

## PROPER PARLIAMENTARY POINTS

Two American Legion Auxiliary documents, *Let's Be Proper* and *Parliamentary Points* have been combined here to provide basic information and confidence in the use of parliamentary procedures.

*Let's be Proper* was originally prepared by Past National President Helen Lee Gilbert, and includes American Legion Auxiliary protocol. *Parliamentary Points* was compiled over time based on *Robert's Rules of Order, Newly Revised*.

Parliamentary procedures apply certain established rules of parliamentary law and rules of common sense, courtesy and fairness.

The four principles for use are:

1. Courtesy and justice to every member.
2. Act on one thing at a time.
3. Rule of the majority.
4. Right of the minority to be heard.

### Common Definitions

The Chair means the presiding officer, generally the President. In addressing the Chair, always use the term "Madam President", or "Madam Chairman." If the Vice President is presiding, she is addressed as Madam President or Madam Chairman, unless the president is also on the platform, in which case the presiding officer is addressed as Madam Vice-President to avoid confusion. Rules of Order may provide for other practices at a particular meeting or convention.

Quorum is the minimum number of members who must be present for the valid transaction of any business. The number required for a quorum should be stated in the Bylaws.

Division of the Question will allow a motion that is complex and has two or more parts, to be divided into sections and to vote on each in succession. The motion for a division of the question requires a second and is carried by majority vote.

Division of the Assembly, when the outcome of a vote is unclear, is used to call for a rising vote unless it is used as a delaying tactic. A call for a division of the assembly, however it is stated, requires an immediate call for a rising (standing) vote or, in small assemblies, a show of hands. No second or vote on the request is necessary.

Ex-Officio means "by virtue of Office." The ex-officio member of a committee is designated as such by the Bylaws. The ex-officio member has the same rights as any other committee member, but is not obligated to attend committee meetings, nor is this member counted as part of the required quorum to transact the business of the committee.

### Principal Motions

Parliamentary motions fall into four groups. They include:

- 1) **Main motions**, which bring new propositions before the assembly, are open to debate and usually require a majority vote to carry them. A motion to rescind is a main motion requiring a 2/3 vote if previous notice has not been given.

- 2) **Subsidiary motions** are attached to other questions for one or more of three purposes: To modify (amend), to delay action, and to stop debate. It is important to know the order of precedence when dealing with subsidiary motions. (See diagram of parliamentary motions)
- 3) **Privileged motions** are so important that they may break in at almost any time. Three are quite commonly used: (1) To take a recess; (2) To adjourn; and (3) To fix a time and place to adjourn.
- 4) **Incidental motions** are used to keep the business of an organization moving properly should matters become too complex and confusing. Only two or three are commonly used.
  - a. Withdrawal of a motion may be asked for by the maker, and if no one objects, withdrawal is allowed. If anyone objects, it is necessary to make a motion to permit its withdrawal.
  - b. Point of Order is made to call attention to a parliamentary mistake.
  - c. Appeal from the decision of the Chair is made if a member disagrees with the presiding officer's decision. The assembly then may vote either to sustain or overrule the Chair's decision. An appeal is usually debatable.

### Steps in a Main Motion

1. Motion is made, preferable in positive form, by saying "I move that..."
2. Motion must be seconded to be considered. At least two people must wish to discuss a topic; therefore the "second" is the second person. If there is no second, the motion dies.
3. The Chair repeats the motion, which opens the motion for discussion.
4. Debate (discussion).
5. Chair repeats the motion when discussion ends, or time limits expire.
6. Chair calls for ayes and nays. Always call for the negative vote, even if it appears the vote is unanimous.
7. Chair announces the result of the vote.

### Facts About Motions

#### 1. Main Motion

Made first, to introduce business before the assembly. Lowest in rank, it is the basis for most other motions that have specific procedural steps. These are subsidiary motions, e.g. amendments, or privileged motions, e.g. to raise a question of privilege.

A motion once voted upon may again be brought before the meeting by proper method, i.e. reconsider (same day), a motion made by one who voted on the prevailing side; or rescind (requires 2/3 vote).

#### 2. To Amend

A motion to amend the main motion is debatable only if the main motion is debatable and can be amended. However, an amendment to the amendment cannot be amended.

