

Know Rules or No Rights

El que calla, otorga; y el que no escucha, destruye



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Parliamentary Workshop

National Association of Hispanic Publications - January 12, 2013



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Why Parliamentary Procedure?

Principles Underlying Parliamentary Procedure are constructed upon a careful balance of the rights:

- ✓ Of the majority,
- ✓ Of the minority,
- ✓ Of the individual members,
- ✓ Of the absentees, and
- ✓ Of all of these groups together.

Parliamentary Procedure enables the membership:

- ✓ To express its will through its membership,
- ✓ To empower an effective leadership, and
- ✓ To retain direct control of its affairs.

A majority decides the will of the assembly through a deliberative process of full and free discussion.

Every member has the same right to make the maximum effort to have his position declared the will of assembly.

Parliamentary procedure (**effective meeting management**) allows an assembly to arrive at the will of the majority for the greatest number of questions in the shortest amount of time. This is accomplished regardless of whether the assembly is in total harmony or impassionate division of opinion.

Hierarchy of Governance

- ✚ Federal Statutes (regulatory guidelines)
- ✚ State Laws:
 - ✓ Brown Act of 1953
 - ✓ Corporations Code – Board of Directors, Quorum, Voting
- ✚ City and Local Statutes
- ✚ Constitution: Name; Object
- ✚ Bylaws: A Society's Business Defined
- ✚ Rules of Order (Robert's): Everything else
- ✚ Standing Rules: Maintenance rules and operational policies
- ✚ Customs: Scary part

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Debate Protocol (Similar to a trial in front of a judge.)

- ✚ Only one person speaks at a time.
- ✚ A speaker must be recognized before speaking.
- ✚ All comments are made through the chair.
- ✚ Comments are confined to the current issue.
- ✚ Discussion should alternate between Pro and Con.
- ✚ No reading of lengthy papers.
- ✚ No cross conversations; no interruptions.
- ✚ No verbal attacks of other members.
- ✚ If proper decorum cannot be maintained – call a recess.
- ✚ The bylaws or the parliamentary authority specify the debate time limits.
- ✚ Decisions are null and void in the absence of a quorum.
- ✚ The vote required to adopt a motion should always be very clear – majority or 2/3.
- ✚ All decisions are binding on all members regardless of how a member voted.
- ✚ All rules must be respected and obeyed – who can move, debate, vote.

Problem motions during debate

- Request for Information
- Question of Privilege
- Point of Order

[**Temporary Disposition** of a motion means that a motion is not adopted or defeated, yet. There are a few motions that will accomplish this delay of a final decision:

1. *Move to Lay the motion on the Table.*
This requires a temporary emergency. You probably have never seen this motion applied correctly especially in the movies.
2. *Move to Postpone the motion.*
One may postpone the motion to later in the session or to the next meeting.
3. *Move to Refer the motion.*
One may refer the motion to an ad hoc or a standing committee, and have the committee report at the next meeting or later.]



Sample Order of Business ** (Chronology and Authority)

1. **Reading and Approving of the Minutes:**
If there is no objection the minutes will be adopted as read/distributed/printed.
2. **Reports of Officers, Boards, and Standing Committees:**
Recommendations from the report may result in motions from any member in attendance. Or a member may ignore the recommendation and move a completely different motion.
Reports are heard in the order that the officers, boards, or standing committees are listed in the bylaws. But if these are not listed in the bylaws, the officer or committee has no power in your association.
Officers should not make motions off their own reports.
3. **Reports of Special (Ad hoc) Committees:**
Recommendations from the report may result in motions from any member in attendance. Or a member may ignore the recommendation and move a completely different motion.
Reports are heard in the order that the special committees were created.
4. **Special Orders:**
Issues are taken in the order they were moved (by a 2/3 vote). Those Special Orders not dealt with at the last meeting come first.
Often the bylaws dictate that a certain task (such as elections, creation of committees, etc.) must be dealt with at a specific meeting. These bylaw tasks are typically dealt with as a Special Orders.
5. **Unfinished Business and General Orders:**
Any issue that was left pending when the last meeting adjourned, or which was not reached before adjournment, constitutes Unfinished Business.
Any motion that was postponed from the last meeting to the current meeting constitutes General Orders. The older motions come before the newer motions.
6. **New Business:**
Any issue new to the current meeting.

**** Exceptions:**

A motion may be Taken from the Table under its same class of business, or after Special Orders.

Opening Ceremonies come before the Order of Business. Program, Announcements, and Closing Ceremonies come after the Order of Business.



Dos and Don'ts of Minute Taking

Make sure you ...

