

## ***BASIC PRINCIPLES OF PARLIAMENTARY LAW***

*Sept 2011 (Council Newsletter)*

Parliamentary procedure requires that all members have equal rights; that there be mutual respect among board members; that the rights of the minority to initiate motions, debate, and have their votes counted be protected, while at the same time the will of the majority governs.

Only one item may be under consideration at a time.

The majority vote decides the question.

Any question that limits board members' rights of discussion or changes the agreed order of business requires a 2/3 vote of the members present.

Any matter once decided cannot be brought up again at the same meeting, except by a motion to reconsider.

The simplest, clearest and most expeditious way to conduct business is considered proper, as long as it does not violate the rights of members.

### **Responsibilities of the Chair**

Recognize board members entitled to speak or propose motions.

Note: Some motions may be made while another member has the floor.

Speaker must state the purpose of the interruption so the chair can rule on its validity.

Restate motions after they have been seconded, then open discussion.

Close discussion and put motions to vote. Votes on motions that are not debatable should be put immediately. If any member objects to closing discussion on a debatable motion, a 2/3 vote is required to close debate. Restate the motion exactly as it was made or amended before calling for a vote.

Announce the result of a vote immediately. A tie vote defeats a motion requiring a majority of those voting. The chair may vote to make or break a tie.

Avoid entering into any controversy or interfering with legitimate motions or discussion.

Maintain order and proper procedure, making necessary rulings promptly and clearly.

Expedite business in every way compatible with the rights of members. You can allow brief remarks on debatable motions, advise board members how to take action (proper motion or form of motion), or order pro-posed routine action with a formal vote. (See tip below.)

Protect the board from frivolous motions whose purpose is to obstruct the board's business. You can refuse to entertain such motions. Never adopt such a course, however, merely to expedite business.

### **Parliamentary Tip of the Month**

There are several ways that the chair can expedite business in a meeting. One of those ways is the use of general consent on business items. There will be items of business that everyone or almost everyone agrees upon. During a business meeting, voting can take time. In the interest of expediency, the procedure of adopting a motion by unanimous (or general) consent can be used. This can save time and speed up a meeting when business is minor or routine.

Robert's Rules of Order, Newly Revised, states “. . .the method of unanimous consent can be used either to adopt a motion without the steps of stating the question and putting the motion to a formal vote, or it can be used to take action without even the formality of a motion.”

This procedure would not be used when there is even a hint of disagreement among members. With our silent consent, we allow a non-verbal vote that the presiding officer processes. Then we can move on to the next item of business. If someone objects, then the motion is treated in the normal manner and put to a vote.

Examples:

“If there is no objection, the minutes will stand approved as read.” There is an implied motion to approve the minutes, but the chair need not wait for the motion and a second.

“Without objection, we will stand adjourned.” Once again, this is an implied motion if all business is completed. However, even if a member moves to adjourn, unanimous consent can be used to dispose of the motion.

The chair can usually sense the tone of discussion on a motion, when there is no disagreement, and when the motion is ready to be decided. That would be an appropriate use of general or unanimous consent.

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