A motion to amend is a proposition to change the phraseology of a motion to which it applies and it should state by what method the change is to be made. A motion to amend is made by adding, deleting, inserting, or substituting. A motion to amend must be seconded, and must be acted on before the main motion to which attached. If the amendment passes, the chair will repeat the main motion "as amended" prior to the vote on the main motion.

#### 3. Refer or Commit

This motion has a delaying action.

Is amendable.

Is debatable, but only as to the propriety of committing the main question to a special committee, to a standing committee, for information or for recommended action. Pending amendments go with the main motion to the committee.

If the committee to which the motion is committed is a “special one,” it is necessary to designate the number to serve on the committee and how it is to be appointed. It is also necessary to designate what action the committee is to take, i.e. information or action.

If more than a quarterly time interval will elapse between meetings, a question cannot be postponed beyond the end of the present session. A quarterly interval is considered to be any time during the calendar month three months from the month in which the first session was held.

**4. Postpone**

(to a definite time)

This motion has a delaying action. It allows limited debate. Debate must not go into the merits of the main motion. It is amendable as to time. The time must not be beyond the next regular session. It becomes the order of the day for the time to which it was postponed.

**5. Postpone**

(indefinitely)

A motion to postpone indefinitely cannot be amended but is debatable and opens the main question to debate. A negative vote cannot be reconsidered. If lost, the motion cannot be renewed. The object of this motion is not to postpone but to reject the main motion. If carried, the main motion is suppressed for the session. If an embarrassing main motion has been brought before the assembly, a member can propose a motion to dispose of the question by moving to postpone action indefinitely. A motion to postpone action is also proper in situations where a motion “to lay on the table” was previously used, that is, in situations where it is desired to dispose of a question without a direct vote, as this motion is debatable and therefore does not deny the rights of individual members. (See also No. 7, Lay on the Table.)

**6. Previous Question**

(Not debatable, not amendable.)

Takes two-thirds vote to carry. To make this motion, say “I move the previous question on (state the motion).” This motion means “I move that debate now cease and voting begins.” Sometimes a member will simply say “question” but this implies a motion as stated here. When this motion is made, the presiding officer says, “The Chair would remind the members that it requires a two-thirds vote to carry the motion, and if carried, debate on the pending motion will cease.”

**7. Lay on the Table**

(Not debatable, not amendable.)

The motion to “lay on the table” is proper only to set aside a pending question in order to take up something immediately urgent, with the expectation of resuming the tabled matter at a more convenient time. Since such a motion is not debatable, and because it requires only a majority vote, it is considered a violation of the rights of individual members to use this motion for other than its stated purpose. Other motions that limit debate require a 2/3 vote. A motion to “take from the table” the item previously tabled can be done at a time immediately following the more urgent matter or at another time.

**8. Adjourn**

(Not debatable, not amendable.)

A motion to adjourn is always in order after the moment the meeting opens, even if there is business to be transacted. Therefore, the presiding officer should not say “A motion to adjourn is in order,” but rather, “If there is no further business, the meeting is adjourned.”

## 9. **Fix Time and Place**

(To which to adjourn)

This motion is not debatable but can be amended. At the time this meeting is held, it is an adjourned meeting of the first and is recorded as such, and would take up business where it was left off previously. Time must be before the next regularly called meeting.

## 10. **To Reconsider**

A motion to reconsider means, “I move to annul the vote and reconsider the motion.”

Must be made by one who voted on the prevailing side, unless the vote was taken by ballot; then any member may make the motion to reconsider.

Can be made only at the meeting at which the vote was taken unless special rules provide otherwise in the Bylaws.

Say, “I move to reconsider the vote on the motion relating to...” or “I move to reconsider the vote on the amendment striking out...and inserting...”

The presiding officer asks, “Did the member vote on the prevailing side?”

The following may not be reconsidered:

- a. Nominations.
- b. Fix time and place to adjourn
- c. To adjourn.
- d. Take from the table.
- e. Lay on the table.

## 11. **Rescind or Amend Something Previously Adopted**

Rescind is a motion to annul or strike out something previously adopted.

Amend something previously adopted is the motion that can be used if it is desired to change only a part of the text, or to substitute a different version. The motion is debatable. A majority vote is required if previous notice is given, or 2/3 vote is required if no previous notice was given.

## 12. **Withdrawal of a Motion**

A member may withdraw a motion without permission before the Chair states the motion placing it before the assembly. Once the motion is stated by the Chair, a request for permission to withdraw a motion can be made at any time before the vote is taken on the main motion. If there is an objection to permission being granted, another member can make a motion asking for permission of withdrawal. It does not need a second and the Chair may put it to a vote.

