International Municipal Lawyers Association, 2008 Annual Conference, Las Vegas, Nevada

Parliamentary Procedure and Other Rules and Procedures for Municipalities

Parliamentary Procedure: Keep it Simple by Doing it Yourself

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Parliamentary procedure, or parliamentary law, is a code of rules and ethics for working together in groups. Demeter's Manual of Parliamentary Law and Procedure defines parliamentary law as the "rules, laws, or regulations of organizations, governing the orderly, expeditious and efficient transaction of business and meetings and conventions. Without rules, there would be injustice and confusion. Hence, it is as necessary to follow the rules of parliamentary law as it is to follow the rules of a ball game or a card game."[1]

Robert's Rules of Order Newly Revised (10th Edition), the most recognized parliamentary manual, justifies the use of parliamentary procedure as ". . . the best method yet devised to enable assemblies of any size, with due regard for every member's opinion, to arrive at the general will on the maximum number of questions of varying complexity in a minimum amount of time and under all kinds of internal climate ranging from total harmony to hardened or impassioned division of opinion."[2]

Contrary to popular belief, parliamentary procedure is not synonymous with the book Robert's Rules of Order. Instead, Robert' s Rule of Order is the most widely used and misunderstood of several major parliamentary manuals. Various versions of Robert' s Rules of Order are used by approximately 80% of organizations in the United States. The second most commonly used parliamentary authority is Sturgis Standard Code of Parliamentary Procedure, used by approximately 15% of groups (particularly physicians and dentists). The third most popular parliamentary manual is Demeter's Manual of Parliamentary Law and Procedure, used by about 5% of groups (mostly unions). Other parliamentary texts include Riddick' s Rules of Procedure, Mason' s Manual of Legislative Procedure , and Bourinot' s Rules of Order (used in Canada).

Every city council, when it meets, and unless restrained by the authority which created it, is without rules of procedure and may make its own rules without reference to the action of preceding bodies.**Error! Hyperlink reference not valid.**[3] This power is often expressly conferred in state constitutions[4], and municipal charters.[5] Unless specifically called for in state statute, state constitution or municipal charter, Robert' s Rules of Order are not the default rules of procedure for the governing body of a municipality or county.

What Is a "Parliamentarian?

The parliamentarian is a consultant who advises the presiding officer, committees, and members on matters of parliamentary procedure. There is no set rule on the number of functions a parliamentarian may be asked to perform, but responsibilities can include conducting parliamentary workshops, presiding over business meetings, writing formal parliamentary opinions, supervising elections, and training presiding officers.

Why is the City Attorney always drafted as the parliamentarian?

Parliamentary procedure is just another code of "laws" the city attorney knows everything about
every legal code out there. That is why we (city council) hired you.

Court challenges.

Courts do not concern themselves with violations of parliamentary rules in deliberative proceedings when the validity of an ordinance or resolution challenged.[6] It matters not whether such rules are codified in the form of a manual and formally adopted, or whether they consist of a body of unwritten customs or usages, preserved in memory and by tradition.[7] Since parliamentary rules are merely procedural and not substantive,[8] the courts have no concern with their observance. A city council may waive or disregard the rules they have established.[9] The courts will not annul an ordinance of a municipal council,[10] merely because one or the other was enacted in disregard of the rules which the council had prescribed for its own government. Unless the council proceeded in violation of the law of the land, or of the charter of the municipality, which is their organic law, the courts have no power to superintend their proceedings or annul their acts.[11]
The presence of a quorum is a jurisdictional requirement for administrative deliberations. And like all jurisdictional questions, may be raised for the first time on appeal.[12]

Why then have any rules at all?

Without rules of procedure, chaos would reign over council proceedings. I know that some of you are thinking, "Even with rules, our meetings are chaos." Let us explore what the rules should do for the council and citizens.

First, the rules should establish order. A good meeting is an orderly meeting. The rules of parliamentary procedure establish a framework for the orderly conduct of meetings.

Second, the rules should be clear. Simple rules lead to wider understanding and participation. Complex rules create three classes: those who understand and participate; those who understand and manipulate; and those who do not understand and do not participate.

Third, the rules should be user-friendly. That is, the rules must be easy to understand and apply so citizens feel they have been able to participate in the process.

