

call to order

Bring a Question Before the Assembly Again

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A county board takes action on a question and decides later in the meeting or at the next meeting that it may not be the right decision. What can you do? In this situation, there are three motions available to the assembly: *Reconsider*, *Rescind*, or *Amend Something Previously Adopted*.

The motion to *Reconsider* allows an assembly to bring back a question that has already been voted on for more discussion. The purpose of this motion is to correct hasty, ill-advised, or an erroneous action. It may also be used when new information is obtained or circumstances have changed since the vote was taken.

The motion to *Reconsider* has unique characteristics. Only a member that voted on the prevailing side can make the motion. Only a member that voted aye if the motion passed, or no if the motion failed can make the motion to *Reconsider*. Any member, on either side of the vote, can second the motion. The motion to *Reconsider* must be made at the same meeting the motion that is to be reconsidered was acted on. The motion to *Reconsider* can be made and seconded at any time during the meeting, but the discussion of the motion must be done when it is in order, which could be later in the meeting when no other business is pending or at the next meeting.

Standard characteristics of the motion to *Reconsider* are as follows:

1. The making of the motion takes precedence over any other motion; consideration of the motion is in order when the motion that is being reconsidered is in order.
2. The making of the motion is in order even after another person has been assigned the floor so long as they have not begun to speak.
3. The motion must be seconded (a member does not have to be on the prevailing side).
4. The motion is debatable if the motion to be reconsidered is debatable and can go into the merits of the question to be reconsidered.
5. The motion is not amendable.
6. Its adoption requires only a majority vote.
7. The motion cannot be reconsidered.
8. The motion can be applied to the vote on any motion with a number of exceptions, which can be found in *Robert's Rules of Order*.

The rules for the motion to *Reconsider* are different for a standing committee or special committee. A motion to *Reconsider* in committee can be made and taken up regardless of the time elapsed since the vote was taken. There is no limit to the times a question can be reconsidered. The motion can be made by any

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Source: Robert's Rules of Order, Newly Revised, 11th Edition

member regardless how they voted on the question including one who did not vote or was absent.

The motion to *Rescind* is used if the intent is to cancel or void the previous action. This motion effectively cancels the entire main motion, resolution, or action. The motion to *Amend Something Previously Adopted* is used if the intent is to change only a part of the text or substitute a different version of the proposal.

The motions to *Rescind* or *Amend Something Previously Adopted* have the same characteristics. The motions:

- ❑ take precedence over nothing and therefore can be moved only when no other business is pending;
- ❑ can be applied to any rule, policy, resolution, decision, or choice;
- ❑ are out of order when another has the floor;
- ❑ must be seconded;
- ❑ are debatable (debate can go into the merits of the question to be rescinded or amended);
- ❑ are amendable; and
- ❑ can be reconsidered only if there was a negative vote.

Robert's Rules of Order states that a two-thirds vote is required if no notice was given. A simple majority is required if previous notice was given. Wisconsin's Open Meetings Law requires public notice; therefore, a simple majority will suffice. These motions can be made and seconded at a meeting where no notice has

been given but they cannot be acted on. They would have to be put on the agenda for the next meeting.

Unlike the motion to *Reconsider*, there is no time limit on making these motions after the adoption of the question. Further, any member can make these motions unlike the motion to *Reconsider*, which has to be made by someone who voted on the prevailing side.

The motions to *Rescind* or *Amend Something Previously Adopted* are out of order:

- ❑ when the measure has previously been *Reconsidered* and can be *Reconsidered* again (must be within the time limits);
- ❑ when something has been done and it is impossible to undo (the contract has been signed or the project is underway); and
- ❑ when a resignation has been acted on or a person has been elected to or expelled from membership or office.

The motions to *Rescind* and *Amend Something Previously Adopted* are fairly straightforward. The motion to *Reconsider* can be complicated. There are many more special and unique characteristics that have not been detailed in this article. Its application should be addressed in each county's rules or ordinance.

When my wife is chastising me for a poor decision, *Reconsideration* is not the answer. I just ask for forgiveness.