

# The Florida Parliamentarian

*Let All Things Be Done Decently and In Order*

## Report of the 2019 Fall Meeting of FSAP

### CALENDAR

May 17-19, 2020  
FSAP Annual Meeting at  
Embassy Suites by  
Hilton Tampa  
Brandon, FL

MERRY CHRISTMAS  
AND  
HAPPY HOLIDAYS



### Inside this issue:

Presidentially Speaking	2
Dues Renewal	3
Q & A	4-5
A Parliamentary Inspiration	6
CANNOT according to Robert	7
Secondary Amendments	8-9
New Provisional Form	10
Provisional Renewal Form	11
FSAP Award	12

President Henry C. Lawton, Jr., PRP presided at the fall meeting of the Florida State Association of Parliamentarians. There were 30 in attendance with 23 voting members.

The President appointed a special committee to consider purchasing special NAP tiles to honor distinguished members of FSAP. Helen Popovich, Carol Austin, Shirley Brodbeck, and Ann Guiberson were appointed to the committee. A report will be given at the annual meeting in May.

The executive board reported the 2020 meetings will be held in Brandon, FL in May for the annual meeting and in the Plantation area in October for the Henry M. Robert's Day and Fall meeting.

The executive committee also adopted a motion to find someone to maintain the FSAP database on a more permanent basis.

The audit committee reported the financial records were found to be in good order and a motion to approve the report was adopted.

Karen Price, Treasurer, reported

the following:

Balance on 5/7/19	\$22,330.02
Income	1,639.00
Expenses	3,580.49
Balance on 9/30/19	\$20,388.53

### FSAP MEMBERS SERVE NAP

The following NAP delegates from FSAP reported on events and activities experienced at the NAP Convention: Henry Lawton, Jr., Karen Price, Julie Palm, and Mary Giddens. Several other Florida members attended the convention as well.

At the convention, Wanda Sims, PRP, who served as Treasurer from 2015-2019 was elected NAP Vice President. Wanda is a new resident of Kissimmee and a new member of FSAP. New President Darlene Allen, PRP, appointed Tim Wynn, PRP, to serve as the NAP Parliamentarian this term. FSAP is very proud of these distinguished members!

At the convention, Carol Austin, PRP, Ann Guiberson, PRP, and Tim Wynn, PRP taught workshops and helped in the learning labs that were part of the convention educational programs.

## PRESIDENTIALLY SPEAKING....



President Henry Lawton, PRP

Presidentially Speaking will begin with this thought. We all have learned parliamentary law and the procedures we use to follow that law from various places, and it was not elementary, middle or high school. Parliamentary procedure was not taught in any civics or history classes I had in high school. I do not know of any schools that currently offer a specific course on parliamentary procedure.

I believe that parliamentary procedure is a science. It is the science of following the rules of parliamentary law. This is a difficult concept for the average member of an organized society. Most average members believe that the business meeting is a time to talk about ...

Our Education Committee Chairman asked your president to make a presentation at our Fall Meeting. The chairman asked that it be a basic training for individuals new to parliamentary procedure. He did not say who are new to attending meetings, he said new to parliamentary procedure. I believe that we were successful in providing basic training with very active participation from the attendees.

I believe that was the idea of the author of “Pocket Manual of Rules of Order for Deliberative Assemblies”, Henry Martyn Robert. There was no social media at the time, so a small manual started the process. He could not teach the material using the various tools we have today, but he taught through writing this small manual. Currently the small manual has approximately six hundred and seventy (670) pages and “Parliamentary Law” has five hundred and seventy-six (576) pages. That is a lot of study for most of us Parliamentarians who have had careers.

*The Florida Parliamentarian* is the official publication of the Florida State Association of Parliamentarians and is published four times a year; March, June, September, December. Subscription rate: \$20 per year. © 2019 Florida State Association of Parliamentarians. All rights reserved.

**Henry Lawton, PRP, Editor-in Chief**

(904) 446-6141

Email: hcljr@lawtonparliamentarygroup

**Ann Guiberson, PRP, Editor**

(727) 641-6308

E-mail: aguiberson@gmail.com

**Mark Moriarty, PRP, Associate Editor**

(239) 277-1164

Email: mmoriarty2016@outlook.com

**Linda Young, PRP, Circulation Manager**

(813) 810-9511

Email: lyoung@plantcitygov.com

**DEADLINES FOR COPY**

March issue      February 1

June issue        May 1

September issue    August 1

December issue    November 1

**SEND ADDRESS CORRECTIONS TO:**

Linda Young, PRP

Phone: (813) 810-9511

E-mail: lyoung@plantcitygov.com

**FSAP WEBSITE**

<http://www.flparliamentarian.com>

So how can we study and learn the science of parliamentary procedure? I believe the technique is the same as teaching very young children how to multiple and divide, by memorization and by practicing regularly.

