

PARLIAMENTARY PROCEDURE: A FEW BASICS

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What is Parliamentary Procedure?

- ▶ Parliamentary procedures (sometimes used synonymously with parliamentary law) refers to parliamentary law as it is followed in any given assembly or organization, together with whatever rules of order the body may have adopted.

RONR (12th Ed.), introduction, p. xxx

What is the purpose?

To expedite the transaction of business by means of tactful, courteous, common sense. It protects the rights of the minority as well as those of the majority. It is based on a regard for the rights of:

- ▶ The majority
- ▶ The minority, especially a strong minority-greater than one-third
- ▶ Individual members,
- ▶ Absentees, and
- ▶ All of these together

How can this purpose be achieved?

This purpose can be achieved if:

- ▶ Everyone is treated equally and that equality is a priority.
- ▶ Only one person speaks at a time.
- ▶ Everyone who wants to speak is given an opportunity to speak.
- ▶ Every proposal is made in good faith, for the good of the group, is free from deceit and is simple as possible.
- ▶ A majority decision is the group decision.
- ▶ Whatever rules are used, are used consistently

Where can we look for instruction on rules and procedures?

- ▶ Corporate Charter
- ▶ Constitution/Bylaws
- ▶ Special Rules of order
- ▶ Parliamentary authority, i.e. Robert's Rules of Order
- ▶ Standing Rules

Corporate Charter

- ▶ The corporate charter is a legal instrument that sets forth the name and object of the society and whatever other information is needed for incorporating the society under the laws of the particular state - or under federal law.
- ▶ The corporate charter supersedes all other rules of an organized society.

Constitution/Bylaws

- ▶ The constitution or bylaws- or both, of a society are the documents that contain the society's own basic rules relating to itself as an organization.

Rules of Order

- ▶ Rules of order refer to written rules of parliamentary procedure formally adopted by an assembly or an organization. Such rules relate to the orderly transaction of business in meetings and to the duties of officers in that connection.

Special Rules of Order

- ▶ Special rules of order are adopted only as it is necessary to supplement or modify rules contained in the officially adopted parliamentary authority of the organization.
- ▶ Special rules of order supersede any rules in the parliamentary authority with which they may conflict.
- ▶ Adopted by previous notice and 2/3/ vote or a majority of the entire membership.

Standing Rules

- ▶ Relate to the details of the administration of society rather than to parliamentary procedure, and;
- ▶ Can be adopted or changed upon the same conditions as any ordinary act of a society
- ▶ Adopted by majority vote

The Principles of Parliamentary Procedure

- ▶ Organization rules (constitution/bylaws are supreme - these rules supersede any division or subcommittee rules.
- ▶ All members are equal.
- ▶ There is a minimum number of members that must be present to transact business- a quorum.
- ▶ Everyone has the right to a debate.

Quorum of Members

- ▶ The minimum number of members who must be present at the meetings of a deliberative assembly for business to be legally transacted.

Meeting

A meeting of an assembly is a single official gathering of its members in one room or area to transact business for a length of time during which there is no cessation of proceedings and the members do not separate, unless for a short recess. Depending on the business to be transacted, a meeting may last from a few minutes to several hours.

The Agenda

In a meeting of an organization or body, there is usually an established order of business (or agenda) that specifies the sequence in which certain general types or classes of business are to be brought up or permitted to be introduced. An organization may follow the order of business given in the manual that the bylaws of the organization designate as its parliamentary authority, or it may have adopted its own particular order of business.

The Agenda

Although an organization has no binding order of business until it has either adopted its own or has adopted a parliamentary authority that specifies one, the following order of business has come to be regarded as usual or standard for one-meeting sessions of ordinary societies:

The Agenda

- ▶ Reading and approval of minutes
- ▶ Reports of officers, boards, and standing committees
- ▶ Reports of Special (select or ad hoc) committees (that is, committees appointed to exist only until they have completed a specified task)
- ▶ Special Orders (that is, matters which have previously been assigned a type of special priority)

The Agenda

- ▶ Unfinished Business and General Orders (that is, matters previously introduced which have come over from the preceding meeting)
- ▶ New Business (that is, matters initiated in the present meeting)
- ▶ Adjournment