Finally, the rules should enforce the will of the majority while protecting the ability of the minority to participate and dissent. The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

The manuals of parliamentary procedure used by most municipal bodies meet most of these requirements. However, many boards still insist in adopting a 643 page volume of procedure that none of them will read from cover to cover. Or Demeter' s Manual which is 375 pages in length and described by Amazon.com as "a companion to Robert' s." Or even the shortest of the big three, The Standard Code of Parliamentary Procedure, by Sturgis having 285 pages of rules. Even Robert' s Rules of Order Newly Revised In Brief is 178 pages long and both the Idiot' s Guide and Dummies series have volumes to assist the truly clueless in deciphering these tomes.

Shouldn' t' there be an easier way?
Yes there is. Flemming Bell has a 38 page book titled Rules of Procedure for Small Local Government Boards.[13] Dave Rosenberg has published a 5 page article on Simple Parliamentary Procedures for the 21st Century.[14]

My suggestion is to adopt your own rules, both houses of congress have and your state legislature probably has. To get you started, the Legislative procedures of the Littleton City Council begin here:

PREAMBLE

In order to achieve expeditious handling of City business and to provide efficient service to the public, the following division of responsibility shall be observed:

A. The City Council shall be responsible for the determination of all matters that properly fall within the scope of policy, legislation, and those powers specifically enumerated by State statute and the Littleton City Charter.

B. The City Manager shall be responsible for carrying out policies established by the Council and for administering the affairs of the City.

ORGANIZATION

1. ORGANIZATION MEETING - ELECTION OF OFFICERS

Each newly elected Council shall take office and hold their first meeting at 8:00 P.M. or as soon as practical thereafter on the 2nd Tuesday following the election. At the first meeting of each newly elected Council, a President and President Pro Tem shall be elected by secret ballot. A majority vote of the Council (four members) shall be required for the election of the above named officers. In the event there are more than two candidates for an office and no individual receives a majority vote (four members) in the balloting, the candidate receiving the least number of votes shall withdraw. (Amended November 7, 2006)

2. ROLL CALL

The President of the Council, or in his or her absence, the President Pro Tem of the Council, shall take the chair at the hour appointed for the Council to meet, and shall immediately call the members to order. The City Clerk shall call the roll and enter into the minutes of the meeting the names of the members present. In the absence of a quorum at the time appointed for a meeting, the members present may, by a majority vote, take a recess or recesses, and direct the City Clerk to procure the attendance of absent members. (Amended November 7, 2006)

3. TEMPORARY CHAIRMAN

In case of the absence of the President and President Pro Tem of the Council, the City Clerk shall call the Council to order and call the roll of the members. If a quorum is found to be present, the Council shall proceed to elect, by a majority vote of those present, a chair of the meeting, to act until the President or President Pro Tem of the Council appears. (Amended November 7, 2006)

4. APPEALS FROM DECISION OF THE CHAIR

The Chair shall preserve decorum and decide all questions of order, subject to appeal to Council. In case of an appeal by a Council member of a ruling of the Chair, the question shall be: "Shall the decision of the Chair stand as the decision of the Council"? The Council shall vote either to affirm or reverse the decision of the Chair. If a member transgresses the rules of Council, the Chair shall call him or her to order, in which case he or she shall be seated, unless permitted to explain. (Amended November 7, 2006)

MEMBERS - DUTIES AND PRIVILEGES

5. ADDRESSING CHAIR

Every member speaking to a question or making a motion, shall address the Chair as "President," who shall thereupon state the name of the member entitled to the floor. Members addressing Council shall confine themselves exclusively to the question under debate and avoid dealing with personalities while considering the matters before them

6. DEBATE - LIMITATION

No member shall be allowed to speak more than once upon any one subject until every other

member choosing to speak thereon shall have had the opportunity to speak, and no member shall speak more than twice upon any one subject, nor for a longer time than five (5) minutes without leave of a majority of Council.

7. VOTING

The Council shall act only on those matters initiated by motion, and every member present when a question is put shall vote either "AYE" or "NAY" on all matters before Council pursuant to Section 37 of the Littleton City Charter, except he or she shall not vote on matters involving the consideration of his or her own official conduct or when his or her personal or financial interest is involved. This shall be done either by a signal device or by voice. When requested by any Council member, the City Clerk shall call the roll and each Council member shall vote in the order called, and shall not be allowed to pass his or her vote. (Amended November 7, 2006)

8. VOTE OF ABSENT COUNCIL MEMBER

It shall be improper on roll call for any Council member to state or attempt to state the vote or sentiments of any absent Council member or for the City Clerk to make any reference in the minutes to such attempt. (Amended November 7, 2006)

9. DIVISION OF A QUESTION

On demand of any member, a question under consideration covering two or more points shall be divided where the question admits such division.