Studying and learning parliamentary procedure, I believe, is like learning to multiple and divide, repetition, repetition. The more you practice the better you become, and one day you begin to preside or to advise the presiding officer with a great degree of comfort and skill.

Two members of our association have said to me a few times, they enjoy studying parliamentary procedure, I believe we should all feel the same way.

Until the next time, have fun and enjoy learning new parliamentary procedure concepts.

Henry C. Lawton, Jr.  
Professional Registered Parliamentarian

## DUES RENEWAL—VERY IMPORTANT INFORMATION!



**Unit Treasurers:** In this publication there are two forms on pages 10 and 11. One form is for **New Provisionals** and the other form is for your **Provisional Renewals**.

These forms are also found on the FSAP website in the Members only section. (Password fsap) [www.flparliamentarian.com](http://www.flparliamentarian.com)

**Please use these forms when you submit your checks for ALL Provisional Renewals and any New Provisionals.** It is important for FSAP to have the correct information on all our members. National sends the information to me on all renewing NAP Members, however unit treasurers are our only source of information on our Provisional members, and it is **VERY IMPORTANT** to have correct information. The information you send to me goes to the Editor of the Florida Parliamentarian who sends out the newsletter and email blasts. I can not stress enough how important this information is.

It is also **VERY IMPORTANT** to advise me and the editor when ANY information changes on ANY member and **VERY IMPORTANT** that NAP is also advised of changes with anyone that is a NAP member.

FSAP dues are \$25 per year payable in December. Mail your forms and check to Karen Price, 474 Marina Way, Ellenton, Fl 34222. If you have questions at all **PLEASE** contact me at [craftyksp@gmail.com](mailto:craftyksp@gmail.com)



All page numbers are references to *Robert's Rules of Order Newly Revised*, 11th ed., unless otherwise noted. Send questions to the Associate Editor, Mark Moriarty, PRP

E-mail

**QUESTION:** I was elected to the Board of Directors of an international nonprofit, and I am now serving as its Secretary. The organization allows all of its Past-Presidents to serve in an advisory capacity to the Board of Directors and to participate in Board meetings, but they are non-voting members. Unfortunately, we recently realized that a motion was made by a non-voting Past-President, and in the "heat of the moment" it was not recognized as being made by an inappropriate person. Also, there have been other votes, such as approval of the minutes, in which the second of the motion was made by a non-voting member. Is there a procedural way to repair the defective motions and votes now? Based on my research, it doesn't seem that there is. I also reviewed the applicable law (I am also an attorney), and it appears to be silent.

**ANSWER:** According to Robert's Rules of Order, motions are not "defective". Motions may be out of order. The chair puts to vote all questions that legitimately come before the assembly as motions or otherwise arise in the course of proceedings. If a motion that is not in order is made, the chair can rule it out of order. Members can do so too:

*"No member should hesitate to object if he feels it is desirable to do so, but he should not*

*object merely for dilatory purposes. If a question of order is to be raised, it must be raised promptly at the time the breach occurs. For example, if the chair is stating the question on a motion that has not been seconded, or on a motion that is out of order in the existing parliamentary situation, the time to raise these points of order is when the chair states the motion. After, the debate on such a motion has begun – no matter how clearly out of order the motion may be -- a point of order is too late."*  
RONR p.250)

If a motion that is not in order is made, is voted on and approved without a timely objection from the chair or a member, the motion stands adopted as the decision of the assembly. The result will be recorded in the minutes as what was done.

If a member is uncertain as to whether there is a breach on which a point of order can be made, he or she can make a parliamentary inquiry of the chair (see RONR pp. 293-94). In ordinary meetings it is undesirable to raise points of order on minor irregularities of a purely technical character, if it is clear that no one's rights are being infringed upon and no real harm is being done to the proper transaction of business.  
RONR 250

If the concern amongst your board members is that the motions made by inappropriate persons in the "heat of the moment" or otherwise



continued

resulted in a bad precedent or a bad choice for the board, the basic premise of parliamentary law is that unless some right of a third person intervenes, all deliberative bodies have the right to reconsider, to rescind, or to amend their proceedings when not otherwise provided by law. The remedy or the fix is the Motion to Rescind or the Motion to Amend Something Previously Adopted (RONR. pp. 305 – 310). The effect of Rescind is to strike out an entire main motion, resolution, order, or rule that has been adopted at some previous time. The effect to Amend Something Previously Adopted is to change only a part of the text, or to substitute a different version.

