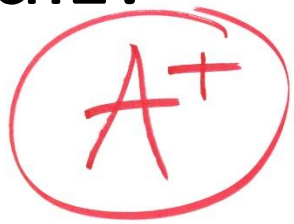


# Parliamentary Procedure

*The Fine Art of Herding Cats*

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# Parliamentary Procedure Pop Quiz!




False 1. All motions require a second.

True 2. A member must be recognized by the Presiding Officer to offer a motion.

True 3. A member who speaks without recognition by the Presiding Officer may be ruled "Out of Order."

True 4. Only one item of business may be discussed at a time.

False 5. Any member can "call the question" without a vote by the board.

# Parliamentary Basics




"I've got a board meeting in ten minutes and I can't find my hidden agenda!"

# What is Parliamentary Procedure?

**Parliamentary Law**: "[R]ecognized rules, precedents and usages of legislative bodies by which their procedure is regulated. It is that system of rules and precedents that originated in the British Parliament and . . . has been developed by legislative or deliberative bodies in this and other countries." *Mason's Manual of Legislative Procedure* §35 (2010 ed.).

**Parliamentary Procedure:** ""[P]arliamentary law as it is followed in any given assembly or organization, together with whatever rules of order the body may have adopted." RONR (11th ed.) p. xxx.

# Rules of Procedure

## With Rules



## Without Rules



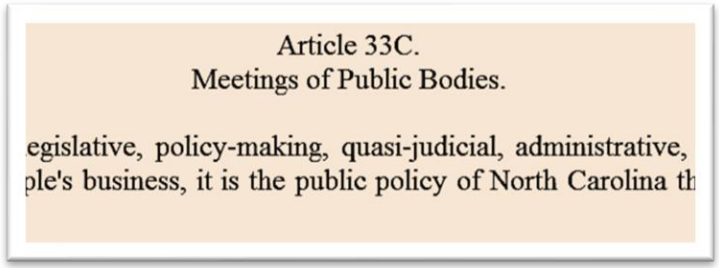
# 7 Basic Principles

1. The board must act as a body
2. The board should conduct its business orderly and efficiently
3. The board must act by at least a majority
4. Every member should have an equal opportunity to participate
5. Rules of procedure should be followed consistently and uniformly
6. Decisions should be based on the merits, not on manipulation of the rules
7. Rules should help, not hinder

# Sources of Rules



## Statutes


Article 33C.
Meetings of Public Bodies.

egislative, policy-making, quasi-judicial, administrative,
ple's business, it is the public policy of North Carolina th

## Local Rules




## "Fall-back" Resources




## Charter



# 7 Common Problem Areas



# 7 Common Problem Areas

1. Agenda
2. Quorum
3. Motions
4. Debate
5. Voting
6. Postponing / Reviving Matters
7. Managing Public Input



# 1. Agenda

- The board is ultimately responsible for its own meeting agendas
- Preparing a preliminary agenda may be delegated
- A majority of the board can always amend the agenda
- Is there a legal restriction on the subject-matter of the meeting (regular, special, etc.)?



# 2. Quorum

- Number of members who must be present to conduct business
- Defined as "majority of membership" – means more than ½ of total seats
- What if a member steps out?
- What about vacancies?



# 3. Motions

- Only one substantive (main) motion may be pending
- Multiple procedural motions may be pending
- Motion before discussion, or vice versa?
- Are seconds to motions always required?
- Are all motions debatable?
- When is a motion out of order?



# Classification of Motions

**Privileged Motions**

- Adjourn*
- Recess*
- Question of Privilege*
- Call for the Orders of the Day*

**Main Motions**

- Introduces a substantive question as a new subject.

