

Ance Glink | DIAMOND BLUE
| POLANSKI
| & KRAFTZBERG

**99 (OR 33) OF THE MOST IMPORTANT
ISSUES IN DEALING WITH PARLIAMENTARY
PROCEDURES**

PRESENTERS:
JULIE A. TAPPENDORF
DAVID S. SILVERMAN

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Question 14

Who prepares the agenda?

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Answer 14

Statutes do not tell us who prepares the agenda. This can create a huge controversy in many communities but the person who prepares the agenda should follow the process established by custom or in the ordinances of the municipality.

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BREWING
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Question 15

Who gets to place or add items to the agenda?

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Answer 15

The statute does not state who gets to place or add items to the agenda. Effective governments clearly allow members of the legislative body to add items to the agenda or else they will be forced to call special meetings.

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Question 35

Must we allow public comment at every meeting?

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| & KRAFT/STREIBER

Answer 35

The PAC seems to think so.



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Question 45

Can members of the public demand answers from the members of the public body?



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| & KRAFT/STREIBER

Answer 45

The PAC has indicated that public comment is intended to allow the public to speak to the government body, but the government body is not required to respond to questions or engage in debate.



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Question 47

Can members of the public be removed for disrupting a meeting?



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Answer 47

Yes, if they violate ordinances or state statutes, by, for example, committing disorderly conduct.



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Question 48

Who is in charge of a meeting?



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Answer 48

The presiding officer, usually the mayor or president

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Question 49

Who calls the meeting to order?

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Answer 49

Any member of the public body may call the meeting to order. It is usually done by the presiding officer or the clerk in the absence of the presiding officer.

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Question 50

What constitutes a quorum?



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Answer 50

A quorum of the corporate authorities of a municipality is a majority of those positions available to be elected to the city council or village board. Vacancies do not reduce the number to create a quorum.



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Question 51

Must a quorum be present during the entire meeting?



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Answer 51

A quorum remains in existence once established unless a call for a quorum takes place or a vote is necessary and a lack of a quorum is noted.

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& GOVERNMENT

Question 56

What are the basic powers of the presiding officer?

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Answer 56

The presiding officer is to move the public body through the agenda, answer questions, determine whether motions are or not in order, and whether they have passed.

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Question 59

Can the presiding officer make or second motions?



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Answer 59

Under most rules of order, presiding officers are not allowed to make or second motions. That reflects the fact that presiding officers have only limited voting powers.



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Question 61

Must a motion be on the floor and seconded in order for a subject to be discussed?



Answer 61

Many rules require that for a subject to be discussed, a motion must be on the floor and be seconded. As a practical matter, many governments and their presiding officers allow discussion to take place for the purpose of effectively helping to create an appropriate motion.

Question 62

Must members of the body be “recognized” by the presiding officer in order to speak?

Answer 62

Every government should follow the rule of only allowing members to speak when recognized by the presiding officer.

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| BULLOCK
| & KRAFTZHEITZ

Question 64

Can the time and number of opportunities to speak for a particular member be limited?



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| & KRAFTZHEITZ

Answer 64

Yes, either by written parliamentary rules, which is preferred, or by tradition, the time and number of opportunities to speak for particular member can be limited.



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| & KRAFTZHEITZ

Question 68

What is the effect of a motion to “call the question?”



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| & REALTY/ESTATE

Answer 68

A motion to “call the question,” if seconded, and after all parties have had an opportunity to discuss the issue, will lead to a definitive vote.

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| BUSINESS
| & REALTY/ESTATE

Question 69

Can a motion to “call the question” be made before every member has been given an opportunity speaking to the issue?

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| BUSINESS
| & REALTY/ESTATE

Answer 69

No

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Question 70

What is “point of order” and how is it used?



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Answer 70

It is a generally a statement or a question asked or presented by a member to the question of whether proper procedures are being followed.



Ance! Glink | DIAMOND BLUE | ENGLISH | 8.3A.17.10.12.13

Question 71

Can we limit debate on a particular item and how do we do that?