In your question you state that Past Presidents are non-voting members, but is there a custom that allows them to make motions? The motion by the Past-President and the seconds by non-voting members might have been appropriate and not out of order if board has a custom allowing the practice (RONR p. 19). Robert's advises:

*“If there is no contrary provision in the parliamentary authority written rules of the organization, the established custom should be adhered to unless the assembly, by a majority vote, agrees in a particular instance to do so otherwise...if a customary practice is or becomes in conflict with a parliamentary authority or any written rule, and a Point of Order citing the conflict is raised at any time, the custom falls to the ground, and the conflicting provision in the parliamentary authority or written rule must thereafter be complied with.”*

The motion by the Past-President and seconds by non-voting members might also have been appropriate and not out of order for another reason. Rules for small boards can vary and are not always the same as the rules for big boards. Robert's advises the parliamentarian that some of the formality necessary in a larger assembly would hinder business in small boards. A small board is defined as “*not more than about a dozen members*” (RONR p. 487). One difference in procedure between small boards and big boards is when a proposal is perfectly clear to all, a vote can be taken without a motion being introduced. No formal motion is necessary. Another difference is motions do not always need a second. Likewise, no formal second is necessary.

## **WELCOME NEW MEMBERS AND DIRECTORY UPDATE**

### **NEW NAP MEMBERS**

Wanda Sims, PRP, 2144 Antilles Club Dr., Kissimmee, FL 34747, (301) 908-3989, vicepresident@nap2.org, MAL. Transfer from District of Columbia Association of Parliamentarians

### **NEW AFFILIATE NAP MEMBERS**

Dr. Leonard (PRP) and Peggy Young (PRPR), 960 Freeport E., Venice, FL 34285, (816) 289-9103 drleonardyoungprp@yahoo.com and peggy.youngprp@yahoo.com, MAL, Missouri State Association of Parliamentarians



## A Parliamentary Inspiration by Wayne Kofink, PRP

At the Fall meeting of FSAP, Chaplain Wayne Kofink delivered the following inspiration. Here it is for your inspiration as well:

October 21 marked the 147th anniversary of the ending of the Pig War between the United States and Great Britain. (Bet you didn't learn about that one in American History.) No one was shot in this 13-year conflict except for one pig, but the young military engineer who built the fortifications on San Juan Island where the struggle centered was none other than 2nd Lieutenant Henry Martyn Robert.

It seems appropriate, then, that I begin with a quote from Henry M. Robert. He wrote in *Parliamentary Law*: "No one is ever strong and forceful when he gets near the limits of his knowledge" (p. 4). That is absolute truth. There are few things worse than presiding at a meeting when some wisenheimer member makes a motion like, "I move that the resolution be considered in quasi committee of the whole," and you try to figure out what's going to happen if that motion is adopted. And you're not helped as you notice your parliamentarian madly thumbing through *Robert's Rules of Order Newly Revised*. By the way, it's section 52.

Knowledge is an essential tool for anyone concerned with maintaining order in a fair manner. In part it is the quest of knowledge that brings us to gatherings like our Henry Robert's Day meeting. I don't think I have ever returned home from one of our meetings without learning something that I didn't even know that I didn't know. There is indisputable value in knowledge.

***"Happy are those who find wisdom and those who get understanding."***

And yet there is another danger that General Robert warns about. "While this knowledge greatly increases one's efficiency, it is not wise to make a display of it to use it in such a way to interfere with the wishes of the majority of the society" (p. 4). Those are also wise words. I have been at meetings where someone had stayed up nights reading the footnotes in *Robert's Rules* in order to throw a parliamentary monkey wrench into what the majority of members want to achieve.

We parliamentarians seek knowledge, but it is knowledge in service of a purpose. It is knowledge to enable groups to "carry on the business of societies with greatest efficiency" (p.4) as General Robert says. Our goal is to grease the wheels of a deliberative assembly, not throw sand into the works. We need knowledge or we have little to contribute, but we also need the wisdom of how to use that knowledge for right purposes.

As it says in the book of Proverbs: "Happy are those who find wisdom, and those who get understanding, for her income is better than silver, and her revenue better than gold" (Proverbs 3:13-14).

