

Rules of Procedure

Council on Legislation

recommended

The council operations committee recommends the following rules of procedure for the 2016 Council on Legislation.

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Section 1 — Definitions.

Chair. The presiding officer at a council session. The chair supervises the proceedings of the council, may comment on any matters, including any procedural motions, and has all other duties as generally pertain to the position of chair. The council chairman presides as the chair, except when the chairman designates the vice-chairman to preside as chair. *RI bylaw 8.040.*

Constitutional Documents. Three documents – the RI constitution, the RI bylaws, and the standard Rotary club constitution. *RI bylaw 1., point 3.*

Defective. Proposed legislation is defective if:

- i. it is subject to two or more inconsistent meanings;
- ii. it fails to amend all affected parts of the constitutional documents;
- iii. its adoption would violate governing law;
- iv. it is in the form of a resolution, but it would require an action, or express an opinion, that is in conflict with the letter or spirit of the constitutional documents;

- v. it would amend the standard Rotary club constitution in a way that would conflict with the RI bylaws or the RI constitution, or it would amend the RI bylaws in a way that would conflict with the RI constitution; or
- vi. it would be impossible to administer or enforce. *RI bylaw 7.037.2.*

Enactment. Legislation that amends the constitutional documents. *RI bylaw 7.010.*

Legislation. Enactments and resolutions proposed to the council.

Majority Vote. The number of votes required to approve motions is either a simple majority or a two-thirds majority:

- 1) A simple majority requires at least one more vote in favor than against by the members present and voting; and
- 2) A two-thirds majority requires at least twice as many votes in favor as against by the members present and voting.

Members Present and Voting. Members voting affirmative or negative. Voting members who are absent or who abstain from voting are not “present and voting.”

Motion. A proposal by a member that the council take an action. There are two kinds of motions, principal and procedural, as described in these rules.

Order of Consideration. An order, adopted by a simple majority, setting the sequence to consider proposed legislation.

Order of the Day. An order, adopted by a simple majority, setting a time for consideration of specific legislation and/or special time limits on debate.

Proposers. Clubs, the RI Board, and others that submit items of proposed legislation. *RI bylaws 7.020., 7.030.*

Quorum. Transacting business requires the presence of one half of the voting members of the council. *RI bylaw 8.110.*

Resolution. Legislation that does not amend the constitutional documents. *RI bylaw 7.010.*

Technical Legislation. Legislation designed to correct or clarify the wording of the constitutional documents without making substantive changes.

Section 2 — Members of the Council. All members of the council, both voting and nonvoting, have the same privileges and responsibilities, except nonvoting members may not vote. Once credentialed, members serve for the whole meeting. Each voting member may cast one vote on any question, and there is no proxy voting in the council. *RI bylaws 8.010., 8.110.*

Section 3 — Order of Business.

- 1) Preliminary report of the credentials committee. *RI bylaw 8.090.*
- 2) Adoption of the rules of procedure. *RI bylaw 8.120.1.*
- 3) Transmittal to the council of all duly proposed legislation. *RI bylaw 7.050.4.*
- 4) Action on any motion to add a proposed item of legislation not transmitted to the council by the RI Board pursuant to subsections 7.050.2 and 7.050.3 of the RI bylaws. This motion is neither debatable nor amendable. Provided, however, a member of the

constitution and bylaws committee may briefly explain why the item was not transmitted to the council, and the mover of the motion may briefly explain any disagreement with the explanation. This motion must secure the consent of a two-thirds majority. *RI bylaws 7.050.2, 7.050.3.*

- 5) Adoption of an order of consideration and any other necessary order of the day. *RI bylaw 8.130.1.*
- 6) Presentation by the board of the five-year financial forecast. *RI bylaw 17.060.2.*
- 7) Report by the board on the progress of the strategic plan. *RI bylaw 5.010.*
- 8) Consideration and action on all duly proposed legislation and any amendments. *RI bylaw 7.050.6.*
- 9) Final report of the credentials committee. *RI bylaw 8.090.*
- 10) Adjournment of the council.

Section 4 — Motions by Members. To initiate action, a member offers a motion. Motions may be offered by individual members of the council, either voting or nonvoting. To offer a motion, a member goes to a microphone and obtains recognition by the chair. If recognized, the member states his or her name, language, and if a voting member, the number of his or her district, and then says “Mr. Chair, I move _____.” A second to the motion by another member is required for all motions, except principal motions. A second may be offered by a show of hand. If a second is not immediately offered, the chair may inquire if any member wishes to offer a second. If no member offers a second, the motion (except for a principal motion) is not considered by the council. The adoption of a motion requires a simple majority, unless a two-thirds majority is required by the constitutional documents or these rules.

