vice president will become president. For this reason the members are entitled to observe this officer in action and to know whether he/she seems capable of being elected to the higher office. It is for this reason that the vice president should have a specific duty. For example, if he/she is Chair of the program committee, it is necessary for him/her to introduce speakers and entertainment, thus giving the members an opportunity to see and hear him/her. Sometimes the vice president is Chair of some special committee that gives him/her the chance to demonstrate his/her ability to get things done.

Whether the assignment is temporary or for the term, it is essential that the vice president be allowed to show his/her ability in leadership. **[312]** Without this, the vice president simply waits until elected president, presiding on those few occasions when the president is absent.

When the vice president is presiding, he/she can appoint any member to take the chair if he/she wants to talk with someone or to speak from the floor. He/she does not have to ask another vice president or other officer to take the chair, but has the right to ask any member to do so.

Whoever is presiding has the same duty to maintain order that the president has when he/she presides. The sergeant-at-arms assists the presiding officer, whether temporary or permanent, in keeping order.

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When discussion is apparently over, or when it has been voted to stop debate, the Chair "puts the question." This means that he/she places the motion before the meeting for a vote. There are five methods of voting.

(1) Voice voting is done by having all in favor say "aye" and then those opposed say "no." The difference in volume is supposed to indicate whether a motion is carried. This is a poor method of voting because a few people with loud voices could excel many with little volume. It is generally necessary to take the vote again by another method. You should use the voice vote only when the motion is not a controversial one.

When the vote has been taken, the Chair will say, "The ayes have it and the motion is adopted." If he/she is in doubt as to the result of the voice vote, he/she will say "the ayes seem to have it," and then pauses for someone to doubt the vote. If no one doubts the vote, he/she

continues, "The ayes have it and the motion is carried." He/she may say "the Chair is in doubt," and proceed to another method of voting.

(2) In the method of raising their hand (show of hands), the Chair says, "All those in favor of this motion will please raise their hand." (Not the right hand as some may be physically unable to use it.) He/she then counts the raised hands, after [315] which he/she says, "Down hands." Then he/she says, "Those opposed please raise their hand." Again, he/she counts the raised hands at the completion of which he/she says, "Down hands." The result is then stated as follows: "41 having voted for and 36 against, the motion is carried."

When announcing a vote by show of hands, the number in the affirmative and then in the negative is given. Then state whether the motion is carried or defeated.

(3) When the vote is taken by a division (or rising vote), those in favor stand, then those opposed. The Chair should say, for example, "Those in favor of the motion to stop debate will stand until counted." He/she then counts or has the tellers do so. Then he/she says, "Please be seated." "Those opposed to the motion will stand until counted." Again there is a count. "Please be seated." The Chair then announces the vote.

(4) In many situations it is very necessary that there should be a record of the vote. This is true of trade union meetings in particular.

When it is desired to take a roll call vote, the member making the motion will say, "I move this motion be voted on by roll call." This motion takes a majority vote.

If the motion is adopted, the secretary proceeds to call the names of the members alphabetically. All the names must be called not just those present. [316] If there is a check-off system used at the door as members enter, it is not necessary for the secretary to call any names except those on the check list. This saves much time.

As each member's full name is called, he/she will answer, "Yes, no, or present." If a member says, "I'm not voting or pass or any other remark of this nature, he/she is recorded as voting present."

As each member votes, the secretary repeats his/her name and how he/she voted, either "yes, no, or present." No member can be compelled to vote.

(5) The secretary, when roll call votes are used in meetings, must have prepared in advance the Roll Call List. This consists of the names of the members arranged in alphabetical order with three columns to the right of the names. The first column is headed "yes," the second "no," and the third "present."

(6) When the roll call is completed, the Chair asks "Are all the votes recorded?" At this time, any member who wishes to do so, can change his/her vote as follows: from "present" to "yes" or "no"; or from "yes" to "no"; or from "no" to "yes." When all who so desire have changed their votes, the secretary adds the "yesses, and the noes," and hands the result to the Chair. The Chair announces the result.

[317](7) When a roll call has been started, which is as soon as the first member whose name is called answers, no motions are in order.

(8) When you want to have secrecy in voting, the method to use is the ballot. The member making the motion for this type of voting will say, "I move we vote on this question by ballot." A majority vote is required. If the motion carries, the Chair appoints tellers. In small meetings, one teller may be sufficient. In larger meetings, two or more tellers may be required.

(9) The tellers distribute pieces of paper, uniform in size, texture, and color, and large enough for the writing necessary on the motion. This is usually a simple "yes" or "no." After ballots have been distributed, the Chair asks, "Has each member a ballot?" If a member is without a ballot, it is then handed to him/her by the teller. When all have received ballots (including the Chair and tellers), the Chair then repeats the question to be voted on and instructs the members what he/she is to write, if in favor or opposed. Those not voting in favor or against, may either keep the ballot when they are collected, or turn it in blank. In either case, it would not be counted in the result. (Members are not compelled to vote.) The ballots are distributed and collected by the tellers. The ballots are dropped into a box or other container by the members, who remain seated. **[318]** The Chair states, "Have all voted who wish to do so?" If no one responds, he/she says, "The tellers will count the vote."