## **“CANNOT” According to Robert by Elsie Babcock, PRP**

There are many things that CANNOT be done in parliamentary law. The following are a few of the 150 CANNOTs found in the first half of *Robert's Rules of Order Newly Revised* 10<sup>th</sup> ed.\*:

\*Written and published in 1995 and published in the 3rd quarter NP. Updated to the 11th edition.

A member CANNOT establish "prior claim" to the floor by rising before it has been yielded. RONR, p. 30

The presiding officer CANNOT close debate so long as any member who has not exhausted his right to debate desires the floor, except by order of the assembly, which requires a two-thirds vote. RONR, p. 44

The main motion takes precedence of nothing, that is, it CANNOT be moved when any other question is pending. RONR, p. 102

*Amend* can be applied to itself, so that a secondary amendment will result, but it CANNOT be applied to a secondary amendment. RONR, p. 132

An amendment CANNOT introduce an independent question, but an amendment can be hostile to, or even defeat, the spirit of the original motion and still be germane. RONR, p. 136

After a paragraph has been struck out, it CANNOT be inserted again unless the wording (or possibly, the place) is changed in a way that presents an essentially new question. RONR, p. 148

It is possible to introduce a proposed "substitute for a substitute," which CANNOT be amended, since it is a secondary amendment. RONR, p. 154 fn.

The *Previous Question* CANNOT be ordered to stop the making of suggestions for filling a blank. RONR, p. 167

If the chair appoints or nominates the committee, he has the duty to select its chairman—which he does by naming that person to the committee first—and the committee CANNOT elect another. RONR, p. 175

In a case where more than a quarterly time interval will elapse between meetings, a question CANNOT be *postponed* beyond the end of the present session. RONR, p. 183

*Previous Question* can be reconsidered before any vote has been taken under the order but it CANNOT be reconsidered after the order has been partly executed. RONR, p. 201

*Lay on the Table* is undebatable and CANNOT be qualified in any way. RONR, p. 217

## HANDLING SECONDARY AMENDMENTS: CHALLENGES AND EFFECTS

By Helen Popovich, Ph.D., PRP

With a few examples and a little practice in following the six steps and using the correct wording, most presiders can become proficient fairly quickly in handling main motions.

Handling primary amendments is a bit harder. The presider needs to ensure that the amendment is germane; that it is clearly worded, that it is clear just where it is to be inserted into the main motion; that the members understand how, if adopted, it will affect the main motion; and that the debate is confined solely to the merits of the amendment, not to the merits of the main motion.

Handling a secondary amendment is even more difficult, because the presider must deal with all of the challenges posed in handling a primary amendment and must also ensure that the members do not get confused about what they are voting on, and that they understand how, if adopted, the secondary amendment will affect both the primary amendment and the main motion.

If the primary amendment proposes *to insert* or *to add words* or a paragraph, the secondary amendment will not affect the main motion unless the primary amendment is also adopted, as in the examples below:

**Main motion:** “that the club refurnish the headquarters office with a new desk, desk chair, bookcase, credenza, and carpet.”

**Primary amendment:** “to insert ‘conference table and chairs’ after ‘credenza.’”

**Secondary Amendment:** “to insert ‘six’ before ‘chairs.’”

If the secondary amendment is adopted, the primary amendment will read, “to insert ‘a conference table and six chairs’ after credenza.” The insertion of “six” into the primary amendment will affect the main motion only if the primary amendment is adopted.

However, if the primary amendment is *to strike out* words from the main motion and the secondary amendment is *to strike out* words from the primary amendment, the secondary amendment itself will affect the main motion regardless of whether the primary amendment is lost or adopted, as in the example below:

**Main motion:** “that the club refurnish the headquarters office with a new desk and desk chair, bookcase, credenza, and carpet.”

**Primary amendment:** “to strike out ‘bookcase, credenza.’”

**Secondary amendment:** “to strike out ‘bookcase.’”

If the secondary amendment is adopted, the primary amendment will read, “to strike out ‘credenza.’” Because the primary amendment no longer contains the word “bookcase, the word “bookcase” will remain *in* the main motion, regardless of whether the primary amendment is lost or adopted. Also, because the members voted to adopt the secondary amendment and, thus keeping the word “bookcase” in the main motion, the word “bookcase” alone cannot later be struck without the adoption of a motion to reconsider or rescind. In a case like this, the



## More on Proviso

presider needs to state not only what the primary amendment would read if the secondary amendment is adopted, but also to inform the members how adoption of the secondary amendment will affect the main motion.

