

## UNIT LESSON: PRESIDING QUESTIONS.

What should the chair say in each of the following scenarios? Have the unit members work on these questions alone or in pairs for 15-20 minutes. Ask each person or each pair to present the answer they came up with and explain how that answers the question. They should indicate a citation from RONR. Following the lesson, if time, discuss presiding tips.

1. A main motion, "That we buy a riding lawnmower for the gardening staff," and an amendment to add, "at a cost not to exceed \$500.00," are both pending. A member properly obtains the floor and moves to insert the words 'and a chain saw' after the word 'lawnmower'." The chair responds.
2. A controversial bylaw amendment is pending, and it requires a two-thirds vote to pass. The president, who is presiding, strongly opposes it but has not said so publicly. The proposer and others have spoken in favor, but the treasurer and others have spoken against. The vote was taken by serpentine count-off, so everyone knows that the count will be 49 in the affirmative and 25 in the negative. The chair is a voting member, and so could vote in the affirmative to pass the bylaw amendment. The chair announces the result. A member then raises a Parliamentary Inquiry to ask, "Don't the rules permit the chair to vote?" The chair answers.
3. Under new business, a main motion "That we have a picnic this summer,' has just been voted on by a counted vote, and there are 75 in the affirmative and 12 in the negative. The chair announces the result and continues the meeting.
4. A controversial main motion is pending. A member sitting near the front of the room is eating a bag of corn chips, and the noise is disturbing everyone. An elderly member raises a parliamentary inquiry to ask, 'Didn't we adopt a rule against eating in the meeting room a few years ago?' The written rules are not handy, because the regular secretary is absent, and no one present is sure whether such a rule was adopted or not. The chair knows that if nothing is done to stop the corn chip noise, the elderly member will raise a point of order. How should the chair respond?
5. A member proposes a motion, "To amend Article V, Section 4 of the bylaws by striking out 'one half of the membership' after the words 'The quorum shall be' and inserting 'one fifth of the membership.' But the bylaws have a notice requirement for bylaws amendments. It is too late to give notice for this meeting, and the next regular meeting is not for three months. How can the chair deal with the proposed motion appropriately?

## ANSWERS

1. A main motion, “That we buy a riding lawnmower for the gardening staff,” and an amendment to add, “at a cost not to exceed \$500.00,” are both pending. A member properly obtains the floor and moves to insert the words ‘and a chain saw’ after the word ‘lawnmower.’” The chair responds.

“The motion is out of order. The amendment to add “at a cost not to exceed \$500.00” is pending, and no more than one primary amendment is permitted to be pending at one time [RONR (11<sup>th</sup> ed.), p. 135, ll. 28-29]. The amendment to insert “and a chain saw” will be in order after the assembly disposes of the proposed amendment to add ‘at a cost not to exceed \$500.00.’”

2. A controversial bylaw amendment is pending, and it requires a two-thirds vote to pass. The president, who is presiding, strongly opposes it but has not said so publicly. The proposer and others have spoken in favor, but the treasurer and others have spoken against. The vote was taken by serpentine count-off, so everyone knows that the count will be 49 in the affirmative and 25 in the negative. The chair is a voting member, and so could vote in the affirmative to pass the bylaw amendment. The chair announces the result. A member then raises a Parliamentary Inquiry to ask, “Don’t the rules permit the chair to vote?” The chair answers.

“Yes, the chair is permitted to vote. RONR says that ‘the presiding officer, if a member of the assembly, can (but is not obligated to) vote whenever his vote will affect the result.’ [RONR (11<sup>th</sup> ed.), p. 405, ll. 21-23]. In this case, the chair chose not to exercise his right to vote because his vote could not possibly affect the result.

3. Under new business, a main motion “That we have a picnic this summer,’ has just been voted on by a counted vote, and there are 75 in the affirmative and 12 in the negative. The chair announces the result and continues the meeting.

The chair says, “There are 75 in the affirmative and 12 in the negative. The affirmative has it and the motion is adopted. We will have a picnic this summer. The next item of business is. . . .” When the chair announces a counted vote, she announces the number of votes cast in the affirmative and the number cast in the negative, as exemplified in RONR (11<sup>th</sup> ed.), p. 50, ll. 10-14.”

4. A controversial main motion is pending. A member sitting near the front of the room is eating a bag of corn chips, and the noise is disturbing everyone. An elderly member raises a parliamentary inquiry to ask, ‘Didn’t we adopt a rule against eating in the meeting room a few years ago?’ The written rules are not handy, because the regular secretary is absent, and no one present is sure whether such a rule was adopted or not. The chair knows that if nothing is done to stop the corn chip noise, the elderly member will raise a point of order. How should the chair respond?

“The written rules are not handy and, because the regular secretary is not present, the chair does not have access to the minutes in order to determine whether such a rule was adopted. However, the chair will admit the member’s inquiry as the raising of a question of privilege to be entertained by the assembly; and, if there is no objection, will direct the member in the front row to refrain from eating during the remainder of the meeting.”

To raise a question of privilege is a privileged motion and can, therefore, interrupt pending business, but when the question raised becomes pending, it is treated like any other main motion [RONR 91<sup>th</sup> ed.), p. 118, l. 29 to p. 119. L, 5]. In this case, to save time, the chair can ask for unanimous consent to adopt the implied motion. If there is no objection, he can direct the member to refrain from eating; if there is an objection, he will need to open the question to debate and a vote of the assembly.

5. A member proposes a motion, “To amend Article V, Section 4 of the bylaws by striking out ‘one half of the membership’ after the words, ‘The quorum shall be’ and inserting ‘one fifth of the membership.’” However, the bylaws have a notice requirement for bylaws amendments. It is too late to give notice for this meeting, and the next regular meeting is not for three months. How can the chair deal with the proposed motion appropriately?

The chair must declare the motion out of order because of the bylaws notice requirement for bylaws amendments. Then the chair should assist the member in providing whatever kind of notice the bylaws require. If the bylaws require simply that some sort of notice be provided, the chair could say:

“The motion is out of order because the bylaws require that notice be given before any proposed amendment to the bylaws. No notice was given of this proposed amendment. However, at this meeting it is in order for the member to give notice that at the next meeting, he will offer an amendment the bylaws in the way he described. Does the member wish to give such notice? (Wait for the member to give notice.)

Member A has given notice that at the assembly’s next meeting, he will propose a motion, “To amend Article V, Section 4 of the bylaws by striking out “one half of the membership” after the words “The quorum shall be” and inserting “one fifth of the membership.” The secretary will include this notice in the call to the assembly’s next meeting.

If the bylaws require more detailed notice procedures, the chair would, of course advise the member to follow those requirements.