## **Nominations and Elections**

The Bylaws should detail the procedures for nominations and elections. This should include nomination procedures, time of election, election procedures, elected officers, term of office, and filling vacancies.

If a nominating committee is provided for, the Bylaws should state the method for selection of such committee. The committee should be elected by the assembly or by the executive committee. The president is never a member of the nominating committee, ex-officio or otherwise. Members of the nominating committee may be nominated for any office without resigning from the nominating committee.

The nominating committee reports to the assembly and the Chair calls for additional nominations for each office. It is out of order to close nominations if there are members who wish to make further nominations. If no

one wishes to nominate further, a motion to close nominations is unnecessary. The chair may simply state that nominations are closed. If a motion is made, it requires a 2/3 vote to close nominations.

A member nominated for an office may withdraw but she may not withdraw “in favor of another member.”

If the Bylaws require the election to be by ballot, this requirement cannot be suspended, even by unanimous vote. A ballot provides that any member may write in the name of an eligible member for any office, whether or not that member is nominated either by the nominating committee or from the floor. The Bylaws may also provide for voice vote when there is only one candidate for an office.

The right to vote is the privilege of every member, but a member is not compelled to vote.

In counting votes, the basis for election is the total number of votes cast and not the total voting strength. It is important to know the voting strength so that the total number of votes cast does not exceed the voting strength. The Chair must declare a member elected after the teller’s report, or after voice vote, for each office.

All elected officers assume their duties as soon as elected, at the close of the meeting or convention at which elected, or as provided for in the Bylaws. Installation is not necessary to assume the duties of the office.

Upon entering office, each one should make herself acquainted with the duties entailed. Her plan of action and method of accomplishment should be clearly in mind.

When going out of office, the retiring officer should pass on to her successor her file of materials as promptly as possible.

### **Points for Presiding Officers**

1. Always begin the meeting on time. Keep business within time limit.
2. Do not enter into discussions; remain neutral.
3. Expedite the transaction of business by
  - a. Keeping order.
  - b. Saying what you mean, in the fewest words.
  - c. Planning in advance, and preparing an agenda.
4. State only those motions that are in order, or rule motion out of order.
  - a. State motion after it has been seconded.
  - b. Ask for discussion
  - c. Put motion to a vote
  - d. Declare the result of the vote.
5. Ask, “Is there a second to the motion?” if a motion is not seconded promptly. The Chair should not say, “Will someone second the motion?” which would imply that she wants the motion seconded.
6. Say, “The question is on the motion to amend...” not “The question is on the amendment.”
7. Say, “Those in favor of the motion please say ‘Aye,’ those opposed say ‘No.’” Do not say, “Those in favor ‘indicate’ or ‘signify,’ etc. ‘Aye’ should not be used as indicating opposition.’ No’ should be used in voicing opposition.
8. Take the negative vote on every motion except courtesy resolutions. Say, “Those opposed say ‘No’”, not, “Those contrary or contrary minded say ‘No.’” One may be opposed to a motion without being ‘contrary.’
9. Make a decision and declare the result of every vote. Announce the result to the assembly, not to the secretary.
10. Say, “The motion is carried;” not” The ayes have it.” Say, “The motion is lost;” not, “Those opposed have it.”
11. Chair does not forfeit the right to vote; however, it is not customary to do so unless the vote is by ballot or roll call.

12. Unless voting by ballot, the President may vote to break a tie or to create a tie. She may not vote twice to do so. Her vote in breaking a tie can either carry or lose the motion. By voting to create a tie, she can defeat a motion, since a tie vote is a lost vote.
13. If the President wishes to speak to a question in the process of debate, either in favor of or opposing, she should place in the Chair a Vice President, and speak to the question. The President may not resume the Chair until after the vote has been taken and declared, upon the question under discussion.
14. Use the expression, "The Chair" instead of "I".
15. Know for yourself whether there is unfinished business. This is your business.
16. Have ballots collected in a receptacle when a vote is by ballot.
17. State, "The Vice President will assume the Chair." You never turn the gavel over, or turn the meeting over, to anyone.
18. The President is ex-officio a member of all standing committees, but never of the nominating committee.
19. Preside according to the principles of fairness and justice if you do not know of any rule applicable to the decision you make.

