RULES OF PROCEDURE –
DEBATE ON RESOLUTIONS

PLEASE NOTE: **Accredited <u>delegates</u> are also reminded that they <u>must be in attendance when a vote is taken</u> in order for their ballot to be cast. The bylaws do not allow voting by proxy.**

- If an accredited delegate does not attend the AGM or unexpectedly must leave the AGM, the Chair or other authorized board member or official should speak to Krista Lenius to have the votes of the absent delegate reallocated to another board delegate(s).

- Please try to do this in advance of the start of the Resolutions portion of the AGM to avoid a delay in the proceedings.

I. RULES OF PROCEDURE

The rules of procedure for the Association are found in three sources:

1. <u>Bylaws of the Association</u>:

   Highlights of the relevant Bylaws are:

   a. Bylaw No. 10:

      - Where neither the Association Bylaws nor rules of procedures approved by the Executive set out procedure on a specific point, the bylaws provide that *Robert's Rules of Order* applies. Only accredited delegates <u>in attendance</u> when the vote is taken are entitled to vote. There is no absentee voting.

   b. Bylaw No. 11:

      - Voting is by ballot cast by accredited delegates. However, voting on motions with respect to procedural matters is by a show of hands of all delegates.
      - Formal ballots are used for votes on adoption of the Association budget and resolutions.

- Specifies the number of votes a board is entitled to based on student count.

c. Bylaw No. 12:

- Sets out the process for submitting resolutions that the Resolutions and Policy Development Committee presents, and, the procedure for moving resolutions, which have not been presented by the Committee, from the floor.

2. Special Rules of Procedure

Section 4 of Bylaws No. 12 and 13 allow the Resolutions and Policy Development Committee to establish procedures for approval of the Executive.

The Executive approved the following rules of procedure in October 2009:

RULES OF PROCEDURE FOR DEBATE ON MOTIONS IN GENERAL MEETING

These rules of procedure for debate on resolutions and bylaw amendments in general meeting are made pursuant to Association Bylaws No. 12 and 13.

1. Resolutions to be presented in general meeting by the Committee will be moved as circulated to members prior to the General Meeting.

2. Bylaw amendments will be read in full when they are moved, unless the membership votes, by show of hands, to dispense with the reading of a specific bylaw amendment.

3. Timelines for Debate:

A. For resolutions and bylaw amendments presented by the Resolutions and Policy Development Committee:

i. When seconding, the seconder will be allowed to speak for a maximum of 3 minutes;
ii. When there is debate on the bylaw amendment or resolution, a delegate will be allowed to speak no more than twice:
   (a) the first time, for a maximum of 2 minutes; and
   (b) the second time, for a maximum of 1 minute;
iii. As the seconder has already spoken once, the seconder will have one more opportunity to speak for a maximum of 1 minute prior to the seconder's opportunity to speak in closing debate;
iv. The seconder will be allowed a maximum of 1 minute to close debate.

B. For amendments moved to a resolution or bylaw amendment on the floor or a resolution moved by a member from the floor:

i. The mover will be allowed a maximum of 3 minutes to make the motion;
ii. A seconder is required;
iii. The seconder and other delegates will each be allowed to speak no more than twice:
   (a) the first time, for a maximum of 2 minutes; and
   (b) the second time, for a maximum of 1 minute;
iv. As the delegate who is the mover has already spoken once, that delegate will have one more opportunity to speak for a maximum of 1 minute prior to his/her last opportunity to speak in closing debate;
v. The delegate who is the mover will be allowed a maximum of 1 minute to close debate.

4. Friendly amendments:

A "friendly amendment" is an amendment that only clarifies wording or corrects a reference and does not otherwise change the intent or wording of the resolution or bylaw amendment.

The process for a friendly amendment is:

i. Any time after the resolution or bylaw amendment has been moved and seconded, a delegate may propose an amendment to clarify wording, indicating that it is a "friendly amendment";
ii. If the Chair determines that the proposed amendment is a friendly amendment, the Chair will ask the assembly to indicate, by a show of hands, whether the friendly amendment is adopted. The Chair reserves the right to call for a ballot vote if the show of hands is inconclusive;
iii. If the Chair determines that the proposed amendment is not a friendly amendment, it must be treated as an amendment to be handled according to normal rules of procedure;
iv. Any amendment not adopted as a friendly amendment must be moved, seconded, debated and voted on according to normal rules of procedures.