Section 5 — Types of Motions. There are two types of motions, principal and procedural, as described in sections 6 and 7. During debate of a principal motion, procedural motions related to it may be offered. Procedural motions, if accepted by the chair, take precedence over the principal motion being considered and must be acted on by the council before further consideration of the principal motion.

Section 6 — Principal Motions. A principal motion is the only way a member of the council may move for adoption a duly proposed enactment or resolution. A principal motion to approve proposed legislation may be offered in either its original form or its amended form as provided in section 9. After a principal motion is offered by a member, and accepted by the chair, it must be resolved before the council may consider another principal motion, unless otherwise provided in these rules. Each item of proposed legislation requires a separate principal motion, except that two or more items of technical legislation may be considered and adopted through one principal motion.

Section 7 — Procedural Motions. Several procedural motions are available, with their precedence determined by the chair. The most common procedural motions, summarized in Appendix A, are:

- A. To Amend. This is a motion to modify the proposition being considered. This motion is

debatable, but not amendable. It is subject to the limitations in section 8.

- B. To Close Debate. This is a motion to conclude debate on the proposition under consideration. This motion is neither debatable nor amendable, and may not be offered by a member who spoke in debate on the proposition. If the chair is satisfied that adequate debate has occurred, the chair may accept the motion to close debate and call for a vote on it. If the motion to close debate is not approved by a two-thirds majority, debate continues on the proposition under consideration. If the motion to close debate is approved by a two-thirds majority, debate on the proposition ends, and the chair calls for a vote on it. Provided, however, if the proposition under consideration is a principal motion, (1) the chair may recognize a member-at-large to speak, and (2) the mover has the normal time for closing remarks.
- C. To Consider at a Specific Time. This is a motion to postpone the proposition under consideration to a specific later time, or to a time selected by the chair. This motion is debatable and amendable. If it is adopted, consideration of the affected proposition is resumed at the specific time, or as near to that time as the chair determines. This motion, at the discretion of the chair, may include more than one item.
- D. To Reconsider. This is a motion to reconsider a previous decision of the council, and is available only for decisions on a principal motion or successful motions to refer to the RI Board or to postpone consideration indefinitely. A motion to reconsider is debatable only as described in this subsection D, but not amendable. This motion must be offered on the same day as, or the day immediately after, the decision to be reconsidered. Adequate notice must be given to the mover of the motion for which reconsideration is sought. The motion to reconsider must be offered by a member who voted with the prevailing side. To offer the motion, a member says: "Mr. Chair, having voted with the prevailing side, I move that the council reconsider its action in regard to proposed enactment (or resolution) number ____." Only two members may speak for the motion to reconsider, alternating with two members against it, after which it is immediately put to a vote. The four speakers may each speak for three minutes. A simple majority approves the motion to reconsider. If the motion to reconsider is approved, the principal motion that was the subject of the motion to reconsider is placed at the end of the order of consideration, unless otherwise scheduled by the chair, when the normal rules for debate apply.
- E. To Refer to the Board. This is a motion to refer an item of proposed legislation to the RI Board for consideration, thereby removing it from further consideration by the council. This motion is debatable, but not amendable. Debate may include the merits of the item under consideration. Referral of an item to the RI Board does not indicate support by the council, and has the same effect as a petition to the Board by the proposer. If a motion to refer to the Board is adopted, the item will not be further considered by the council, unless a motion to reconsider is later adopted. This motion, at the discretion of the chair, may include more than one item.
- F. To Suspend the Rules. This is a motion to suspend one or more specific provisions of these rules, either once or for the duration of the council. This motion is neither debatable nor amendable. It may be offered only when no other question is pending, and requires a two-thirds majority for approval.
- G. To Postpone Consideration Indefinitely. This is a motion to postpone indefinitely the item under consideration. This motion is debatable, but not amendable. Debate may include the merits of the item under consideration. If the motion specifies a specific time, it is not a motion to postpone consideration indefinitely (but may be a motion to consider at a

specific time). If a motion to postpone consideration indefinitely is adopted, the item will not be further considered by the council, unless a motion to reconsider is later adopted. This motion, at the discretion of the chair, may include more than one item.

Section 8 — Amendment of Motions. A motion to amend another motion is subject to the following limitations.