Minimum Officers

The minimum essential officers for the conduct of business in a deliberate assembly is:

- ▶ The presiding officer - who conducts the meeting and sees that the rules are observed
- ▶ The secretary or clerk - who makes a written record of what is done (minutes)

Presiding Officer

- ▶ In organized societies the presiding officer's title is prescribed by the bylaws, that of president being most common. The term *the chair* refers to the person in a meeting who is actually presiding at the time, whether that person is the regular presiding officer or not.
- ▶ The presiding officer of an assembly should be chosen principally for the ability to preside.

Presiding Officer

- ▶ The individual should be well versed in parliamentary law.
- ▶ Should be thoroughly familiar with the bylaws and other rules of the organization, even if he/she is to have the assistance of a parliamentarian.

Duties of the Presiding Officer

- ▶ To open the meeting at the appointed time by taking the chair, calling the meeting to order and determine that a quorum is present.
- ▶ To announce the proper sequence of the business that comes before the assembly.
- ▶ To recognize members who are entitled to the floor.

Duties of the Presiding Officer

- ▶ To state and put to vote all questions that legitimately come before the assembly as motions and to announce the result of each vote
- ▶ To protect the assembly from frivolous or dilatory motions by refusing to recognize them.
- ▶ To enforce the rules of debate

Duties of the Presiding Officer

- ▶ To expedite business in every way compatible with the rights of members.
- ▶ To decide all questions of order, subject to appeal.
- ▶ To respond to inquiries of members relating to parliamentary procedure.
- ▶ To authenticate by signature, when necessary, all acts, orders, proceedings of the assembly.

What the Presiding Officer Needs at Hand

- ▶ A copy of the bylaws and other rules of the organization.
- ▶ A copy of the parliamentary authority.
- ▶ A list of all standing and special committees and their members.
- ▶ A memorandum of the complete order of business and a listing of all known matters that are to come up, in proper sequence.

Minutes

- ▶ The record of the proceedings of a deliberate assembly should contain mainly a record of what was done at the meeting, not what was said by the members.
- ▶ The minutes should be kept in a substantial book or binder.

Contents of Minutes

The first paragraph of the minutes should contain the following information:

- ▶ The kind of meeting: regular, special, adjourned regular, or adjourned special
- ▶ The name of the society or assembly
- ▶ The date and time of the meeting and the place

Contents of the Minutes

- ▶ The name of the regular chairman and secretary if present, or the name of their substitutes, if absent.
- ▶ Whether the previous minutes were read and approved or as corrected. ***Any correction is made in the text of the minutes being approved; the minutes of the meeting making the correction merely state the minutes were approved “as corrected.”***

Contents of Minutes

The body of the minutes should contain a separate paragraph for each subject matter, giving the name of the mover, and should show:

- ▶ All main motions or motions to bring a main question again before the assembly.
- ▶ The wording in which each motion was adopted or otherwise disposed of, and the disposition of the motion.

Contents of Minutes

- ▶ Secondary motions that were not lost or withdrawn in cases where it is necessary to record them for completeness. For example, motions to recess or to fix the time to adjourn.
- ▶ All notice of motions
- ▶ All points or order and appeals and reasons for ruling given by the chair.
- ▶ The hour of adjournment
- ▶ Signature by the secretary

Reading and Approval of Minutes

- ▶ Normally read and approved at the beginning of the next regular meeting, immediately after the call to order.
- ▶ Corrections and approval are normally done by common consent.
- ▶ By a majority vote without debate, the reading of the minutes can be “*dispensed with*”, not carried out at the regular time.

Reading and Approval of Minutes

- ▶ If it is desired to approve the minutes without having them read, it is necessary to suspend the rules for this purpose.
- ▶ When the next regular business session will not be held within a quarterly interval, the session was not longer than a day or the membership may change by the next meeting, the executive board or appointed committee may approve the minutes.

Reading and Approval of Minutes

- ▶ When a session lasts longer than one day, such as at a convention, the minutes of the meetings held the preceding day are read and are approved by the convention at the beginning of each day's business.
- ▶ When the minutes are approved, they should be marked approved with the secretary's initials.

