**Parliamentary Procedure**

A Practical Primer

"Where there is no law, but every man does what is right in his own eyes, there is the least of real liberty." - Henry M. Robert

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**Context**

- Parliamentary Law
  - Origins
  - Evolution
- Analogy to Law
  - Experiential, not decisional
  - Common Law
  - Restatement
  - Code
  - Enforcement
  - Internal & Self-Policing

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**Purpose**

- Balance the rights of:
  - the majority
  - the minority, especially a strong minority
  - individual members
  - absentees
  - all of these together
- Promote efficient and deliberative decision making
  - "It is difficult to find another branch of knowledge where a small amount of study produces such great results in increased efficiency in a country where the people rule, as in parliamentary law."
  - Henry M. Robert

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**Handling Motions**

* Brought Before the Assembly
  * Member makes motion
  * Another member seconds motion
  * Chair states question on the motion

* Considered by the Assembly
  * Members debate/amend motion
  * Chair puts the question
  * Chair announces result

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**Making a Motion**

- Main motion
- Form
  - "I move that..."
  - Use precisely the language that you propose should be adopted
  - Just make the motion; do not advocate its passage or explain its content... yet.

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**Second**

- Purpose
  - To prevent the assembly from wasting time on something that only one person wants to discuss.
- The second:
  - is not an expression of support
  - is not a basis upon which to challenge decisions
  - need not be recorded in the minutes
- Committee motions
Stating the Question

- The chair hands the motion over to the assembly by stating that "the question is on the motion that . . . ."

Debate

- Movant may speak first.
  - This is the time to advocate and explain.
- No member may speak a second time until every member wishing to speak has spoken at least once.
- Germaneness
- Ending Debate
  - No other speakers
  - Previous Question Ordered

Amendments

- Form
  - Add
  - Insert
  - Strike
  - Substitute
- Concept of the Immediately Pending Question
- Secondary permitted
  - Result: "amendment to the amendment"
  - Secondary amendments may not be amended

Putting the Question

- Types of Votes
  - Voice (viva voce)/Show of hands
  - Rising
  - Recorded
  - Secret Ballot
- Division
  - Any member can require that a voice vote be retaken as a rising vote by calling for "a division"
  - A call for division is in order from the time that the negative votes are cast until the announcement of the result is complete.

Unanimous Consent

- The Chair or a member may ask for unanimous consent to uncontroversial or routine business or questions.
- UC may be used to circumvent:
  - Making of a motion
  - Stating the question and putting the motion
- Any member may object and require that the matter be taken up conventionally.

Protocol

- Recognition
  - Address the Chair
  - Obtain the floor
  - Yield the floor
- Members should always address themselves to the Chair
- Avoid any personal attacks
Quorum

- Absolutely essential and inviolable!
- In the absence of a quorum, the assembly cannot conduct business.
- Continued presence of a quorum is presumed.
- Subsequent absence of a quorum
  - Chair may state
  - Member may suggest by point of order

Types of Motions

- Main
  - Original - mechanisms by which business is most commonly brought before the assembly
  - Incidental - roughly correspond to the subsidiary motions, but are not secondary
- Subsidiary
  - Assist in the handling of a main motion
- Privileged
  - Urgent, undebatable, and unrelated to the main motion
- Incidental
  - "relate, in different ways, to the pending business or to the business otherwise at hand."
**Abridged Table of Rules Relating to Motions**

<table>
<thead>
<tr>
<th>Motion</th>
<th>Class</th>
<th>In order when another has the floor</th>
<th>Requires Second</th>
<th>Debatable</th>
<th>Amendable</th>
<th>Vote Required for Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjourn, ordinary case in societies</td>
<td>P</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>Amend a pending motion</td>
<td>S</td>
<td>No</td>
<td>Yes</td>
<td>If motion to be amended is debatable.</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>Amend an amendment of a pending motion</td>
<td>S</td>
<td>No</td>
<td>Yes</td>
<td>If motion to be amended is debatable.</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>Debate, to Limit or Extend Limits of, on a pending question</td>
<td>S</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Two-thirds</td>
</tr>
<tr>
<td>Debate, to Limit or Extend Limits of, for the duration of a meeting</td>
<td>M</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Two-thirds</td>
</tr>
<tr>
<td>Division of the Assembly</td>
<td>I</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>1 member</td>
</tr>
<tr>
<td>Count of vote on Division, to order, if chair does not do so</td>
<td>I</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>Point of Information</td>
<td>I</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>no vote</td>
</tr>
<tr>
<td>Lay on the Table</td>
<td>S</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>Point of Order, Question of Order, or Calling a Member to Order</td>
<td>I</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Ruling of the Chair</td>
</tr>
<tr>
<td>Parliamentary Inquiry</td>
<td>I</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Response by the Chair</td>
</tr>
<tr>
<td>Postpone Indefinitely</td>
<td>S</td>
<td>No</td>
<td>Yes</td>
<td>Yes, and debate can go into main question</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>Postpone Definitely</td>
<td>S</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>Previous Question</td>
<td>S</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Two-thirds</td>
</tr>
<tr>
<td>Take from the Table</td>
<td>B</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>Yeas and nays (to order a recorded, roll-call vote)</td>
<td>I</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Majority</td>
</tr>
</tbody>
</table>