- A. Amendments to Proposed Enactments must be Written, Notice Provided, and Submitted in Advance. A motion to amend a proposed enactment must be written and furnished in advance to the chair no later than noon on the day before the proposed enactment is scheduled for consideration. However, the chair may waive this requirement if the chair rules that the proposed amendment to the proposed enactment is clearly understandable as orally stated from the floor by the mover and does not conflict with subsection 8.B. If the chair determines that the council operations committee needs more time to clarify a written motion to amend, the chair may postpone consideration of the underlying proposed enactment, and any related procedural motions, to a specific time.
- B. Other Restrictions. A motion to amend another motion is not in order and will not be accepted by the chair if:
 - 1) It is not germane to the motion under consideration. If it is a procedural motion, the amendment also must relate to the purpose of the underlying principal motion. No independent new question may be introduced by a proposed amendment to a motion;
 - 2) It would reverse the purpose of the motion under consideration from affirmative to negative, or vice versa;
 - 3) It presents a question previously decided by this council;
 - 4) It does not change the substance of the motion under consideration;
 - 5) It strikes out the word “Enacted” from a proposed enactment or the word “Resolved” from a proposed resolution;
 - 6) It strikes out or inserts words in the motion under consideration which would leave no rational proposition before the council;
 - 7) It is frivolous or capricious; or
 - 8) It amends a resolution.
- C. Amendment to an Amendment. No amendment to an amendment is permitted.

Section 9 — Action on Principal Motions.

- A. Original or Amended Form. A principal motion for proposed legislation must be either:
 - 1) To adopt the proposed legislation as transmitted to the council by the general secretary; or
 - 2) To adopt a proposed enactment as amended in accordance with section 8.
- B. Representation of Proposers. Clubs and districts that have proposed legislation are considered to be represented at the council by their representative, unless a proposer notifies the chair that another member has agreed to represent the proposer. When the item is scheduled for action, the representative of the proposer has priority to move its adoption.

If that representative does not move its adoption, any other member may do so.

- C. Lack of a Motion. If an item of proposed legislation is called for consideration, and no principal motion is offered by any member, the item is considered withdrawn and shall not be the subject of a later principal motion. Provided, however, that for justifiable cause, the chair may permit a representative to offer the principal motion at a later time determined by the chair.
- D. Adoption or Rejection. If a motion to adopt proposed legislation is approved by the required majority, the item is adopted. If the motion to adopt is not approved by the required majority, the item is rejected.

Section 10 — Debate. All members of the council may participate in the debate of any proposition. Persons who are not members of the council may not participate in debate.

- A. Recognition of Speakers. Debate may begin after the chair states that the motion has been accepted. Members may speak in debate after they are recognized by the chair.
- B. Opening and Closing of Debate. The mover of a principal motion has the right to open and close debate. Unless otherwise provided by an order of the day, the mover has four minutes to present the legislation. If there is substantive comment or opposing argument, the mover has three minutes to respond at the close of debate on the principal motion. The mover may not otherwise speak in debate on the principal motion, unless authorized by the chair.
- C. Limits on Debate. Members, other than the mover of a principal motion, may speak only once in debate of a motion, unless special permission is requested and granted by the chair. Normally, a member who has spoken on a motion may not speak a second time on it if another member, who has not spoken on it, seeks recognition to speak. Unless otherwise provided by an order of the day, no member may speak over three minutes about a proposition, except for the mover of a principal motion, or by special consent approved by a simple majority. Appendix B summarizes the various time limits on debate.
- D. Balancing of Debate. The chair shall try to ensure that proponents and opponents of a motion have equal opportunity to express their opinions.

Section 11 — Voting. The normal method for voting is electronic, unless the chair otherwise determines for good cause. If electronic voting is not used, the following rules apply.

Voting is by voice or show of hands, and the chair immediately announces the result of each vote. If a member questions the result announced by the chair, the member may request a division of the house if the request is made before the conduct of any other business. When a division is requested, or if the chair orders a division, the chair first requests those voting affirmative to stand, followed by those voting negative. If the chair is still uncertain, or if a member calls for a second division, the chair appoints counting officers and again takes the vote. Those voting affirmative are requested to stand and be counted, followed by those voting negative. The report of the counting officers is announced by the chair as soon as practicable.

Section 12 — Appeal of a Ruling. Members may appeal any ruling of the chair as provided in RI bylaw 8.120.2. An appeal does not require a second, but must be offered immediately following the ruling. If any debate or other business intervenes, it is too late to appeal. An appeal is debatable, but not amendable. The chair, when announcing the appeal, may state the

reasons for the ruling without leaving the chair (with a time limit of four minutes). No member may speak more than once in debate of the appeal, except the chair may close debate by answering any objections to the ruling. Each member has three minutes to speak on an appeal, and the chair has three minutes in closing debate. The question then is: “Shall the decision of the chair be sustained?” A majority negative vote of the members overrules the chair’s decision. A tie vote sustains the decision.

Section 13 — Parliamentary Points. Members may make brief statements or pose specific questions by offering parliamentary points. Points are not motions, and do not require seconds. They are neither debatable nor amendable, but in some cases, require rulings by the chair.

A. Point of Privilege. This is a brief statement by a member about the rights and privileges of the council or its members. Points of privilege may address, but are not limited to:

- 1) the organization of the council;
- 2) the comfort of the members, such as the heating, lighting, and ventilation of the meeting room;
- 3) freedom from noise and other disturbances;
- 4) the conduct of officers or other members of the council;
- 5) disciplinary action against a member for disorderly conduct or other offense;
- 6) the conduct of spectators or visitors;
- 7) the accuracy of published reports or proceedings.