Minutes to be Published

- ▶ Reports of committees should be printed exactly as submitted, the minutes showing what action was taken by the assembly.
- ▶ There should be a list of speakers, one for each side of every question, with an abstract or the text of each address, in which case they may be called “proceedings”.

What Is A Motion?

- ▶ Business is brought before an assembly by the motion of a member. A motion may itself bring its subject to the assembly's attention, or the motion may follow upon the presentation of a report or other communication.

Types of Motions

- ▶ Main Motion - A motion whose introduction brings business before the assembly, such a motion can be made while no other motion is pending.
- ▶ Subsidiary Motions - Motions that assist the assembly in treating or disposing of a main motion

Types of Motions

- ▶ Privileged Motions - Motions that do not relate to the pending business, but have to do with special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else.

Types of Motions

- ▶ Incidental Motions - Motions that deal with questions of procedure arising out of another pending motion
- ▶ Motions That Bring A Question Again Before the Assembly
 - ▶ Take from the table
 - ▶ Rescind (repeal or annul)
 - ▶ Amend Something Previously Adopted
 - ▶ Discharge a Committee
 - ▶ Reconsider

Actions to the Main Motion

- ▶ While a main motion is pending, one or more subsidiary motions or incidental motions can be introduced and disposed of as an integral part of the main motion's consideration.

Actions to the Main Motion: To Amend

- ▶ The motion to amend is one of the most common actions taken on a main motion.
- ▶ The amendment to the main motion must be germane or relevant to the main motion.
- ▶ There may be a primary amendment introduced.
- ▶ There may be also a secondary amendment introduced.

Actions to the Main Motion: To Amend

- ▶ The main motion may be amended by the following:
- ▶ The insertion of words or phrases or;
- ▶ The deletion of words or phrases.
- ▶ The filling in of blanks.
- ▶ There may also be the motion to substitute an entire new text of the main motion in place of the pending version.

Actions to the Main Motion: To Amend

- ▶ Action on amendments to the main motion are taken as follows:
- ▶ The secondary amendment is acted upon first. It is debatable and must be voted upon.
- ▶ The primary amendment is acted upon next. It is debatable and must be voted upon.

Actions to the Main Motion: To Amend

- ▶ The main motion is acted upon last with the inclusion of the actions taken with the primary and/or secondary amendments.
- ▶ The main motion is again debatable and most be voted upon.

How Do I Present My Motion?

- ▶ Obtain the floor
 - ▶ Wait until the last speaker is finished
 - ▶ Rise and address the chair. Say, “Mr. (or Madam) Chairperson” or Mr. (or Madam) President”
 - ▶ Give your name. The chair will recognize you by repeating your name.

How Do I Present My Motion?

- ▶ Make Your Motion
 - ▶ Speak clearly and concisely
 - ▶ State your motion affirmatively. Say, “I move that we do...:”
 - ▶ Avoid personalities and stay on the subject.

How Do I Present My Motion?

- ▶ Wait For a Second
 - ▶ Another member will say, “I second the motion”
 - ▶ Or the chair will call for a second
 - ▶ If there is no second, your motion will not be considered.

How Do I Present My Motion?

- ▶ Chair States Your Motion
 - ▶ The chairperson must state your motion as presented and that it has been moved and seconded (state the name of the person seconding the motion for the record).
 - ▶ The chair then calls for discussion. Debate occurs at this point.
 - ▶ Your motion is now “assembly property: and you cannot change it without consent of the members.

How Do I Present *My Motion*?

- ▶ Expand On Your Motion
 - ▶ Mover is allowed to speak first.
 - ▶ Direct all comments to the chairman.
 - ▶ Keep to the time limit for speaking.
 - ▶ You may speak again after all other speakers are finished.

How Do I Present *My Motion*?

- ▶ Putting the Question
 - ▶ The chairperson asks, “Are you ready for the question?”
 - ▶ If there is no more discussion, a vote is taken.
 - ▶ The chairperson announces the results.

Reference Source

- ▶ Robert's Rules of Order, Newly Revised, 12th Edition