10. DISSENTS AND PROTESTS

Any member shall have the right to express dissent from or protest against any ordinance or resolution of Council, and have the reason therefore entered in the minutes. (Amended November 7, 2006)

11. EXCUSAL DURING MEETING

Any Council member desiring to be excused while Council is in session shall obtain such permission from the presiding officer if possible. (Amended November 7, 2006)

12. EXCUSAL FROM MEETING

Any Council member unable to attend any Council meeting or study session shall notify the Council President, or in his or her absence, the President Pro-Tem, 24 hours in advance of said meeting. (Amended November 7, 2006)

ORDER OF BUSINESS

13. COUNCIL MEETINGS

All meetings of the Council shall be held in the Council Chambers at the Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, or at such other place as may be designated by Council as provided herein. Regular meetings of the Council shall be held on the first and third Tuesday of each month, commencing promptly at 7:00 p.m. unless otherwise changed pursuant to Paragraph C herein below. Each regular meeting, if not adjourned, shall be recessed until such other time as shall be expressly set forth in the motion to recess, and shall be so set forth in the Council minutes. Council study sessions shall be deemed regularly scheduled special meetings and may be held on the second and fourth Tuesdays of each month in the Community Room at the Littleton Center, or at such other place and time as designated by Council as provided herein. Notice of any regular or special meeting at which formal Council action may be undertaken which is required to be given by state law, shall be posted on the front door of the Littleton Center, 2255 West Berry Avenue, Littleton, CO 80l65, or on the indoor wall immediately adjacent thereto. Said Notice shall include specific agenda information where possible. (Amended June 4, 1991 and November 7, 2006)

A. CHANGE IN LOCATION OF REGULAR OR SPECIAL MEETING PRESENTLY CONVENED

At any regular or special meeting of the Council, upon a majority vote of the Council members present so requesting, the President shall recess the meeting at the Littleton Center to reconvene at another location with the following conditions: (Amended November 7, 2006)

1. Recess will be for a specified time period with the time of reconvening the meeting clearly specified. A minimum of 30 minutes shall be allowed between time of recess and time of reconvening.

2. The location of the reconvened meeting will be clearly specified including street number, floor and room if applicable.

3. The location for any meeting of the Council other than at the Littleton Center must meet <u>all</u> of the following criteria:

   (1) It must be within the City limits;
   (2) It must be at a place commonly known to the citizens of the community;
   (3) It should be of adequate size to comfortably seat all anticipated members of the audience;
   (4) It should have adequate acoustics so that all proceedings of the Council can be heard by all members of the audience.

4. A notice of the meeting location shall be clearly posted on the front door of the Littleton Center containing the following items:

   (1) The time the meeting convened;
   (2) The time the meeting recessed;
   (3) The time the meeting will reconvene;

(4) The location at which the meeting will reconvene;
(5) Agenda items remaining to be considered at the reconvened meeting.

B. CHANGE IN LOCATION OF REGULAR MEETING PRIOR TO THE MEETING

If it appears beforehand that a large audience will be in attendance at any regular or special meeting of the Council, such meeting may be called for a location other than the Littleton Center only under the following conditions:

1. A majority of Council shall affirmatively vote to change the location of said meeting at that regularly scheduled council meeting preceding that council meeting subject to the relocation and the Council President shall then and there declare that the time and place shall be moved to a location that he or she so designates. (Amended November 7, 2006)

2. When and if time allows, notice of the meeting location will be published at least once in a newspaper of general circulation within the community. (Amended November 7, 2006)

3. For at least 48 hours prior to the meeting, a public notice of the meeting location will be posted on the front door of the Littleton Center or on the indoor wall immediately adjacent thereto. (Amended June 4, 1991 and November 7, 2006)

4. Notice of such change shall also be posted on the City' s web site, if possible. (Amended November 7, 2006)

C. CHANGE OF DATE OR TIME OF REGULAR MEETING

Whenever it appears to a majority of Council that it shall be impractical or impossible to convene its next regularly scheduled council meeting on the date or at the time so designated in paragraph 13; the Council, by majority vote at that regularly scheduled council meeting preceding that council meeting subject to the change in date or time, and the Council President, shall then and there declare that the next regularly scheduled council meeting shall be held on the date and time and place that they so designate. (Amended November 7, 2006)