1. DO use the agenda as a guide;
2. DO record the kind of meeting, date, time, and location;
3. DO record the presiding officer's and the minute taker's complete name;
4. DO record the presence of a quorum if announced by the presiding officer;
5. **DO write the full name of the maker of every motion;**
6. **DO include the totals from the treasurer's report for previous balance, receipts, disbursements, and current balance;**
7. DO record the full names of officers and committee chairs who presented a report;
8. DO file complete signed reports of all written reports attached to the minutes as exhibits;
9. **DO enter motions and amendments in the exact wording as stated by the presiding officer and as finally adopted;**
10. **DO show the exact action taken on every motion (e.g., adopted, defeated, postponed, referred, laid on the table, etc.);**
11. **DO record all balloted or ordered counted votes, for and against;**
12. **DO record all Notices, Points of Order, Appeals (including the reason for the chair's ruling and the outcome of the appeal);**
13. DO include the category of business;
14. DO list the names of members elected or appointed to special committees, the name of each committee, and its purpose;
15. DO include important announcements pertaining to the whole society.

Make sure to ...

1. **NOT forget to check past minutes for agenda items;**
2. **NOT include the names of the seconders;**
3. **NOT include every detail from a report;**
4. **NOT include any content of the debate unless ordered to do so;**
5. **NOT include any motion withdrawn before the presiding officer stated it;**
6. **NOT include personal opinions or descriptive phrases;**
7. NOT include words of praise or criticism from anyone;
8. NOT forget to include the time of adjournment;
9. NOT close with "Humbly" or "Respectfully submitted,";
10. NOT forget to date and sign the minutes with your title, adding whether the minutes were later adopted with or without corrections.



Six Steps to Handling a Motion

A motion is a formal proposal by a member during a meeting that the assembly take certain action. The basic form of the motion is the Main Motion.

A Main Motion is brought before an assembly:

1. **Motion is moved:** While no motion is pending, a member rises and seeks recognition. Once she is recognized she has the exclusive right to be heard at that time. Member makes the motion, "I move we allocate \$300 to repair the computers."
2. **Motion is seconded:** Someone without needing to be recognized, seconds the motion. The seconder is not claiming to agree with motion. The seconder is stating that the motion should be discussed and voted by the organization.
3. **Motion is stated:** The chair states the question, "It is moved and seconded to allocate \$300 to repair the computers." As the chair turns to the maker of the motion, she states, "Are you ready for the question?" The motion no longer belongs to the mover; it belongs to the assembly.

A Main Motion is considered by the assembly:

4. **Motion is debated:** All remarks by the members are made to the chair, never to or about another member. Debate can be closed only by a 2/3 vote by the assembly.
5. **Motion is put:** The chair says, "The motion is to allocate \$300 to repair the computers. All in favor of the motion indicate by saying, 'Aye'. All opposed to the motion indicate by saying, 'No'." The wording of the motion when the question is put is the way it goes into effect. A voice vote is the regular method when a majority vote is required for adoption. A rising vote is the normal method when a 2/3 vote is required for adoption. A 'show of hands' is intended for small assemblies or after an inconclusive voice vote.
6. **Vote is announced:** The chair makes the following 4 statements.
 - "The 'ayes' have it. Or, the 'Noes' have it."
 - "The motion is adopted. Or, the motion is lost."
 - The chair states the effect of the vote or orders its execution.
 - "The next item of business is ..."

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Script A: Handling a Motion

We join the regular monthly meeting during the 'New Business' part of the agenda.

[Six speaking roles – CH, A, B, C, D, Z]

CH: The first item under New Business is the purchase of the council's printer system.

[Step 1]

A: Madam Chair *[Rises and is recognized]*

I move that the council purchase a printer system at a cost not to exceed \$1,500.

[Step 2]

Z: Second

[Step 3]

CH: It is moved and seconded that the council purchase a printer system at a cost not to exceed \$1,500.

[Step 4]

Are you ready for the question? *[Or, - Is there any debate? Are you ready to vote?]*

A: and B: *[Simultaneously]* Madam Chair. *[Both rise seeking recognition]*

A: I have distributed several documents illustrating the specifications and benefits of the best printer model under \$1,500. That is the one I suggest we purchase.

B: Madam Chair. Shouldn't we buy a new screen instead? Why can't we replace the microphone system instead? I know, let's buy an iPad for each officer, instead.

CH: Thank you for your comments. Are you ready for the question?

A: *[Is recognized and begins to speak for the second time.]*

C: Madam Chair, Point of Order.

CH: What is your Point of Order?