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POLITICS
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Answer 71

Yes, a motion can be made and seconded and adopted to set a specific time for debate on a matter. The time must offer a reasonable opportunity for all views to be expressed.

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Question 72

Are all motions debatable?

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Answer 72

No, not all motions are debatable. Some, like a motion to table a matter or refer a matter to a committee, are made, in part, for the purpose of ending debate at that time and are not themselves debatable.

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| BUSINESS
| & SPORTS

Question 73

When is a motion in order to change or override a motion previously acted upon?



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Answer 73

Motions, once debated and decided, should generally not come before the governmental body unless a valid motion to reconsider is made or new facts make it pertinent and desirable to reconsider the issue.



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| & SPORTS

Question 74

When are motions to reconsider in order?



Answer 74

Most rules of order provide that motions to reconsider must be made at the same meeting or the following meeting. They generally must be made by a person who previously voted on the prevailing side and has changed his or her mind.

Question 75

How often and under what circumstances can a ruling of the presiding officer be questioned?

Answer 75

Most rules of order provide that any ruling of the presiding officer can be questioned and overturned. Repeated motions made with no basis for questioning the decision of the chair can be ruled out of order, but would be subject to appeal.

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TECHNOLOGY | BY **ROBERT** AND **KEVIN**

Question 76

Is a motion to overrule the decision of the presiding officer debatable?



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TECHNOLOGY | BY **ROBERT** AND **KEVIN**

Answer 76

Yes, a motion to overrule the decision of the presiding officer is debatable, but, generally the period of time of the debate can be limited to a statement by the maker of the motion which has been seconded and a defense of the action by the presiding officer or one member who agrees with the decision.



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Question 77

What is the body to do if the presiding officer refuses to allow a discussion or vote on a motion to reconsider a presiding officer's decision?



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Answer 77

If the presiding officer refuses to allow an appeal from his or her decision, some other member of the council or board can move the process through to a vote.

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Question 78

If the clerk refuses to call the roll, can a roll call be made by a member of the body?

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& SCAFFOLDING

Answer 78

Yes, where a mayor and a clerk refuse to participate in a process seeking to override the decision of the chair, any member of the body can call the roll.

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| POLANSKI & KAUFMANN

Question 79

Is a motion to table or refer to a committee debatable?



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| POLANSKI & KAUFMANN

Answer 79

No, motions to table or to refer to a committee are not debatable because their intent is to bring an end to a discussion on the matter at that particular time.



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| POLANSKI & KAUFMANN

Question 80

Should a motion to table a matter indicate when it would be brought back to the floor?



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Answer 80

If a motion is simply tabled, without any time being stated, it will not return to the floor for a discussion until a motion is made to return it to the floor.

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Question 81

Can a meeting be recessed for a stated time?

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Answer 81

Yes, a meeting can be recessed for a period of time. If factions wish to discuss during a recess how to respond to a matter, they need to make sure that they do not violate the Open Meetings Act in so doing.

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Question 84

Can a meeting continue if the presiding officer declares that the meeting has been adjourned?

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Answer 84

The presiding officer has no right to declare that a meeting has been adjourned without a vote, and the remaining quorum can choose a new presiding officer and continue the meeting.

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Question 86

Can a meeting be continued to another date and time?

Answer 86

A meeting can be continued to another date and time. No notice needs to be given if the meeting was open to the public and is to be reconvened within 24 hours or if an announcement of the time and place of the reconvened was made at the original meeting and there is no change in the agenda.

Question 88

Does a government body need a written set of rules of order?

Answer 88

We recommend that governments adopt local rules of order.

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Question 91

How does a government body adopt procedural rules?



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Answer 91

A governmental body can adopt procedural rules by motion, resolution, or ordinance.



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Question 93

What national rules of order are available?



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Answer 93

Robert's Rules of Order are the predominant rules currently in use, although there are three or four other sets of available rules. Diamond's Rules of Order, specifically developed for Illinois local governmental bodies, will be available shortly.

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DELOACH
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Questions

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