5. Amendment to a Motion on a bylaw amendment, budget resolution or position statement:

Two-thirds of the votes cast are required for adoption of an amendment to a motion to adopt a bylaw amendment, budget resolution or position statement.

3. <u>Roberts' Rules of Order:</u>

The Association currently uses The Scott, Foresman *Robert's Rules of Order Newly Revised*, 1990, 9th ed.

II. FREQUENTLY ENCOUNTERED RULES OF PROCEDURE

1. Point of Order

When a delegate thinks that the rules of the assembly are being violated, the member can make a *Point of Order* or raise a question of order. This then requires the Chair to make a ruling, and enforce the regular rules.

2. Point of Information

A *Point of Information* is a request to the Chair, or through the Chair to another member or officer (or staff member, if necessary), for information relevant to the business at hand, but that is not related to parliamentary procedure.

3. Correct Procedure for Moving an Amendment to a Resolution or Bylaw amendment

Frequently, when a delegate wishes to move an amendment to a proposed bylaw amendment or resolution, the delegate will just state how the meaning of the resolution is proposed to be changed. That is not correct procedure. **The correct procedure is to move the amendment by stating what words are to be deleted and substituted, or what words are to be added, etc., as the case may be.**

Therefore, the form for an amendment utilizes words like:

- To "insert words" or to "add words";
- To "strike out words";
- To "strike out and insert" or to "substitute"

The proper form of amendment results in the members clearly understanding the amendment that they will be voting on and reduces the possibility of the amendment being ruled out of order. If the amendment passes, the resolution or bylaw amendment, as amended, is then put before the assembly.

4. Amendments:

1) Amendments - in order

It is essential that a proposed amendment be **germane** to be in order. This requirement for an amendment to be in order is often not understood, and, when an amendment that is not germane is ruled out of order, results in some discord.

To be **germane**, an amendment must in some way involve the same question that is raised by the resolution or bylaw amendment on the floor. The edition of *Robert's Rules of Order* that the Association uses, at pp. 132 and 133, sets out the following general rules as a method by which the germaneness of an amendment can often be verified, although there is no all-inclusive test:

- An amendment cannot introduce an independent question.
- An amendment that is hostile to or even defeats the spirit of the original motion might still be germane, and, therefore, in order.

Robert's Rules of Order provides this example:

> "As an example of a germane amendment, assume that a motion is pending "that the Society authorize the purchase of a new desk for the Secretary." It would be germane and in order to amend by inserting after "desk" the words "and matching chair," since both relate to providing the secretary with the necessary furniture. On the other hand, an amendment to add to the motion the words "and the payment of the President's expenses to the State Convention," is not germane.

2) Amendments – out of order

Some of the types of amendments that are out of order according to *Robert's Rules of Order* are:

- During the AGM at which the assembly has decided a question, another resolution raising the same or substantially the same question cannot be introduced.
- An amendment that merely makes the adoption of the amended question equivalent to a rejection of the original motion.

  For example:
  The motion is that: "our delegates be instructed to vote in favour of action X".

  An amendment to insert "not" before "be" (ie. The motion as amended would read "our delegates *not* be instructed to vote in favour of action X") is out of order because an affirmative vote on not giving a certain instruction is identical to a negative vote on the instruction. The proper procedure is to vote against the resolution, rather than seeking to amend it.
- An amendment that would make the resolution, as amended, identical with, or contrary to, a resolution already decided by the assembly in the same session
- An amendment that would leave an incoherent wording or a wording which contains no rational proposition.

5. Resolutions on Emergent Questions – "Suspend the Rules"

One of the purposes of a motion to suspend one or more of the rules of procedure is to permit the making of another resolution or to consider another resolution out of its scheduled order. This procedure to consider a new resolution or a resolution out of order is used infrequently, and only when the emergent question must be decided by the assembly before the assembly can properly consider the resolution on the floor or

subsequent resolutions. The person making the motion must be prepared to state why a new resolution or consideration of a resolution out of its scheduled order should occur.

The usual form of a motion in these circumstances is:

> " I move to suspend the rules and adopt the following resolution: 'Be it resolved that . . .'".