1. Notice of the meeting change shall be published at least once in a newspaper of general circulation if possible. (Amended November 7, 2006)

2. For at least seven days prior to said meeting, a public notice of the meeting shall be posted on the indoor wall immediately adjacent thereto. (Amended November 7, 2006)

3. Notice of such change shall also be posted on the City' s web site, if possible. (Amended November 7, 2006)

14. SPECIAL MEETING - NOTICE

Excluding regularly scheduled special meetings, special meetings shall be called by the President or at the request of a majority of the Council. Notice of special meetings of Council shall be given to the members not less than 48 hours before the time fixed for the meeting. (Amended June 4, 1991 and November 7, 2006.)

15. Notwithstanding anything to the contrary in Sections 13 and 14 above, in the event an emergency has been declared by the City Manager or City Council pursuant to the City Code notice of special meetings shall be given by the most expedient mechanism available and in such event, special emergency meetings may be called by the President or in the President' s absence, the President Pro-Tem. Notice of the date, time and place of any special meeting shall be given to the Council members and the public not less than one hour prior to the time fixed for the meeting. (Amended November 7, 2006)

16. THE AGENDA

The City Manager, shall prepare or cause to be prepared the Agenda for all Council meetings. The Agenda shall include all items requiring Council action and any item requested by an individual Council member. Whenever possible, the Manager shall submit to the Council all facts necessary for the Council to properly study the item and make a decision. To this end, the Manager may give his or her recommendation on items under consideration. The City Clerk shall be furnished copies of all ordinances or resolutions so that copies may be provided to the City Council prior to the meeting date. (Amended November 7, 2006)

17. ADOPTION OF AGENDA

As the first item of business at each meeting, Council will adopt the Agenda as published or as revised by a majority vote. Any items not appearing on the approved Agenda will be held to the end of the meeting for consideration by Council at its discretion.

18. REVIEW OF MINUTES

At each regular meeting of the City Council, the minutes of the preceding regular and special meetings shall be reviewed. If no objection is made to said minutes, the same shall be approved.

19. PUBLIC RECORD

Except during Executive Sessions, the Council shall sit with open doors at all meetings and shall keep minutes of all regular and special council meetings which shall be a matter of public record. (Amended November 7, 2006)

20. PUBLIC HEARING PROCEDURES

Public hearing procedures have been adopted in an effort to expedite, accelerate and increase efficiency of meetings at which the public appears, and to attempt to avoid unnecessary confusion, length and dissension at such meetings.

PROCEDURE FOR PUBLIC HEARINGS

A. Council President announces the name of the case, the action proposed, and outlines the general procedures under which the case will be considered unless copies of this procedure are available at the public hearing for the applicant and members of the general public. City Council members may raise questions at any stage of the public hearing which may be responded to at that time. Generally comments and questions from the public may be limited to three minutes per person provided, however, that spokesperson for larger groups may be allowed up to 10 minutes each (time permitting).

B. Council President declares the public hearing open.

C. Staff introduces the case and enters, as applicable, the following exhibits into the record:

I. Proposed ordinance or resolution by title only.
ii. Official application form and attachments, if any.
iii. Staff report.
iv. General reference map of the area.
v. Applicable Comprehensive Plan documents by reference.
vi. Zoning Ordinance by reference.
vii. Official Zoning Maps by reference.
viii. Proof of Posting.
ix. Proof of Publication.
x. Public Hearing Roster.

D. Staff presents an analysis of the case, summarizes comments of referral agencies as necessary and may make a recommendation for Council action.

E. Applicant presents the case, including presentation of exhibits and statement of position upon which approval of the request should be based.

F. Public (including Opponents) comments or questions. All individuals addressing Council shall give their name and address. (Amended November 7, 2006)

G. Applicant may reply to staff and public questions.

H. Staff may reply to applicant and public questions.

I. Discussion by Council.

J. Action by Council.

a. Close Public Hearing
b. Take such action on the application or matter before them as may be permitted by law.

