

# PARLIAMENTARY PROCEDURE

## A) PURPOSE & SOURCE

The purpose of parliamentary procedure is to expedite the transaction of city business in an orderly fashion. The phrase dates back to the 16<sup>th</sup> and 17<sup>th</sup> centuries in England in the House of Commons and early colonists in America followed the British model in town meetings. President Thomas Jefferson published the first book on parliamentary procedure in 1801 which served as the rules for Congress.

Henry Martyn Robert (1837 – 1923) (the “Robert” in “*Robert’s Rules*”) was a U.S. Army officer waterway engineer. He was assigned to go to a church meeting as the presiding officer. Due to his poor performance at the meeting, he developed the first rendition of procedural rules in 1876 formally published as the *Pocket Manual of Rules of Order for Deliberative Assemblies* (also commonly known as “*Robert’s Rules of Order*”). Although they have historically been applied more efficiently in private organizations and civic groups, the rules have been adopted by some local governing boards such as Apache Junction. See Apache Junction City Code, Vol. I, § 2-4-6(A), which requires the mayor to preserve order and decorum at meetings and conduct them pursuant to the parliamentary rules contained in *Webster’s New World Robert’s Rules of Order*, © 1999, by Robert McConnell, as revised. Any conflict in the rules with state law shall render them unenforceable. The city attorney interprets the rules for the council and its boards and commissions. The book is designed for use in ordinary societies rather than legislative assemblies and it is the most commonly adopted parliamentary authority among societies in the United States. It does not refer to statutory legal requirements nor to common-law precedent desired from court decisions. In other words, the book is more about general procedure for meetings and not about what is “legal” (i.e.: it is not a law book). In fact, failure to follow these rules will likely not invalidate an action taken by the council, its boards or commissions.

## B) GOALS

The rules are designed to meet the following seven goals:

- 1) Decision making is done by a majority vote.
- 2) Every member of the voting body has equal rights and privileges to make motions, ask questions, speak and vote.

- 3) Minority views may be heard and considered.
- 4) The process is simple and direct.
- 5) There is a requirement to follow the basic motion rules.
- 6) Generally, one question at a time is considered.
- 7) Voting members are to be impartial and should seek recognition from the chair before speaking and should never express personal attacks.

### C) MOTIONS

A motion (a proposal to do something) is the way business is conducted by a deliberative group. Generally, in order to make a motion, a voting member of the deliberative group needs to first be recognized as having the floor from the mayor or chairperson. The motion can be made by saying “I move that \_\_\_\_\_”. A second is required and then the vote can be taken. Typically, and not exactly in sync with *Robert’s Rules*, it is common practice for the council and its boards and commissions, to first have a discussion before a motion is made, not after the motion is made or after a second.

When a motion to amend a motion has been made and seconded, the next vote shall be on that motion to amend. If the motion to amend fails, the original motion remains on the floor and shall be voted on.

Elected officials and appointed members cannot abstain from voting unless they declare a conflict of interest.

A failure or refusal to vote shall count as an “aye” vote. In the case of a tie vote, a proposed measure shall be considered defeated.

A motion to reconsider a vote may only be made by a member who voted on the prevailing side when the vote for the main motion occurred. The motion shall be made at the time immediately after the initial vote, or at the meeting that normally follows. Failure to take such reconsideration action any time thereafter is considered a waiver of such right.

Motions typically fail if they do not receive a second or if they do not have a majority count after the vote.

#### D) OTHER COMMON MOTIONS AND ACTIONS

Making Amendment	“I move to amend the motion by _____.”
Tabling (indefinite delay)	“I move to table the motion _____.”
Continuing (temporary delay)	“I move to continue this matter until _____.”
Recess	“I move for a _____ minute recess.”
Withdraw	“I move to withdraw my motion.”
Substitution	“I move that the motion be stricken and substituted with the following motion: _____.”
Change order of agenda	“I move that item #_____ be placed before item #_____.”
Objecting to procedure	“Point of order.”

#### E) NOMINATION OF OFFICERS

This antiquated process is always confusing.

Selection of the chair and vice chair for boards and commissions and for vice mayor by the council shall be pursuant to the following process:

- 1) Chair/Mayor calls for a motion to open nominations.
- 2) Chair/Mayor calls for a second.
- 3) Roll call vote is then taken on motion to open nominations.
- 4) Chair/Mayor calls for nominations. This is where members have the chance to nominate members for the positions by simply stating “I nominate \_\_\_\_\_ for the position of \_\_\_\_\_.” The member must first however ask to be recognized by the chair/mayor in order to make the nomination.
- 5) Chair/Mayor calls for any other nominations (must ask three additional times).
- 6) Chair/Mayor calls for motion to close nominations.
- 7) Chair/Mayor calls for a second.
- 8) Roll call vote is then taken on motion to close nominations.

9) Chair/Mayor calls for a motion to approve first person nominated for the position.

10) Chair/Mayor calls for a second.

11) Roll call vote is then taken on nomination. If there are multiple motions, whoever gets the most votes at the first instance is nominated for the position.