C: Member A has already spoken once and there are others seeking to speak. Member A should not be recognized again yet.

CH: Your point is well taken. Member A will please sit down.

D: Madam Chair, Request for Information.



CH: What is your question Member D?

D: Do we have the right to spend up to \$1,500 on a printer system?

CH: The council has already been authorized to spend a certain amount of money on business equipment as long as it is for the benefit of the student body.
Are you ready for the question?

[Step 5]

CH: The question before you is shall the council purchase a printer system at a cost not to exceed \$1,500?

All in favor of the motion indicate by saying, 'Aye'. *[Half say, 'Aye'.]*

All opposed to the motion indicate by saying, 'No'. *[Half say, 'No'.]*

[Step 6]

The 'Ayes' have it. The motion is adopted.

Z: Division. Division.

Ch: Division has been call for.

We need to retake the vote, but in a different manner than the first time.

All in favor of the motion indicate by raising your hand. *[Most do so.]*

All opposed to the motion indicate by raising your hand. *[Few do so.]*

The 'Ayes' have it. The motion is adopted.

The council will purchase a printer system at a cost not to exceed \$1,500.

The next item under New Business is ...

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Script B: Refer a Main Motion to a Committee

[6 speaking roles: Chair, Sect, A, B, C, and Z]

The subsidiary motion to commit or to refer requires several elements:

Refer to a Standing Committee	Refer to a Special (Ad Hoc) Committee
1. Instructions on the task 2. Date of when to report back 3. Which existing Standing Committee	1. Instructions on the task 2. Date of when to report back 3. Number of Committee members 4. Names of Committee members 5. Name of Committee Chair

Ch: Is there any new business?

A: *(Rises and is recognized)* I move we hold our next Annual Meeting at the Hilton Hotel

Z: Second

A: *(Rises and is recognized)* Everyone loves a big hotel when away from campus.

B: *(Rises and is recognized)* We cannot decide this right now without more information. This question should be studied by a special committee.

Ch: Is that a motion?

B: Yes. I move we create a special committee of 3 members with me as the chair. I think member C and member D should be committee members.

Z: Second

Ch: What would you have this committee do?

B: The committee should explore the costs associated with renting a meeting hall in the top three hotels in downtown Sacramento, CA.

Z: Second

Ch: The secretary will please read the motion.

Sect: "That we create a special committee of 3 members with member B as the chair, and with member C and member D as committee members. The committee should explore the costs associated with renting a meeting hall in the top three hotels in downtown Sacramento, CA."

Ch: The motion, as read by the secretary, is moved and seconded.

Are you ready for the question?

C: *(Rises and is recognized)* I move to postpone the main motion to 4:00 p.m. this afternoon.

Z: Second

Ch: It is moved and seconded to postpone the main motion to 4:00 p.m. this afternoon.

Are you ready for the question?

If there is no objection, the main motion will be postponed to 4:00 p.m. this afternoon.

Script B Page 1

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Suspend the Rules (not 'Suspend the Orders of the Day')

When an assembly wishes to do something it cannot do without violating its regular rules, it can adopt to **'Suspend the Rules' that interfere with the proposed action.**

This motion cannot be debated or amended, however it does have other restrictions.

- I. A Standing Rule may be suspended with a majority vote.
- II. Rules of Order (Robert's) may be suspended with a 2/3 vote (except FPPL).
- III. The following may not be suspended even with unanimous consent.
 - A. Bylaws or Constitution unless they provide for their own suspension.
 - B. Federal, State, or local laws
 - C. Fundamental Principles of Parliamentary Law (FPPL):
 - 1. Rule that allows only one question at a time
 - 2. Rule that allows only members to vote
 - 3. Rule that prohibits absentee or cumulative voting
 - 4. Rule that protects absentees or basic rights of individuals
 - a. Rule requiring presence of a quorum
 - b. Rule requiring a notice
 - c. Rule protecting the right to attend meeting, make motion, speak in debate, and vote

Drill

"I move to suspend the rules that interfere with listening to the committee's report."

For each of the following,

1. Move a motion to **suspend the rules that prohibit** the action;
2. State if the rule can be suspended; and
3. State what the necessary vote for adoption would be.