## **Points for other officers**

### **Parliamentarian**

1. Should be seen and not heard.
2. Should be familiar with current edition of *Robert's Rules of Order, Newly Revised*, and the *Constitution and Bylaws*.
3. Need not be an elected officer, but is appointed by the President because of confidence and trust of members.

### **Vice President**

1. Presides in the absence of the President, or whenever the President temporarily vacates the chair.
2. First Vice President becomes President in case of illness, resignation or death of the President, for the unexpired term, unless rules specify how vacancies shall be filled.

### **Secretary**

1. In the absence of the President and Vice President, calls the meeting to order and entertains a motion for temporary chairman. If the Secretary is absent, a Secretary Pro-Tem must be elected.
2. Writes minutes of the meeting, including kind of meeting (regular, special, etc.), place, date, hour, presiding officer, all motions and their disposal, names of makers of motions. Names of seconder not required.
3. Not included in minutes are discussions, opinion, Points of Order, or Questions of Privilege.
4. The Secretary should place corrections on the margin of the minutes. The minutes are never re-written after they are presented to the assembly and approved.

### **Treasurer**

1. Is custodian of funds of the organization; receives and disburses them upon authority from the organization.
2. Reports financial accounting to the assembly.
3. Reports are not adopted, but are placed on file for audit. The audit report is adopted.
4. The treasurer should be bonded.

### **Points for Members**

1. All members whose current membership dues are paid are members in good standing and are entitled to all the rights and privileges of membership, including those of aspiring to and holding office, and voting in the American Legion Auxiliary.

2. Rise and address the Chair if you want to discuss the motion under consideration or to offer another motion.
3. Wait to be recognized by the presiding officer before beginning to talk after addressing the Chair.
4. Say, "I move to..." or "I move that..."
5. Make a motion in an affirmative form, never in the negative.
6. Always address your remarks to the Chair, never to another member.
7. Speak of another member by some expression other than her name, such as, "the member on my left..." or "the member who moved..."
8. Remain silent if you are ready to vote and the presiding officer says, "Are you ready for the question?"
9. Assist the presiding officer promptly by giving your name. (In small groups she may know everyone, so this may not be necessary.)
10. Use the correct terminology. To approve means to ratify; to accept means to receive, such as reports; to adopt is to take affirmative action on motions.
11. State facts rather than what you think or believe.
12. Understand the types of votes:
  - a. Majority: the number greater than half the votes cast.
  - b. Plurality: issue or person receiving most votes, may be less than a majority, as in an election with three or more candidates.
  - c. Two-thirds vote: To determine a 2/3 vote quickly, double the negative votes cast, and if it is equal to or less than the affirmative votes cast, a 2/3 vote has been attained.
13. Members should speak up while a motion is pending, not after the vote has been taken or after the meeting is over.
14. Remain seated when motion to adjourn is offered and until the Chair declares the meeting adjourned.
15. Committees:
  - a. Members of committees have no authority except that which is granted by the Bylaws or by a vote of the assembly.
  - b. Unless otherwise provided, the member first named to a committee or the one receiving the largest number of votes is the chairman of the committee.
  - c. Members of committees should not conduct business of the committee without a quorum present. A majority of committee members constitutes a quorum unless the assembly orders otherwise.
  - d. Motions and resolutions originating in committees need no seconding. They already have been seconded by committee action.
16. Show loyalty to the elected officers, whether they are your personal choice or not.
17. Remember that all rules of parliamentary procedure are in harmony with good sense, courtesy and fairness.

## **Common Mistakes**

### **1. Calling for acceptance of the address of the President.**

The address of the President is accepted by the presiding officer without vote, as a courtesy to the President. It is not put to a vote.

### **2. Casting a unanimous vote or ballot by one person.**

That is out of order. If such a motion is made, the presiding officer says, "all in favor of electing (name) please say 'Aye,' those opposed say 'No'". The motion is carried and (name) is declared elected."

### **3. Referring to the Constitution and Bylaws as one document if there are two.**

When amending or speaking of the Constitution and Bylaws, specify which document is meant. Under preferred practice today, the two documents are usually combined into one, unless the rules of the organization are very complex, such as the American Legion Auxiliary's national organization. Units may have simple rules that can be combined into one document, which would be called Bylaws.

### **4. Bylaws contain the provisions that are expected to have stability from session to session.**

These rules, therefore, require both previous notice and a two-thirds vote for amendment. While Rules of Order require two-thirds vote for suspension, Bylaws cannot be suspended – ever!

