

Public Meeting Decorum Refresher

From Borough Code:

3.08.160 Assembly meetings—Decorum.

- A. While the borough assembly is in session, assembly members must preserve order and decorum and no assembly member shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the assembly or disturb any other assembly member while speaking.
- B. The chief of police or the chief's designee shall be ex officio sergeant-at-arms of the assembly and shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum in the assembly chambers.
- C. Any person who uses boisterous or profane language at an assembly meeting, or any person who persistently interrupts the proceedings of the assembly or refuses to keep quiet or take a seat when ordered to do so by the presiding officer, shall be barred from further attendance at the meeting for breach of decorum. To preserve decorum, the sergeant-at-arms shall eject any person from the assembly chambers upon instruction of the presiding officer.

From Robert's Rules:

Please see the attached pages from Robert's Rules.

The Goal: To treat all members of the public, including members of the Assembly and Borough staff, with respect and dignity, and to conduct a productive public meeting.

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RULES OF DEBATE

Even though members have the right to debate, established parliamentary rules concerning the privileges of debate exist:

- A member must obtain the floor and be recognized by the presiding officer before beginning to speak. A member can't begin talking while seated. However, in small board meetings where rules of debate are less formal, talking while seated is allowed. (See "Board Meetings" in Chapter 11.)
- The member who made the motion has the first right to speak to the motion. He or she does so by rising and obtaining the floor after the chair places the motion before the assembly for discussion.
- A member can speak twice to the motion on the same day, but he or she can take the second turn only after everyone who wishes to speak the first time has spoken. If debate on the motion is continued at the next meeting, which is held on another day, the member's right to debate is renewed.
- Each member can speak for ten minutes on each turn unless the assembly has adopted rules that state another amount of time.
- Debate must be *germane* (relevant) to the motion.
- Speakers must address all remarks to the chair; cross talk between members is not allowed.
- Speakers must be courteous and never attack other members or question the motives of the members. In controversial issues, the discussion is focused on ideas, not on personalities. Members must not use inflammatory statements such as "it's a lie," "it is a fraud," or "he's a liar." However, a member may say,

MEMBER: I believe there is strong evidence that the member is mistaken.

- Profane language is also prohibited.
- In debate, speakers refer to officers by title and avoid mentioning other members' names. Instead, they should refer to the members by identifiers such as "the member who just spoke" or "the delegate from Hawaii."

- When speaking to a motion, it is important for the member to first let the assembly know which side of the issue he or she is on. If in favor of the motion, the member states

MEMBER: I speak for the motion.

and gives the reasons why. If opposed, the member states

MEMBER: I speak against the motion.

and gives the reasons why. Doing so helps the chair alternate the debate.

- In controversial issues, the presiding officer should alternate the debate between those speaking for and those speaking against the motion. After someone speaks for the motion, the chair asks:

PRESIDENT: Would anyone like to speak against the motion?

After someone speaks against the motion, the chair asks:

PRESIDENT: Would someone like to speak in favor of the motion?

This practice ensures that all sides are represented, keeps tempers down, and prevents one side from dominating the discussion.

- The member who makes the motion can't speak against his or her own motion, although he or she can vote against it. The person who seconds the motion, however, can speak against the motion because a second means "Let's discuss it," not "I agree." Sometimes a member seconds a motion so he or she can speak against it.
- A member can't read (or have the secretary read) from part of a manuscript or book as part of his or her debate without the permission of the assembly. However, the member can read short, relevant printed extracts in debate to make a point.
- During debate, a member can't talk against a previous action that is not pending, unless one of the motions to *Rescind*, *Reconsider*, or *Amend Something Previously Adopted* is pending; or unless the member concludes his or her remarks with one of these motions.

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- During debate, members should take care not to disturb the assembly by whispering, talking, walking across the floor, or causing other distractions.
- During debate, the presiding officer sits down when a member is assigned the floor to speak. Or if, when seated, members can't see the presiding officer, the officer stands back from the lectern while the member is speaking. (Like the rule of one item of business at a time, this rule allows only one person at a time to have the floor.)
- If at any time during debate the presiding officer needs to interrupt the speaker for a ruling (for example, if the chair is correcting something that the speaker is doing) or needs to give information (facts related to the discussion, for example), the member should sit down until the presiding officer finishes. The member can then resume speaking.
- In deliberative assemblies (bodies that meet to consider proposals made to them), members do not have the right to give some of their time to another member. If a member has not used his or her ten minutes, the member forfeits the unused portion.
- As the chairman, the presiding officer must remain impartial. As a member, the presiding officer has a right to debate. Thus, if the presiding officer wishes to speak to an issue, he or she relinquishes the chair to another officer (the vice president, for example) who has not spoken and does not wish to speak. If no officer wishes to take the chair, a member who has not spoken and has received the assembly's approval can preside. The presiding officer resumes the chair when the motion has been either voted on by the assembly or temporarily put aside by a motion to *Refer to a Committee*, *Postpone to Another Time*, or *Lay on the Table*.
- In debating an issue, members also have the right to conclude their debate with a higher-ranking motion than the one pending. (See Chapter 6 for a chart on ranking motions.) This action upholds the parliamentary principle that when the chair recognizes a member for any legitimate purpose, the member has the floor for all legitimate purposes.