21. EXECUTIVE SESSIONS

The Council may meet in Executive Session upon a two-thirds vote of the members of a quorum present for the purposes of considering: the purchase, acquisition, lease, transfer or sale of any real, personal, or other property interest; for the purposes of receiving legal advice on specific legal questions; matters required to be kept confidential by federal or state law or rules or regulations; details of security arrangements or investigations; positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; personnel matters, except if the employee who is the subject of the session has requested an open meeting; and for the purposes of considering any documents protected by the mandatory nondisclosure provisions of the Open Records Act. Council shall not adopt a proposed policy or make final policy decisions, nor shall any resolution, rule, ordinance, regulation or formal action approving any contract or calling for the payment of money, be adopted or approved at any Executive Session. (Amended June 4, 1991 and November 7, 2006.)

22. STUDY SESSIONS

The Council may meet in study session, upon call of the President or at the request of a majority of the Council to discuss in detail matters pending or proposed. Council shall not make final policy decisions, nor shall any resolution, rule, ordinance, regulation or formal action approving any contract or calling for the payment of money be adopted or approved at any session which is not either a regular or special council meeting. Proposed agenda items for study sessions will be announced at council meetings preceding those study sessions and will also be available from the City Manager. Study sessions shall be open to the public, but shall not be a forum for public hearings.

23. COMMITTEES AND BOARDS-APPOINTMENT OF MEMBERS

The President shall appoint the chair of any special Committee and may appoint special committees of Council members or citizens to assist in the study of items before the Council. The committee so appointed shall serve until the matter is disposed of by the Council. (Amended November 7, 2006)

MISCELLANEOUS

24. MOTIONS TO BE STATED BY CHAIR - WITHDRAWALS

When a motion is made and seconded, it shall be stated by the Chair before debate. A motion may not be withdrawn by the mover without the consent of the member seconding it or the approval of a majority of the Council. (Amended November 7, 2006)

25. MOTIONS - PROCEDURE DURING DEBATE

When a question is before Council, no motion shall be entertained except:

A. To adjourn;
B. To lay on the table;
C. To table to a certain time;
D. To call for the question;
E. To refer;
F. To amend;
G. To postpone indefinitely;
H. To call for the main motion.

Such motions shall have precedence in the foregoing order. A roll call may be ordered at any time to ascertain the number of members present.

26. MOTION TO ADJOURN OR RECESS - WHEN NOT IN ORDER - NOT DEBATABLE

A motion to adjourn or recess shall be in order at any time, except as follows:

A. When repeated without intervening business or discussion;
B. When made as an interruption of a member while speaking;
C. When the previous question has been ordered;
D. While a vote is being taken.

A motion to adjourn or recess is debatable only as to the time to which the meeting is adjourned or recessed.

27. ANONYMOUS COMMUNICATIONS

Unsigned communications shall not be introduced in Council.

28. CALL FOR THE QUESTION

When a motion is before Council, any council member may call for the question on the

motion, and there shall be no further amendment or debate. Thereupon Council shall vote on whether to stop debate and proceed with a vote on the main motion. Pending amendments shall be put in their order before the main question. (Amended November 7, 2006)

29. MOTION TO POSTPONE INDEFINITELY

If a motion to postpone indefinitely is carried, the principal question shall be declared lost.

30. MOTION TO AMEND

Any motion to amend shall consist of but one amendment. An amendment once rejected may not be moved again in the same form.

31. NO DEBATE OF MOTION

The following questions shall be decided without debate:

A. To suspend the rules;
B. To adjourn;
C. To take a recess;
D. To lay on the table;
E. To table to a date certain;
F. To take from the table.

32. SUSPENSION OF RULE

Unless otherwise provided by Charter or ordinance, any rule except such as require a two-thirds (2/3) vote may be suspended by the vote of a majority of the members of Council without debate. A rule requiring a 2/3 vote may be suspended upon a vote of 2/3 of the members of the Council.

33. RECONSIDERATION

A motion to reconsider a proposal that has been acted upon must be made prior to adjournment of the meeting at which the vote was taken or at any regular or special meeting, held within ten (10) days of such meeting. A motion to reconsider may be made by any Council member. A majority vote of the Council shall be sufficient for reconsideration of a vote. (Amended November 7, 2006)

34. PROCEDURE IN ABSENCE OF RULE

In the absence of a rule to govern a point of procedure, the latest edition of "Robert's Rules of Order" shall govern the Council's actions. (I' d take this out, but council wants it in)

35. ORDINANCES, RESOLUTIONS, MOTIONS

All ordinances and resolutions shall be introduced in written or printed form; and ordinances, resolutions and motions shall be handled as provided in Article V of the Charter of Littleton. An exception to this rule relative to resolutions may be granted by Council when, upon majority vote, Council desires to consider a resolution not presented in written form. All resolutions may be read by title only. (Amended November 7, 2006)