You want to **suspend the rules that prohibit** the following actions. Make the motion:

- a. To allow delegates to sit wherever they wish
- b. To allow a speaker to debate an additional 2 minutes
- c. To allow smoking in the assembly room
- d. To allow voting by mail
- e. To allow election of officers by a show of hands
- f. To take up 2 motions at one time
- g. To allow the voting in the absence of a quorum
- h. To allow members at the convention without their required name tags
- i. To dispense with the listening to the Treasurer's Report
- j. To not require a resolution in writing at the convention

Purpose and Form for Each Motion

(Beware of Order of Precedence)

Purpose	The Motion and its Form
Propose some action	Main Motion I move to donate \$50 to preserve the habitat of the Clay Pigeon.
Improve a proposal	Amend I move to amend the motion by striking \$50 and inserting \$75.
Change the amount of time for discussion	Limit or Extend Debate I move to limit debate to 1 minute per speaker.
Stop discussion and vote now	Close Debate I call the previous question.
Delay a decision	Refer I move to refer the motion to the bylaws committee Postpone to a Certain Time I move to postpone the motion until after the break. Recess I move to recess for 5 minutes.
Kill a motion	Postpone Indefinitely I move to postpone the motion indefinitely.
Deal with an emergency	Lay on the Table I move to lay the motion on the table. Suspend the Rules (Not Suspend the Orders of the Day) I move to suspend the rules that prohibit us from taking up the new business now.
Obtain information	Parliamentary Inquiry Mr. Chair, if we adopt this motion can we rescind it tomorrow? Request for Information Mr. Chair, can the treasurer tell us if we have enough money for this motion?
Challenge the ruling of the chair	Point of Order Point of Order. We cannot vote on this motion. There is already another motion on the floor. Appeal I appeal from the decision of the chair.
Assure the accuracy of the voice vote	Division Division. Division.
Close the meeting	Adjourn I move to adjourn.



Strategy through Parliamentary Procedure

(Beware of Order of Precedence)

You support the motion	You oppose the motion
Second it promptly and enthusiastically.	Do not second it. Distract the seconder.
Speak in favor of it as soon as possible.	Speak against it as soon as possible. Ask questions that put the proponents on the defensive.
Move to amend it to make it more acceptable. Speak against any amendment that makes the motion less acceptable to you.	Move to amend it, to encumber it adversely. Move to amend it so as to remove what displeases you, or adds what pleases you.
Vote against postponement unless it will strengthen your motion.	Move to postpone to a time when your friends will be there or when others will forget about the motion.
Vote against referring to a committee unless you can vote your friends as committee members. Vote to refer to a committee if defeat appears likely.	Move to refer to a committee and fill the committee with your friends. Vote against referring to a committee if defeat is likely.
Vote against a recess unless you can use it to bring in more of your friends or more facts.	Move to recess so that you can convince some more voters or bring in more friends or more facts.
Make sure your friends do not leave to assure that you have a quorum .	Question the presence of a quorum .
On a voice vote , vote emphatically.	On a voice vote , vote emphatically.
Move to divide the motion if it will strengthen the motion.	Move to divide the motion if it will weaken the motion.
Review your parliamentary authority before the motion comes up.	Review your parliamentary authority before the motion comes up.
Use Point of Order as a shield.	Use Point of Order as a sword.
Beware of the timing on the agenda to assure that the motion is not abandoned.	Use the timing on the agenda to terminate consideration of the motion.
Vote against adjournment in order to continue discussing the motion and to reach a vote.	Move to adjourn to prevent further discussion or a vote.

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Ranking of Selected Motions

	Interrupt	Second	Debate	Amend	Vote
PRIVILEGED MOTIONS					
13. Fix the Time to Which to Adjourn		S		A	M
12. Adjourn		S			M
11. Take a Recess		S		A	M
10. Raise a Question of Privilege	I				C
9. Call for the Orders of the Day	I				C**
SUBSIDIARY MOTIONS					
8. Lay on the Table		S			M
7. Previous Question		S			2/3
6. Limit or Extend Limits of Debate		S		A	2/3
5. Postpone to a Certain Time		S	D	A	M**
4. Commit (Refer)		S	D	A	M
3. Amend		S	D**	A	M
2. Postpone Indefinitely		S	D		M
1. MAIN MOTION		S	D	A	M
INCIDENTAL MOTIONS (No Ranking)					
Appeal	I	S	D		M
Division of Assembly	I				**
Point of Order	I				C**
Request for Information					C
Suspend the Rules (that prohibit)		S			2/3
BRING AGAIN BEFORE ASSEMBLY					
Rescind/Amend Something Prev Adopted		S	D**	A	**
Reconsider		S	D		M
Discharge a Committee		S	D**	A	**
Take from the Table		S			M

** See Robert's Rules
C Chair Decides
I Can Interrupt

S
A, D
M or 2/3

Requires a Second
 May be Amended, Debated
 Vote Required to Adopt