

Out of Order! Parliamentary Procedure Basics

Wisconsin Counties Association Webinar
March 29, 2021



ARE YOU LONELY?

TIRED OF WORKING ON YOUR OWN?

DO YOU HATE MAKING DECISIONS?

HOLD A MEETING !!!

YOU CAN...

- X SEE people
- X DRAW org-charts
- X FEEL important
- X IMPRESS your colleagues
- X EAT donuts



ALL ON
COMPANY TIME!!!

MEETINGS

...the practical alternative to work



Running Effective Meetings

Setting the Stage



Sources of Procedural Rules

State Statues



Local Ordinances and Rules



Robert's Rules of Order



Object of Rules of Order

- To facilitate the smooth functioning of the assembly
 - Provides order
 - Provides a firm basis for resolving questions of procedure
 - Provides organizational stability
 - Adopt latest edition (12th) of RONR



History

- Parliamentary law originally was the name given to the rules and customs for carrying on business in the English Parliament
- The kind of gathering in which parliamentary law is applicable is known as a *deliberative assembly*



Henry Martyn Robert (1837-1923)

- Engineering officer in regular army
- Became Brigadier General then Major
- Active in educational work as well as church and civic organizations
- Without warning, he was asked to preside over meeting
- Embarrassment was supreme
- Never again without knowing parliamentary law
- Severe winter tied up Milwaukee engineering project (Lake Michigan), wrote manuscript



Principles Underlying Parliamentary Law

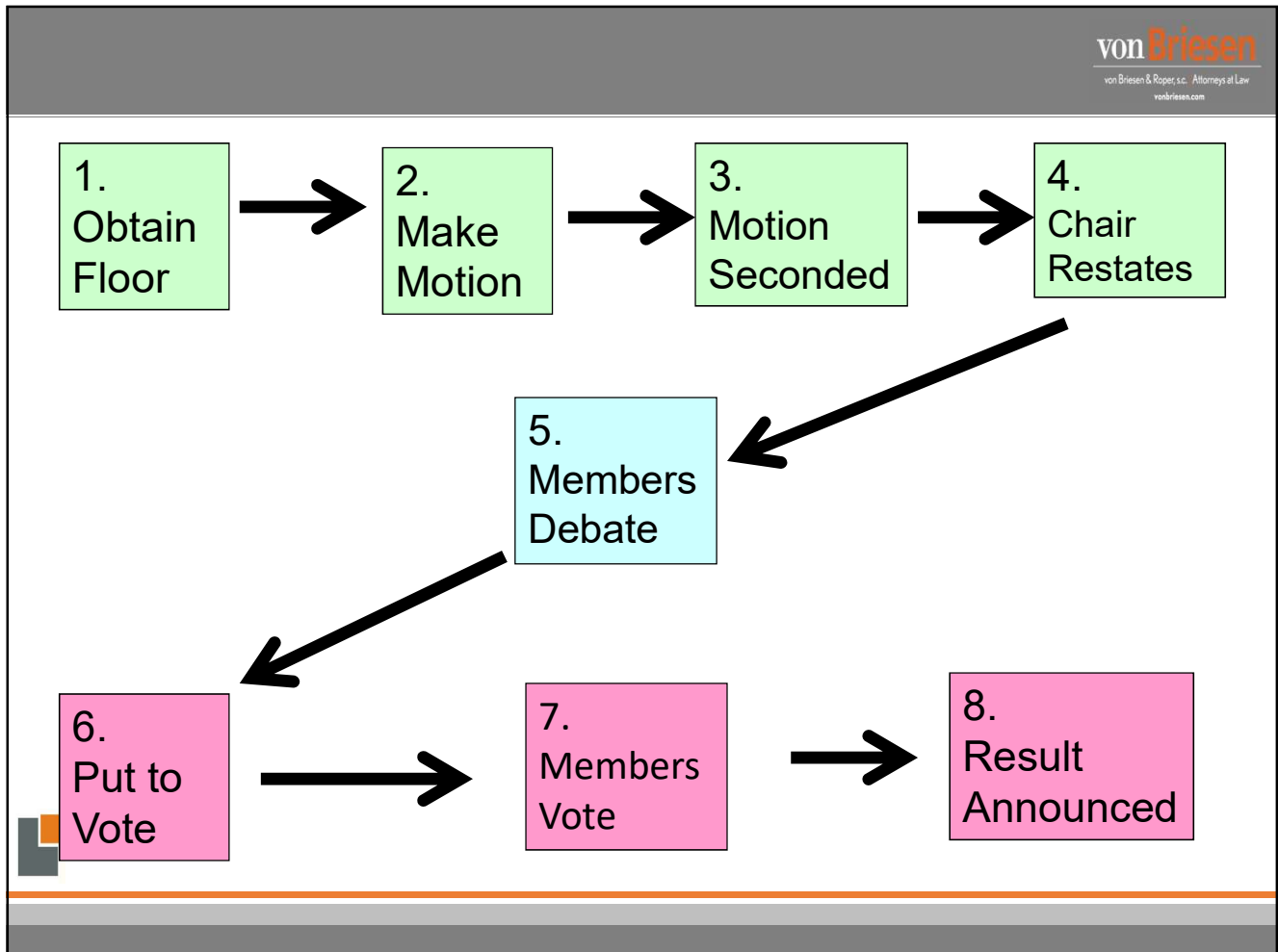
Rules based on regard for the rights:

- of the majority
- of the minority, especially a strong minority
- of individual members
- of absentees, and
- of all these together



In simple terms, how do I get
business before the body?





Obtain Floor (1)

- Member obtains the floor – raise your hand, stand, push a button
- Called upon (recognized) by presiding officer
- When authorized to speak you are said to have the floor



Make a Motion (2)

- Member makes a motion – a formal proposal by a member, in a meeting, that the group take certain action
- A main motion brings business before the body
- There should be no debate on a matter before a motion has been made
- Only one main motion before the body for action at one time



Make a Motion (2)

- “I move that...”
- Clearly describe the proposal
 - Don’t make negative motions
 - Make positive motions
 - “So Moved” - remove these words from your vocabulary



Motion Seconded (3)

- By another member
 - Shows at least two members want the proposal considered
- Worthy of debate
- Needed to advance
- Call out “second”
 - Do not need to be recognized by the chair



Chair Restates (4)

- Chair states the question on the motion
“It has been moved and seconded that...”
- Necessary for the motion to be properly
before the group for consideration
- Transfers ownership of the motion to
the body



Members Debate (5)

- Motion is “on the floor”
- Discussion on the merits of the question – whether the proposed action should or should not be taken
- Typically, the maker of the motion is assigned the floor first
- No member can speak more than twice
 - Cannot speak a second time if a person who has not yet spoken seeks the floor
- No more than 10 minutes each time
- Member cannot yield unused time or save time

Speaking to the Motion (5)

- Remarks must be germane
- Presiding officer must never interrupt because he/she knows more about the matter than the speaker
- Presiding officer must step down if speaking during debate
- Maker of the motion may vote against it but he/she is not allowed to speak against his/her own motion
- Must avoid personalities and under no circumstances question the motives of another member



Members Debate (5)

- Amendments are in order – only 2 at a time
 - Modify the wording and, within limits, often the meaning of the main motion
 - Exactly where change is to be made and precisely what words to use
 - Secondary amendments allowed (cannot be amended)
 - Must be germane
 - “Settled” Rule – has the issue under consideration been resolved?



Put to Vote (6)

- The chair “puts” the question
 - “Are you ready for the question?”
 - “Is there any further debate?”
- Chair should repeat motion (restate question)
- Chair gives direction
 - Number of votes needed (simple majority, 2/3)
 - States effect of a yes or no vote
 - In favor vote aye, opposed say no



Put to Vote (6)

- Ending debate
 - “I call the question” = Move the previous question
 - Presiding officer may not end debate on his/her own without first asking/checking if there is any further debate



Members Vote (7)

- Votes can be taken in a variety of ways
 - Voice vote, roll call
- Ask for votes on both sides



Result Announced (8)

- Presiding officer announces results
 - Motion carried or failed
 - Number of votes on each side, if known
 - Effect



Rules of Decorum (Debate)



Debate on the Question

- Members remarks must be germane to the question before the assembly
- Speakers must address their remarks to the chair, maintain a courteous tone, avoid injecting a personal tone into the debate
- Member has a right to speak twice in the same question
- Can speak no longer than 10 minutes in total



Address the Chair

- Address all remarks through the chair – not the body, gallery or TV cameras
- Members cannot address one another directly
- Direct questions to other supervisors through the chair



