



Parliamentary Procedure, Robert’s Rules and the Law—Eleven Tid Bits

Notes

1. What is parliamentary procedure?
Answer: A very odd combination of Law (statutes & cases), Robert’s Rules and a good deal of common sense.
2. **Citing Robert’s Rules.** "RONR" is the standard abbreviation parliamentarians use. The standard citation to particular pages and lines is "RONR (10th ed., p. [for 'page' or 'pages'])." Some simply cite as "RR §[for 'section')." See <http://www.robertsrules.com/faq.html>.
3. **Which Version of Robert’s Rules?**
 There are many versions and changes. If you adopt Robert’s Rules, the policy should say “the most current version.” See policy at item #3 below. The most recent version is Robert’s Rules of Order Newly Revised (10th ed. 2000). See <http://www.robertsrules.com/faq.html> and [Moriarty, Cal. App. Unpub. LEXIS 8873 \(Cal. App. 1st Dist. 2007\)](#) (The record contains another edition of Robert’s Rules. We refer to the 10th edition.).
4. **How many “ayes” are enough?**
 Absent statute, common-law rule is a majority of quorum may act. Majority of the members is a quorum. See [Nemaha NR Dist. v. Neeman, 210 Neb. 442 \(1982\)](#). “[A] majority of the members of the board” mean[s] a majority of all members of the board.” See [Houser v. School Dist. of South Sioux City, 189 Neb. 323 \(1972\)](#). What is a “majority”? Majority of all members (4/6, 5/9, 4/7, 7/12) or Majority of quorum (3/4, 3/5, 3/4, 5/7). Contrary statutes: Sale of property “at least two-thirds of all the members of the board.” See § 79-10,114. (4/6, 6/9, 5/7, 8/12) If you adopt a Robert’s Rules policy, to avoid voting requirement conflicts the policy should say “To avoid voting requirement conflicts between the Law and RR have a policy that says “a majority of quorum may act the most current version.” **Sample Policy:** “In all matters not covered by policy or by statute, parliamentary procedures are governed by Robert’s Rules of Order, latest edition except for the number of votes needed to carry a motion which shall in all cases be a majority unless otherwise required by law.”
5. **Is it true that the president can vote only to break a tie?**
Answer: No. In a board or committee, the chair does vote, can debate, and make motions. See <http://www.robertsrules.com/faq.html> and <http://www.csufresno.edu/comm/ppqa13.htm>.
6. **How do you deal with a "friendly amendment"?**
Answer: Technically, RR doesn’t recognize one. A motion is being debated, someone offers a "friendly amendment", the mover "accepts", and the board treats the motion as amended. [RR §12, p. 154.] requires a motion, second and vote to amend. Use common sense. See also <http://www.robertsrules.com/faq.html>.
7. **Must debate on a motion stop immediately as soon as any member calls the question?**
Answer: No. It is a fairly common misconception that, after debate has continued for some time, if any member shouts out "Question!" or "I call the question!", debate must immediately cease and the chair must put the pending question to a vote. This is simply not the case. Any member who wishes to force an end to debate must first obtain the floor by being duly recognized to speak by the chair, and must then move the *Previous Question*. Such a motion must be seconded, and then adopted by a two-thirds vote, or by unanimous consent [. It is not in order to interrupt a speaker with cries of "Question" or "Call the Question," and even if no one is speaking, it is still necessary to seek recognition. [RONR (10th ed.), p. 193-94; see also p 35-37 of [RONR In Brief](#).]
8. **Do I need a motion to approve the minutes?**
Answer: No. Although you can if you want, RR §41 provides that the Chair simply announces “if there are no corrections, the minutes stand approved as published” or “as corrected”).
9. **Do I need a motion to adjourn?**
Answer: No. Although you can if you want, RR §8 provides that unless there is an objection the Chair declares “meeting adjourned.” Meetings can be “in recess” as opposed to adjourned for only short periods of time.
10. **What happens with a tie vote?**
Answer: “Tie” votes do not take action. See [79 Neb. L. Rev. 855, 857; 1-3 EDUCATION LAW § 3.06](#) (When the result is a tie or deadlock, the measure is usually considered to have been defeated).
11. **What if a member abstains?**
Answer: Abstentions are not affirmative votes. Abstentions are effectively counted as a “NO” vote. See [Nemaha Natural Resources Dist. v. Neeman, 210 Neb. 442, 453 \(Neb. 1982\); & 1-3 EDUCATION LAW § 3.06.](#)