**Subsidiary Motions**

- Table*
- Close Debate*
- Limit or Extend Debate*
- Postpone to a Certain Time
- Refer to Committee
- Amend

**Incidental Motions**

- Appeal Chair's ruling
- Suspend the Rules*
- Consider Informally
- Point of Order*
- Parliamentary Inquiry*
- Withdrawal of a Motion*

**Motion to Bring Matter Back**

- Take from table*
- Rescind
- Reconsider

# Order of Considering Motions

# The Concept

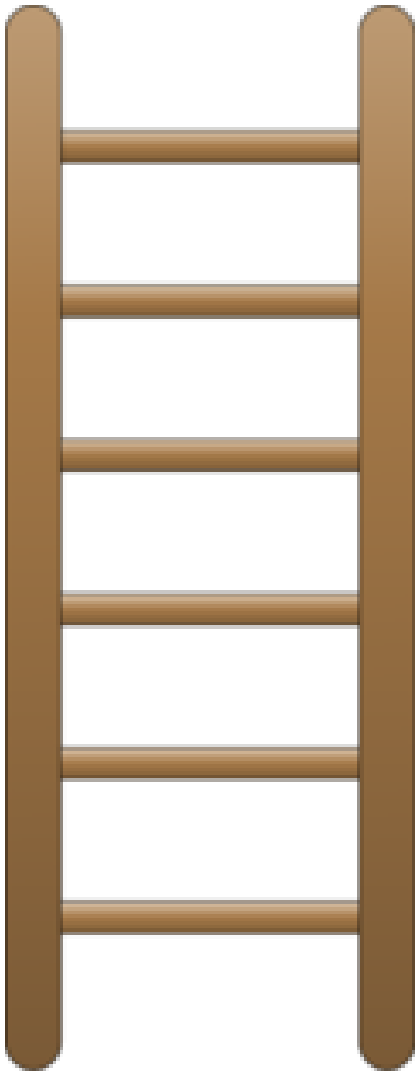
- All **Main Motions** and **Secondary Motions** have a number or rank.
- While a **Main Motion** is pending:
  - Higher ranking motions may be made.
  - Lower ranking motions are "Out of Order."
- There are 13 motions with ranks.

# The Ladder of Precedence

- **Main Motions** and **Secondary Motions** have a rank.
- Think of climbing up and down a ladder.
- Higher on the ladder is IN ORDER.
- Lower on the ladder is OUT OF ORDER.
- Higher ranking motions must be disposed of before a lower ranking motion is in order.

# The Ladder of Precedence

1. ~~Fix the Time to Which to Adjourn~~
2. Adjourn
3. Recess
4. Raise a question of Privilege
5. Call for the Orders of the Day
6. Lay on the Table
7. Previous Question
8. Limit/Extend Limits of Debate
9. Postpone to a Time Certain
10. Commit or Refer
11. Secondary Amendment
12. Primary Amendment
13. ~~Postpone Indefinitely~~
14. Main Motion



# 4. Postponing / Reviving Matters

Procedural Options:

- Table
- Remove from the Table
- Prevent Reintroduction (‘Clincher’)
- Postpone
- Reconsider (Exercise Caution)
- Rescind (or repeal)



# 5. Debate

- All members should have a similar opportunity to speak
- The presiding officer may wish to step aside if actively involved
- Extend courtesy to each other and the public in the debate

- "Calling the previous question" cuts off debate; *requires a **2/3** vote of the board*



# 6. Voting




- Only a simple majority is usually required
  - Check legal requirements for the type of majority vote required
  - Determine effect of vacancies
- Does the Presiding Officer vote?
- Record votes in the minutes to memorialize board action

- Determine when a member may be excused from voting – *conflicts of interest*
  - How to "count" an unexcused non-vote *(ex: NC cities have "default yes" rule set by statute)*