(10) In counting the ballots:

1. If two ballots are found folded together, both are rejected.
2. All blanks are not counted.
3. If a name is written but improperly spelled, it should be credited to the candidate whose name is most like that written. For example, if a candidate's name is "Kelly" and the name on the ballot is spelled "kely" or "kelley," it is obvious who is meant.
4. The rule to follow with regard to ballots is that technical errors will not affect the result if the *meaning* of the ballot is clear.

(11) As soon as the ballots have been counted, the teller named first addresses the Chair and reads the report without announcing the result. Then the report is handed to the Chair (presiding officer) and the ballots to the secretary. The presiding officer announces the result. The report is in the following form:

Number of ballots cast: (Not counting blanks) _____.
 Majority of these ballots _____.
 "Yes" _____.
 "No" _____.

[319](12) There can be no voting by mail unless it is provided for in the by-laws.

When voting by mail, the forms sent out must be uniform in color, size, texture, and printing. The forms must be mailed to each member

entitled to vote within the time specified in the by-laws. Each form mailed should be accompanied by a return envelope having only the name and address of the secretary or the committee who will receive it.

Upon receipt of the envelopes containing the votes, they should put aside until the deadline as stated in your by-laws is reached. When the time so stated arrives, the envelopes are all opened and the votes counted. If votes arrive after the date set in the by-laws, they are not to be counted.

- (13) Announcements of a vote should contain three items:
 - a. Whether the motion is carried or defeated.
 - b. The effect of the vote on another motion, if there is another pending (such as an amendment).
 - c. State the business now pending.

If the Chair does not know of further business to come before the meeting, he/she should ask, "Is there further business to come before the meeting?" If no one answers by offering a motion, the Chair should say, "Without objection the [320] meeting is adjourned." He/she then pauses and, if no one objects, the meeting is adjourned. If a member wants to object he/she simply says, "I object," or "object" or "objection." He/she does not need to be recognized for this purpose, nor does he/she have to say why he/she objects. One objection makes it necessary to have a vote on adjournment.

(14) During any method of voting, except a roll call or ballot, until the negative has been put to vote, a member can rise and speak, make motions and renew debate. So if the affirmative has been taken, it is in order for a member who has not spoken to claim the floor and debate or make motions. If this happens, the affirmative has to be put again. This is to protect the rights of those who have just come into the hall or who have changed their minds.

(15) A tie vote is when an equal number of votes is counted for and against a motion. A tie vote defeats the motion except in the case of a vote on an appeal from the Chair. In this case, a tie vote upholds the Chair. The idea is that the decision of the Chair stands unless overturned by a majority vote.

In all other situations, a tie vote defeats the motion.

The Chair has a choice of action in a tie vote, if he/she has not already voted. If he/she is in favor [321] of the motion being voted upon, he/she could vote in favor and break the tie. He/she would say, "On this motion, 45 having voted in favor and 45 against, the Chair votes in favor and the motion is carried." If he/she is against the motion being voted on, he/she would simply announce the vote, "On this motion, 45 having voted in favor and 45 against, the motion is lost."

(16) When debate is over, either because everyone who wants to has talked about the motion, or it has been voted to stop debate, or the time limit is up, the Chair "puts the question." He/she does this by repeating the motion. If the motion is in writing, he/she reads it or has it

read. When putting the question, the presiding officer stands. “The motion is to instruct the membership committee to obtain additional applications.” “Those in favor of the motion, raise their hand.” (Counts) “Those opposed raise their hand.” (Counts) Announces the result. A member has the right to change his/her vote, unless the vote was taken by ballot, at any time before the result has been announced. When an amendment has been voted on and carried, the pending motion is put to a vote. This is the suggested wording: “The question now comes on the motion as amended.” “All those in favor, etc.”

(17) When a motion or resolution consists of parts, which can be separated into logical units, a [322] motion can be made for “a division of the motion.” This takes only a majority vote. When it has been voted to divide the question, the first part is voted on separately. Then the next, and so on. The motion to divide the question is not in order if the separate parts by themselves would not make sense if adopted.

(18) Whenever a vote is announced as a result of a voice vote, any member has the right to say, without being recognized, “I doubt the vote.” When this is said, the Chair immediately puts the question again, this time by show of hands.

Whenever a vote is announced as a result of taking the vote by a show of hands, any member has the right to say, without obtaining recognition, “I ask for a division” or “division.” The Chair immediately puts the motion again, asking for a rising vote.

When there has been a division and the Chair announces the result, that is the final act regarding that motion. There can be no doubting the vote that was taken by roll call or ballot. If a mistake appears to have been made in either of these two methods of voting, a motion has to be made to take the vote again.

The Chair may take the vote by show of hands instead of by voice vote if he/she wants to do so.

The word “yield” is used in three ways. One is when a member is talking on a motion and another member wants to ask him/her a question. The procedure is:

Member: “Will the member answer a question?” Or, “I would like to ask the member a question.”

Member who has the floor: “I yield for a question.” This use of yield means “gives permission.”

The second use of yield is when a member is debating and gives up the floor. This is called “yielding the floor.” In this use, the word means “give up.”

The third use of yield refers to a motion and its relation to other motions. A motion “yields to another” as in the case of a main motion that yields to all priority motions.

You may go to many meetings for many years and not hear the word “yield” used. Then, at a meeting where the members are following the rules more carefully, you may hear the word several times. You ought to know the meanings of the word as used in parliamentary law.