MEMBERS

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Discipline

Every organization has the right to enforce its rules and expect ethical and honorable conduct from its members. Most organizations have discipline problems from time to time. A discipline problem may be something as simple as a member misbehaving at a meeting or an officer overstepping the boundaries of his or her office. The problem can be solved if a respected member of the organization takes the offending member or officer aside to discuss the problem with him or her and tries to solve it at that time. If the problem is not corrected when it arises, it can escalate into something more serious, requiring that someone be removed from office or membership.

This chapter explains common discipline problems that organizations encounter and how to handle them. Many problems that cause difficulties in organizations are the result of inflated egos, personality conflicts, or ignorance of proper procedures. If egos or personalities are the root cause, it takes diplomacy, patience, and skill to solve these problems.

THE UNRULY MEMBER AT MEETINGS

In meetings where controversial issues are debated, some members may get so excited that they talk out of turn and continually seek the floor to rebut those who don't agree with them. In a case like this, the chair should remain calm and firmly remind the member of the proper rules of debate. If the member is reasonable, nothing more may need to be said.

If the member doesn't heed the remarks of the chair and continues his or her behavior, the chair's next step is to *call the member to order*. The chair states, "The member is out of order and will be seated." If the member refuses to be seated and continues with his or her obnoxious behavior, the next step the chair can take is to *name the offender*. This action, in essence, prefers charges against the member and should be used as a last resort. Before this action is taken, the chair instructs the secretary to record the obnoxious behavior or words. In naming the offender, the chairman uses the member's name and states what he or she has done wrong.

PRESIDENT: Mr. Smith! The chair has asked you repeatedly not to speak after each speaker. The chair has ordered you to sit down four times and you have continued to speak. [Secretary writes down that Mr. Smith has spoken four times without being recognized and has exceeded his two opportunities to debate this issue.]

If the member sits down at that point, the assembly can choose whether to drop the matter or ask for a penalty.

PENALTIES

The chair cannot impose a penalty for misbehavior; only the assembly can do so. A member can rise and make a motion proposing a penalty, or the chair can ask, "What penalty should be imposed on the member?" Possible motions that assemblies can make include:

- A motion that the member must apologize
- A motion that the member must leave the hall during the remainder of the meeting
- A motion to censure the member
- A motion to suspend the member's rights for a designated period of time
- A motion to expel the member from the organization
- A motion to pay a fine if it is authorized in the bylaws

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of a motion, which takes a majority to adopt. If the assembly does ask the member to leave during the discussion, it should allow that person to speak briefly in his or her defense. If the member denies the charges, the secretary can read back what he or she has said or done.

Any penalty other than expulsion requires a majority vote to adopt; expulsion takes a two-thirds vote. At the request of a single member, the vote on a penalty motion must be taken by ballot. While the member's case is pending, he or she is not considered a voting member and so does not have the right to vote on any motion concerning his or her discipline.

Removing an Offender from the Assembly Hall

Anyone attending a meeting can be removed from the assembly hall. The chair has the power to remove a nonmember at any time during a meeting, and this person has no right to appeal the chair's decision. (However, a member can make an appeal on behalf of the nonmember.) An assembly vote is required to remove a member from the hall.

If a person is asked to leave the assembly and refuses, the chair should take the steps necessary to see that order is enforced. The chair must carefully appraise the situation and act wisely. The chair can either appoint a committee to escort the person to the door or ask the sergeant-at-arms to remove the person. (The sergeant-at-arms is the member who acts as a doorkeeper, maintains order at the direction of the presiding officer, and is responsible for the comfort of the assembly.) Those escorting someone to the door must be careful how much force they use, because they can be liable for damages or be sued. If those appointed to escort the person to the door can't persuade the person to leave, they should call the police. However, the police may not want to get involved unless the organization is willing to press charges.

Making a Motion to Censure

To *censure* a member or an officer is to warn him or her that if a certain behavior continues, the next step is suspension or expulsion.