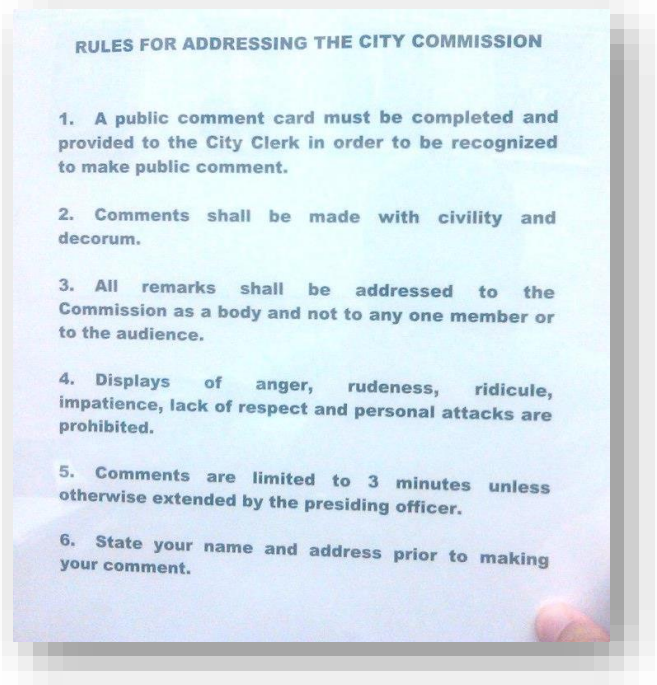
# 7. Managing Public Input

- Establish rules for speakers to ensure fairness and maintain order
- Announce rules before comment period/hearing
- Provide rules in writing
- Apply rules consistently to all speakers

- Determine subject matter limitations – if any – in advance (be careful not to trample 1st Amendment)

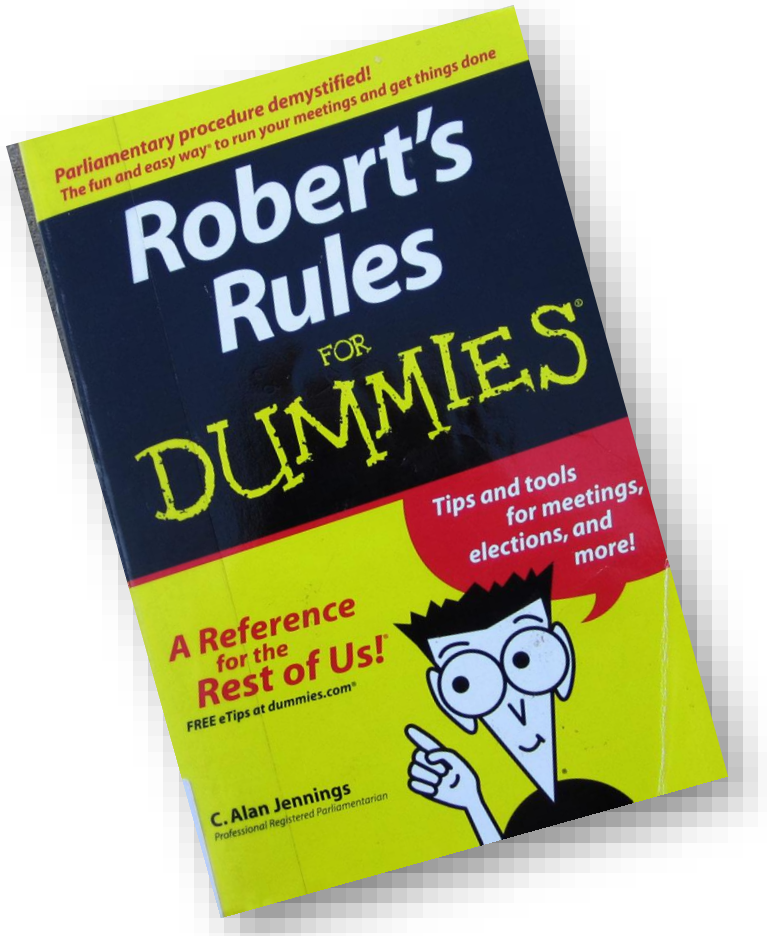


# Public Input Rules: Tips & Suggestions




- Time limit for speakers *(timekeeper?)*
- Representative to speak for large group
- Remove disruptive individuals
- Limit signs and displays
- Sign-up sheet
- No personal attacks, profanity, etc.
- Receiving written comments, handouts, etc.

# Bottom Line: KEEP IT SIMPLE!






# Good Luck!




Thank You: Norma Houston
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