Avoid Use of Member's Names

- Presiding officer should not be referred to by name
- Presiding officer speaks of himself/herself in the third person
- Avoid mentioning another's name when the person can be described in another way



Duties of the Chair

- All persons at a meeting have an obligation to obey the presiding officer
- Members using parliamentary procedure for obstructive purposes should not be recognized or ruled out of order
- Enforce the rules relating to debate, order and decorum
- Remind members to confine remarks to the merits of the question



Duties of the Chair

- Announces issues and keeps members on track
- Restates motion to place before the body and for clarity
- Recognizes members
- Asks for votes on each side and announces outcome
- Responds to requests and rules on points of order



Chair Speaking in Debate

- Presiding officer should relinquish the chair if entering the discussion
- Officer should not return until the pending question is disposed of
- Exception with small boards and committees



Committee-Debate

- General rule is to have motion first then discussion
- In committee it is recognized and generally acceptable to have discussion first then a motion



Committee-Debate

- Members may raise a hand instead of standing when seeking the floor
- Members may remain seated during debate and discussion
- Informal discussion is permitted before a motion is pending
- Members may generally speak as often and as long as they like, subject to the rule of the chair



Committee Chair

- The chair may, without stepping down, discuss, debate and vote on all questions
- The chair need not rise when putting a motion to a vote



Motions and Misconceptions



Nominations

- Nominations are not necessary
 - Each member is free to vote for anyone eligible
- Need not be recognized by the chair
- May nominate yourself
- No second required
 - Sometimes done to show support
- No requirement to ask three times



Elections

- Impropriety of limiting voting to the 2 leading candidates
 - Leading candidates may represent 2 different factions – division may be deepened
 - May unite members with compromise candidate
- Improper to remove nominee with lowest votes
 - Repeat balloting until you have a winner
 - Nominee with lowest number of votes could be a “dark horse” who all can agree on



Motion to Lay on the Table

- Temporarily sets aside the matter with intent to take up later in the meeting
- Commonly misused in place of Postpone Indefinitely or Postpone to a Time Certain
- Adopting halts consideration without debate
- Such action violates the rights of the minority and individual members
- Is out of order if no other urgent matter



Motion to Postpone

- Motion by which pending action can be delayed
- Must be to a time specific (time certain)
 - Definite day, meeting, hour or until after a certain event
- Motion is debatable
- Motion to just postpone is out of order
- Role of the chair to clarify member's intent



Motion to Postpone Indefinitely

- Motion used when the body declines to take a position
- Motion is debatable
- Adoption kills the motion
- Avoids a direct vote on the question
- Useful in disposing of a badly chosen main motion that cannot be either adopted or rejected without undesirable consequences



Move the Previous Question

- Motion used to bring the assembly to an immediate vote - non-debatable
- Requires 2/3 vote
- Often mistaken for a “Call for the Question”
 - No one person can close debate
 - Not proper to shut off debate against the will of even one member who wishes to speak and has not exhausted his/her right to debate



Motion to Adopt Entire Report

- Seldom wise except when it is to be issued or published in the name of the organization
- An affirmative vote has the effect of the body endorsing every word of the report
- Expressions *adopt*, *accept* & *agree to* are all equivalent
- A common error is to move that a report “be received” or “accepted” - implies that the body has endorsed the complete report



Friendly Amendment

- Often used to describe an amendment offered by someone who is in sympathy with the purpose of the main motion
- Regardless of whether or not the maker of the main motion “accepts” the amendment it must be opened to debate and voted on (unless adopted by unanimous consent)
- Is handled under the same rules as amendments generally



Point of Order

- Member states when he/she feels rules of the assembly are being violated
- Takes precedence over pending question
- In order when another has the floor
- Does not require a second
- Is not debatable
- Ruled upon by the chair



Appeal the Ruling of the Chair

- Any two members have the right to appeal from the ruling of the presiding officer – one makes the Appeal the other seconds
- The question is taken from the chair and vested in the assembly
- No member is allowed to speak more than once except the presiding officer who is not limited and need not leave the chair



We have to stop meeting this way



• Ukrainian Parliament-April 26, 2010

Questions and Comments



Resources

- UW-Madison Division of Extension Local Education
608-262-9961
- von Briesen & Roper, S.C.
414-287-1570
- Wisconsin Counties Association
866-404-2700