If the primary amendment is *to strike out and insert*, the two elements (“*to strike*” and “*to insert*”) are considered separately for the purposes of handling secondary amendments [RONR (11<sup>th</sup> ed.), p. 150, ll. 8-16)]. The presider first handles amendments to the proposed words to be struck out and then handles amendments to the proposed words to be inserted. If the primary amendment is *to strike out* words, “then words struck out of the primary amendment will remain *in* the resolution regardless of the final vote on the primary amendment” [RONR (11<sup>th</sup> ed.), p. 148, ll. 6-9]. Amendments to the proposed words to be inserted will not affect the main motion unless the primary amendment is adopted.

However, if the primary amendment is *to strike out* an entire paragraph, a different rule applies. “words struck out of that paragraph in the process of secondary amendment are *out* of the resolution regardless of the final vote on the primary amendment” [RONR (11<sup>th</sup> ed.), p. 148, ll. 10-13]. To understand why, consider the following example:

**Primary amendment:** *to strike out* a paragraph containing a sentence reading “that the club refurnish the headquarters office with a new desk and desk chair, bookcase, credenza, and carpet.”

**Secondary amendment:** “*to strike out* ‘bookcase.’”

If the secondary amendment is adopted, the primary amendment will be to strike out the paragraph containing the sentence that now reads “that the club refurnish the headquarters office with a new desk and desk chair, credenza and carpet.”

If the primary amendment is adopted, the entire paragraph, as amended, will be struck out. If the primary amendment is lost, the original paragraph, as amended by striking “bookcase”, will be retained. In either case, “bookcase” will have been struck out.

If the primary motion is *to substitute* one paragraph for another, each paragraph is treated separately. Because the motion to substitute is a primary amendment, any motion to amend the original paragraph or the substitute is a secondary amendment. Both the original and the proposed substitute are open to secondary amendments of all three types (*to insert or add*, *to strike out*, and *to strike out and insert*), and those secondary amendments will affect only the paragraph to which they apply.

Secondary amendments are used to perfect primary amendments and to ensure that when the main motion, as amended, is put to a vote, it best reflects the wishes of the member(s) who have moved the various amendments. If members fail to move such secondary amendments, they may not be able to make the desired changes later, except through reconsideration of the vote or through changes that make it essentially a new question. Although handling secondary amendments can be challenging, to be effective, presiders need to master the skill of dealing with them.

# NEW PROVISIONAL APPLICATION

## FLORIDA STATE ASSOCIATION OF PARLIAMENTARIANS NEW PROVISIONAL APPLICATION



DATE \_\_\_\_\_

UNIT \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP+ \_\_\_\_\_

HOME PHONE \_\_\_\_\_ CELL \_\_\_\_\_

E-MAIL \_\_\_\_\_

### IMPORTANT INFORMATION

#### THE FSAP PRIMARY METHOD OF COMMUNICATION TO MEMBERS IS THRU EMAIL

The above information will be published in the Florida State Association of Parliamentarians (FSAP) Members Directory which is only available on line at the FSAP website for **members only**. If you do not want your information in the directory please indicate by placing your initials on this line

\_\_\_\_\_.

Signature \_\_\_\_\_ Date \_\_\_\_\_

*This form is to be sent to the Florida State Association of Parliamentarians Treasurer with the required STATE dues payment of \$25.00 2019/2020 Treasurer: Karen Price, 474 Marina Way, Ellenton, FL 34222*

# NEW PROVISIONAL RENEWALS FORM



## FLORIDA STATE ASSOCIATION OF PARLIAMENTARIANS PROVISIONAL RENEWALS

DATE \_\_\_\_\_

UNIT \_\_\_\_\_

PLEASE COMPLETE THE INFORMATION AND MAIL TO  
TREASURER WITH YOUR CHECK

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ ST\_ ZIP \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

E-Mail \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ ST\_ ZIP \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

E-Mail \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ ST\_ ZIP \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

E-Mail \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ ST\_ ZIP \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

E-Mail \_\_\_\_\_

2019/2020 Treasurer: Karen Price 474 Marina Way, Ellenton, FL 34222

## FSAP AWARDED RECOGNITION FOR EDUCATION

At the NAP Convention in Las Vegas, NV, NAP President Jim Jones, PRP, presented a certificate of recognition to FSAP President Henry C. Lawton, Jr., PRP in recognition of parliamentary workshops presented during the past biennium.