36. PERMISSION REQUIRED TO ADDRESS COUNCIL

Persons in the audience shall not be permitted to address the Council unless permission is granted by the Chair. The decision of the Chair may be overruled by a vote of a majority of the Council. All persons addressing Council shall give their name and address. All persons who desire to address the Council in an unscheduled public appearance shall be limited to four (4) minutes. Those desiring longer time to speak shall ask to be placed upon the Agenda one week prior to the regularly scheduled Council Meeting, which time shall be granted at the discretion of the City Manager. The Council retains the right to limit any public appearance, whether scheduled or unscheduled.
(Amended November 7, 2006)

37. PETITIONERS TO PAY COSTS OF CERTAIN COUNCIL ACTIONS

Whenever application is made for the grant of a franchise right, change of street name, street or alley vacation, or for any other grant, right, franchise or privilege, resulting in special benefit to the applicant, the City Clerk shall require of such applicant to deposit with the Director of Finance an amount estimated to be sufficient to pay the costs of any advertising, recording, printing, mimeographing or other special services arising by reason of such application. Any unused balance of such deposit shall be refunded. (Amended November 7, 2006)

38. THE COUNCIL CHAMBERS

The Council Chambers and meeting rooms shall be under the supervision and control of the City Manager when the Council is not in session. Application for special use shall be made to the City Manager in such manner as may be prescribed by him. Any permission so granted may be cancelled or revoked by the City Manager forthwith, where necessary, for the protection of City property, the preservation of order, or other sufficient reason. (Amended November 7, 2006)

39. CHANGES AND ADDITIONS

Changes and additions to these rules and procedures may be made at any regular or special meeting of the City Council by an affirmative vote of a majority of members present at any given meeting.

1. DEMETER' S MANUAL OF PARLIAMENTARY LAW AND PROCEDURE, 4 (Revised Ed. 1969)

2. ROBERT' S RULES OF ORDER NEWLY REVISED, xlviii (10th Ed. 2000).

3. *MacAlister v. Baker*, 139 Cal. App. 183, 33 P.2d 469 (2d Dist. 1934); *South Georgia Power Co. v. Baumann*, 169 Ga. 649, 151 S.E. 513 (1929); *Commissioners' Court of Limestone County v. Garrett*, 236 S.W. 970 (Tex. Comm'n App. 1922), reh'g overruled, 238 S.W. 894 (Tex. Comm'n App. 1922). Control of its own procedure is the established prerogative of a legislative body. *People ex rel. Powott Corp. v. Woodworth*, 172 Misc. 791, 15 N.Y.S.2d 985 (Sup 1939), rev'd on other grounds, 60 A.D. 168, 21 N.Y.S.2d 785 (4th Dep't 1940).

4. *Mayhew v. Wilder*, 46 S.W.3d 760 (Tenn. Ct. App. 2001),

5.*MacAlister v. Baker*, 139 Cal. App. 183, 33 P.2d 469 (2d Dist. 1934).

6. *State ex rel. Landis v. Thompson*, 120 Fla. 860, 163 So. 270 (1935), holding that the failure of a legislative body to adjourn promptly according to a prior legislative resolution is at most a breach of parliamentary law, which will not invalidate action taken at a legislative proceeding that is otherwise constitutional.

7. *State ex rel. Fox v. Alt*, 26 Mo. App. 673, 1887 WL 1664 (1887).

8. *Ellis v. Stokes*, 207 Ga. 423, 61 S.E.2d 806 (1950); *South Georgia Power Co. v. Baumann*, 169 Ga. 649, 151 S.E. 513 (1929); *State ex rel. Todd v. Essling*, 268 Minn. 151, 128 N.W.2d 307 (1964).

9. *South Georgia Power, supra.*

10. *State ex rel. Fox, supra.*

11. *Ibid.*

12. *Appeal of Net Realty Holding Trust*, 127 N.H. 276, 497 A.2d 865 (1985)

13. The book can be purchased at this URL:
http://shopping.netsuite.com/s.nl/c.433425/it.A/id.242/.f?sc=7&category=29

14. Available on the web at:
http://www.solanocounty.com/resources/ResourceManagement/PublicWorks/RosenbergsRulesofOrder.pdf