**5. Putting two different and separate items in one motion.**

If this is done, a division of the question should be called for.

**6. Saying, “Are there any omissions, additions or corrections to the minutes?”**

Remember that an omission or addition is a correction. Ask only for corrections to the minutes.

**7. Omitting call for a negative vote.**

**8. Asking that the vote be “unanimous.” According to Webster, “unanimous” means “all of the same mind.”**

Americans are too individualistic to ever be that. Say instead, “The motion is carried without a dissenting vote.”

**9. Calling for minutes of the Executive Committee meeting.**

Minutes of an Executive Committee meeting are not read for approval of the assembly. Only those who help make the minutes can approve them. Recommendations that require approval by the assembly are read as new business, and acted on at that time.

**10. Always state the date of the previous meeting when calling for minutes to be read.**

**Note:** It is a mistake to think you can learn parliamentary law without investing time in and attention to the subject. Also required are continuous, persistent practice and the ability to see the difference between statements, which are similar. Parliamentary law works if it is used correctly, and if all members are familiar with the basic rules.

**Procedure and Protocol**

1. Courtesy and honor to Past National Presidents and Past Department Presidents are always in order.
2. Start all events on time.
3. At some time during a program, credit and recognition should be given to the chairman and the committee responsible for the arrangements for the meeting or dinner.
4. Seating – The presiding officer is always at the center of the head table or right off-center first place. The guest of honor is always seated at the right of the presiding officer and takes precedence over any other dignitary. Other guests may be seated right, left, right, etc. of the presiding officer, according to rank; or all guests of honor may be seated to the right of the presiding officer, and other dignitaries to her left. If a special chairman is to present a program portion of the meeting, this person is usually seated at the left of the presiding officer when there is an honored guest at the presiding officer’s right.
5. If the number of honored guests is a large one, it is often more graceful to arrange for two head tables. But, under all circumstances, the guest of honor should be kept at the presiding officer’s right.
6. Corsages – corsages for women guests are a nice gesture, but if the treasury is low, forget them. If you do present them, do this before the meeting and designate one person to handle this. White is always acceptable in flowers, and it is well to present colored corsages only if you know that the color will harmonize. The presiding officer does not wear a corsage unless the guest of honor also wears one.
7. Introductions – When you introduce guests of honor and they rise and bow only, you introduce the highest-ranking guest first and go down the list. If your guests are each to say a few words of greeting or congratulations, then start with the guest of lowest rank and go up the list so that the last expression comes from the top-ranking officer or guest. **DO NOT HESITATE TO ASK ALL TO BE BRIEF**, but this should be done prior to the event.
8. Guests of honor are always introduced by the President, especially when they are National Officers.
9. In making introductions, generally, it is a good general rule to introduce elected officers before introducing appointed officers. In introducing the speaker, be brief, be factual, be gracious, give the full name and titles of the speaker, announce the subject and present the speaker. Every speaker should have advance information regarding time, place, type of meeting, manner of dress, and most important, the time limit for the speech.
10. Reception Line – the President or Chairman, usually preceded by one hostess who announces each person, heads the reception line. The guest of honor is next to the President, at her left, with other guests following according to rank. A reception line should never be too long or progress will be delayed. Each person in a line repeats to the person next in line the name of the person just greeted. If this is not done, those going down the reception line give their name to each one in line, in turn.



### **The Emblem, Ribbons and Pins.**

1. The emblem should always be accorded the place of honor. It represents the organization.
2. Use of the emblem must receive the approval of the National Secretary.
3. The sash ribbon is worn by various officers on all levels, present and past.
4. The sash ribbon is worn on formal occasions – NEVER over a topcoat of any kind, but may be worn over a suit coat.
5. The ribbon is worn over the right shoulder, and under the left arm. No pins or decorations should be affixed to the ribbon. It should not be knotted at the left to fasten it, but should hang crossed and secured by an invisible fastening on the underside.
6. Members are encouraged to wear the pin of the current office in which they are serving or have just completed, or the highest office held by the member.
7. Corsages may be worn on the left side, over the Auxiliary pin, as a corsage is considered part of the dress once it is pinned in place.
8. If a flag pin is worn, the flag pin should be worn on the left side of the blouse and may be worn with the pin of the current Auxiliary office held by the member, with the flag pin above or even with, the pin denoting office held.