Points of privilege for the council take precedence over points of personal privilege for individual members. The chair decides whether the point of privilege is well taken, and if so, the appropriate remedy.

B. Point of Order. This is a brief statement by a member to call attention, or offer objection, to a violation of the constitutional documents or these rules. The chair decides whether the point of order is well taken, and if so, the appropriate remedy.

C. Point of Information. This is a brief request by a member for specific factual or procedural information about the proposition under debate. The chair decides if the request is in order. If so, the chair may provide the requested information or ask another member of the council to respond. If asked to respond, the general secretary may designate a staff member to furnish the requested information.

Section 14 — Recesses. Council sessions may be recessed and reconvened by the chair. A member may offer a motion for a recess or to close the day’s proceedings. This motion is neither debatable nor amendable, and requires a simple majority. The chair may briefly state the chair’s support for, or opposition to, the motion without leaving the chair.

Section 15 — Withdrawal of Legislation. If an item of proposed legislation has not been called for consideration, the representative of the proposer or proposers of legislation may notify the secretary of the council in writing that the proposal is withdrawn. If there are proposers from more than one district, their representatives must join in notifying the secretary in writing that

the proposal is withdrawn. Representatives also may withdraw items of proposed legislation by announcement from the floor, if recognized by the chair for that purpose. Once a proposal has been the subject of a principal motion, it may be withdrawn only by the mover of the principal motion with permission of the council. If an item of proposed legislation is called for consideration, and no principal motion is offered by any member, the item is considered withdrawn in accordance with section 9.C.

Section 16 — Legislation Proposed by the Council. The council may itself propose legislation, as authorized by RI bylaw 7.020., including a resolution to offer a proposed enactment for consideration at a later council. To propose this resolution on behalf of the council, a member must submit a written copy of the resolution to the chair before noon on the day before the last day of the council meeting. The proposed resolution, on behalf of the council, must relate to an action of the current council, and be signed by at least 25 voting members of the council. However, the foregoing requirements do not apply to ceremonial resolutions to express appreciation, support, sympathy, or condolence. The council operations committee may clarify the text of the resolution. The chair will announce either the time to consider the proposed resolution, or why it is not eligible for consideration. If the resolution is considered by the council, the proposing member is entitled to move its adoption. This motion is debatable and amendable in the same manner as other principal motions.

Section 17 — Distribution of Materials. Materials that may influence votes for or against any proposed legislation may not be distributed to voting members of the council after their arrival in the host city, unless consent for the distribution is requested by a member and approved by a simple majority. Not prohibited are statements of support or opposition previously supplied to all members of the council in advance of the meeting, or information from the RI Board. Any materials distributed in violation of this section shall be disregarded by members of the council and may be the subject of corrective action by the chair.

Section 18 — Amendment of Order of the Day. An order of the day may be amended by a motion offered for that purpose. This motion is debatable and amendable, and requires a simple majority. If the amendment would affect the operation of the council, the chair may briefly state the chair's support for, or opposition to, the amendment without leaving the chair.

Section 19 — Amendment of Rules. These rules, after initial approval by a simple majority, may be amended by a motion offered for that purpose. This motion is debatable but not amendable, and requires a two-thirds majority.

Section 20 — Matters of Procedure Not Covered. In the event of any inconsistency, ambiguity, or uncertainty under these rules, the constitutional documents of RI shall control. Matters of procedure not covered by these rules or the constitutional documents shall be decided by the chair in accord with basic fairness, subject to the right of members to appeal any ruling of the chair.

**APPENDIX A:
SELECTED PROCEDURAL MOTIONS**

<i>Motion</i>	<i>Debatable</i>	<i>Amendable</i>	<i>Required Majority</i>
A. To Amend	Yes	No	Simple
B. To Close Debate	No	No	Two-thirds
C. To Consider at a Specific Time	Yes	Yes	Simple
D. To Reconsider	Yes (limited)	No	Simple
E. To Refer to the Board	Yes	No	Simple
F. To Suspend the Rules	No	No	Two-thirds
G. To Postpone Consideration Indefinitely	Yes	No	Simple

**APPENDIX B:
TIME LIMITS**

A. Debate on a principal motion (section 10)

<i>Mover</i>	<i>Other council members</i>	<i>Mover's closing</i>
4 minutes	3 minutes	3 minutes

B. Debate on a motion to reconsider (section 6)

Four members (two for, two against, alternating debate)
3 minutes

C. Debate on items subject to an order of the day

According to special time limits in the order

D. Debate on an appeal of a ruling (section 12)

<i>Chair</i>	<i>Other council members</i>	<i>Chair's closing</i>
4 minutes	3 minutes	3 minutes