



Parliamentary Procedure

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Parliamentary procedure is based on the consideration of the rights of the majority, the rights of the minority (especially a large minority greater than one-third), the rights of individual members, the rights of absentee members, and the rights of all of these groups taken together. It can be a quick, efficient, organized and democratic way to conduct business at a meeting. Following the proper rules of order insures fairness and gives validity to board actions.

Though it is not required, a soil and water conservation district (SWCD) board of supervisors may choose to adopt Robert's Rules of Order or some other system as the authority and reference for the rules of conduct of their meetings. Use parliamentary procedure to help your meetings run logically and reduce chaos, but don't be a slave to it. If such a system is adopted, the board is accountable only to themselves as to whether the rules are followed. The New Mexico Open Meetings Act supersedes any locally adopted policy or procedure, so a board must take care not to violate the law in an attempt to comply with parliamentary procedure. Violations of parliamentary procedure are not necessarily violations of the Open Meetings Act, but a violation of the Open Meetings Act will void the action taken.

This guide was prepared specifically to assist soil and water conservation districts to conduct effective meetings. State laws governing SWCDs and local government operations supersede principles of parliamentary procedure.

Types of Motions and their Definitions

A Main or Principal Motion is a motion made to bring before the assembly, for its consideration, any particular subject. It cannot be made when any other question is before the assembly; and any Privileged, Incidental, and Subsidiary motions can be made while a main motion is pending.

Subsidiary Motions may modify the original motion, postpone action, or refer the motion to a committee to investigate and report, etc. They may be applied to any main motion, and when made they supersede the main motion and must be decided before the main motion can be acted upon.

Incidental Motions arise out of another question which is pending, and therefore take precedence of and must be decided before the question out of which they rise; or, they are incidental to a question that has just been pending and should be decided before any other business is taken up. They yield to privileged motions, and generally to the motion to lay on the table.

Privileged Motions, while not relating to the pending question, are of so great importance as to require them to take precedence of all other questions and, on account of this high privilege, they are undebatable.

Unclassified Motions are motions which cannot conveniently be classified as either Main, Subsidiary, Incidental, or Privileged.

Principal Motions

When a motion has been made, seconded, and stated by the chair, the assembly is not at liberty to consider any other business until this motion has been disposed of.

1. To Amend: This motion is “to change, add, or omit words” in the original main motion, and is debatable, amendable, and requires a majority vote.

To Amend the Amendment: This is a motion to change, add or omit words in the first amendment, and is debatable, not amendable, and requires a majority vote.

2. To Refer: When a motion becomes involved through amendments or when it is wise to investigate a question more carefully, it may be moved to refer the motion to a committee for further consideration. It is debatable, amendable, and requires a majority vote.

3. To Lay on the Table: The object of this motion is to postpone the subject under discussion in such a way that it can be taken up at some time in the near future

when a motion “to take from the table” would be in order. These motion are not debatable or amendable, and requires a majority vote.

4. To Postpone: A motion to postpone the question can be used to postpone the question to a specific time, date, event, or next meeting. To postpone indefinitely is not to postpone, but to reject the motion without incurring the risk of a vote on the motion.

5. To Adjourn: This motion is always in order except:

- When a speaker has the floor.
- When a vote is being taken.
- After it has just been voted down.
- When the assembly is in the midst of some business which cannot be abruptly stopped.

When meeting the above conditions, the motion is not debatable.

When the motion is made to adjourn to a definite place and time, it is debatable.

6. To Reconsider: The motion to reconsider a motion that was carried or lost, is in order if made on the same day or the next calendar day, but must be made by one who voted on the prevailing side. The motion to reconsider requires two votes: First on whether it should be reconsidered, second on the original motion after reconsideration.

7. The Previous Questions: This motion is to close debate on the pending question. The motion is not debatable or amendable, and requires a 2/3 vote.

8. Point of Order: This motion is always in order, but can be used only to present an objection to a ruling of the chair or some method of parliamentary procedure. The motion is not debatable or amendable, and the chair rules on the motion.

ORDER OF BUSINESS

1. The meeting is "called to order" by the chair.
2. The minutes of the preceding meeting are read by the secretary and
 - a. may be approved as read.
 - b. may be approved with additions or corrections.
3. Monthly statement of Treasurer is "Received as read and filed for audit." (Chair so states.)
4. Reports of standing committees are called for by the chair.
5. Reports of special committees are called for by the chair.
6. Unfinished business is next in order at the call of the chair.
7. New business.
8. The program (if an annual or other special meeting). The program is part of the meeting; the chair presides throughout.
9. Adjournment.

Nominations and Elections

This section should be used as a guide for the election of a chair, vice chair, and secretary/treasurer on an SWCD board (sometimes referred to as "organization" of the board). Nomination and election to the office of supervisor on an SWCD board is governed by the state Soil and Water Conservation District Act (73-20-25 through 73-20-48 NMSA 1978) and rules issued by the Soil and Water Conservation Commission(21.9.2 NMAC).

Before proceeding to an election to fill an office it is customary to nominate one or more candidates. The nomination need not be seconded.

A motion to close nominations is not a necessary part of the election procedure, and it should not generally be moved. When nominations have been made by a committee or from the floor, the chair should inquire whether there are any further nominations; and when there is no response, he declares that nominations are closed.

When only one nominee is put up and bylaws do not require a ballot, the chair can take a voice vote, or can declare that the nominee is elected, thus effecting the election

by unanimous consent or “acclamation.” The motion to close nominations should not be used as a means of moving the election of the candidate in such a case.

General Consent

Business can be expedited greatly by avoiding the formality of motions and voting in routine business and on questions of little importance, the chair assuming general (unanimous) consent until someone objects. It does not necessarily mean that every member is in favor of the motion, but, that knowing it is useless to oppose it, or even to discuss it, the opposition simply acquiesces in the informality. Thus, in the case of approving the minutes, the chair inquires if there are any corrections, and, if one is suggested, it is made: when no correction [or no further correction] is suggested, the chair says: "There being no corrections [or no further corrections] the minutes stand approved." While routine and minor matters can be rapidly disposed of in this way, if at any time objection is made with reasonable promptness, the chair ignores what has been done in that case even if he has announced the result, and requires a regular vote.

Treasurer's Report

If the society has auditors the report should be handed to them, with the vouchers, in time to be audited before the meeting. The auditors having certified to its correctness, submit their report, and the chair puts the question on adopting it, which has the effect of approving the treasurer's report, and relieving them from responsibility in case of loss of vouchers, except in case of fraud. If there are no auditors the report when made should be referred to an auditing committee, who should report on it later.

It should always be remembered that the financial report is made for the information of members. The details of dates and separate payments for the same object are a hindrance to its being understood, and are useless, as it is the duty of the auditing committee to examine into details and see if the report is correct.

The following resources are suggested for references and further study:

Web sites:

- <http://www.rulesonline.com/>
- <http://www.parlipro.org/>

Books:

- Simplified Parliamentary Procedure; published and printed by the National Association of Conservation Districts, P.O. Box 855, League City, Texas, 77574
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- Robert's Rules of Order Newly Revised (10th Edition)

References for this publication:

- www.rulesonline.com
- Simplified Parliamentary Procedure
- Open Meetings Act Compliance Guide (5th edition)
<http://www.ago.state.nm.us/divs/civil/OMAFifthEdition.pdf>