

## ***Rules of Town Meeting***

Southborough's Town Meeting is an open town meeting in which all registered voters may participate. Town Meeting is a deliberative assembly, conducted via a specific process, charged with considering a number of questions of varying complexity in a minimum amount of time, and with full regard for the rights of the majority, minority, individuals, absentees, and all of these together. In short, we gather for the purpose of conducting the Town's business thoughtfully.

### **AUTHORITY**

The three elements of authority at Town Meeting are a quorum of at least one hundred (100) registered voters, the Clerk and the Moderator. Of these three, the quorum is the most important.

The Town Clerk is responsible for voter registration, certification of a quorum, setting up the hall and keeping the record of the proceedings. He may also officiate Town Meeting in the absence of the Moderator.

The Moderator presides over the proceedings, decides all questions of order, and makes declarations of all votes. No one may speak on an issue without being recognized by the Moderator. It is the Moderator's responsibility to approve the distribution of materials, and persons wishing to do so must seek his permission.

### **THE WARRANT**

All matters to be considered at Town Meeting must be published in the Warrant, which is the responsibility of the Select Board. The primary and most important purpose of the Warrant is to notify voters in advance of the nature of the business to be taken up at Town Meeting. By state law, Town by-law, or established custom, several business articles (such as budget appropriations) must be presented in the Warrant each year for consideration. Other items are added via articles proposed by Town officials, committees, boards, or groups of ten or more registered voters. The Advisory Committee reviews the Warrant, making recommendations on all of the items of business to be presented. In accordance with the Town by-laws, all articles in the Warrant are considered in the order in which they appear in the Warrant, unless the Town Meeting votes to change the order for reasons that, in the judgment of the Moderator, reasonable people would entertain.

### **PARTICIPATION**

Any voter wishing to participate in Town Meeting must go to one of the microphones and wait to be recognized by the Moderator. Upon recognition by the Moderator, first state your name and address, and then state your business.

All remarks shall be limited to the subject then under discussion. It is improper to indulge in references to personalities, and all expressions of approval or disapproval, such as applause or booing, are out of order. The Moderator may request any person to keep silent. If after warning from the Moderator a person refuses to be silent or persists in other disorderly behavior, the Moderator may order a person to withdraw and if he fails to withdraw, may order a police officer to remove such person from Town Meeting.

There is no fixed time limit to the debate of any question. However, out of consideration for the others in attendance and the need to give adequate time to all matters coming before Town Meeting, each individual who speaks should make an effort to be as brief as possible and avoid repeating facts, views or opinions already expressed by others. In order to give all a fair opportunity to speak, no one who has addressed any particular motion shall speak again, except to answer questions, until all others wishing to speak to the motion have done so.

Anyone wishing to make a presentation on any article must obtain the Moderator's approval prior to Town Meeting.

### **RULES RELATIVE TO MOTIONS**

A motion is the means of bringing a proposal or question for consideration by Town Meeting. When first put forward it is a motion; after it is seconded and acknowledged by the Moderator, it becomes the question or proposal. No main motion shall be entertained unless its substance is contained within the scope of a Warrant article. Upon completion of debate, the motion upon an article will be voted upon.

The Moderator shall determine whether a motion, or any discussion relative to a motion, is within the scope of the Warrant article under consideration. That is, the motion and the debate must be relevant to the article as written in the Warrant, since the purpose of the Warrant is to apprise voters of the actions to be taken at Town Meeting.

Articles in the Warrant only give notice to the voters and do not initiate action; motions do. Motions may be withdrawn; articles may not be withdrawn – articles must be acted upon by Town Meeting.

There are four types of amendments: striking out, inserting, striking out and inserting, and substitution. Motions to amend may be hostile as long as they are germane. An amendment to a motion is an amendment of the first rank; an amendment to an amendment is of the second rank; there can be no amendment beyond that of the second rank.

Some motions do not lead to a final determination by Town Meeting. A motion to commit or to refer sends the matter to an existing board or committee or one to be established. The motion to postpone indefinitely disposes of the question without bringing it to a direct vote. The motion to postpone indefinitely should not be confused with the motion to table which only temporarily delays a vote. As previously stated, articles may not be withdrawn; so when the Meeting does not wish to act on a particular article, the proper motion is to postpone consideration indefinitely.

Motions to reconsider shall be entertained only when new information is available that is materially different than was presented (or could have been presented) at the time of the original vote on the article. Articles may be reconsidered only once. If a motion to reconsider is passed by the necessary 2/3 vote, it brings the original article back to the floor (which requires a new motion and additional debate); if the motion to reconsider is defeated, then the original article stands as previously voted and may not be reconsidered again. Actions to reconsider can be taken at the same session or any subsequent session of the same Town Meeting. A notice of reconsideration may be filed in advance with the Town Clerk stating that, at a specific point during the current Town Meeting, a voter will move for reconsideration on a particular article, and the Moderator will inform the hall of said action. Note that such a motion so noticed in advance must still be in order (i.e., must comply with all conditions required of any reconsideration motion).

All motions other than purely procedural motions must be in writing and signed by the sponsor.

## CHART OF PRECEDENCE OF MOTIONS AND SUMMARY OF GOVERNING RULES

	May interrupt a speaker	Req. a sec.	Debatable	Vote Required	Motions that may apply
<b><u>PRIVILEGED MOTIONS</u></b>					
1. To dissolve	no	yes	no	majority	none
2. To adjourn	no	yes	limited	majority	amend
3. Point of no quorum	no	no	no	none	none
4. Recess	no	yes	limited	majority	amend
5. Question of privilege	yes	no	no	chair rules	none
<b><u>SUBSIDIARY MOTIONS</u></b>					
6. To lay on the table	no	yes	no	2/3	none
7. Previous question	no	yes	no	2/3	none
8. Limit or extend debate	no	yes	no	2/3	amend, reconsider
9. To postpone to time certain	no	yes	limited	majority	amend, reconsider
10. To commit or refer	no	yes	limited	majority	amend, reconsider
11. To amend	no	yes	yes	majority	amend, reconsider
12. To postpone indefinitely	no	yes	yes	majority	reconsider
<b><u>MAIN MOTIONS</u></b>					
Main Motions	no	yes	yes	majority*	all
To reconsider or rescind	no	yes	yes	2/3	table previous question postpone definitely
To take from the table	no	yes	no	majority	none
To advance an article	no	yes	yes	majority	amend, reconsider
<b><u>INCIDENTAL MOTIONS</u></b>					
Point of order	yes	no	no	chair rules	none
Division of a question	no	yes	no	majority	none
Separate consideration	no	yes	no	majority	none
To withdraw a motion	no	no	no	majority	reconsider

To suspend rules	no	yes	no	2/3	none
Orders of the day	yes	no	no	none	none

\*The vote required to pass an affirmative main motion is a matter of substantive law, but is usually a majority.

### FORM USED IN MAKING MOTIONS

1. Main Motion	Mr. Moderator, I move that...(statement of the proposal)
2. Adjourn	Mr. Moderator, I move to adjourn to...(state time)
3. Amend	Mr. Moderator, I move to amend by adding...
	Mr. Moderator, I move to amend by inserting...before...
	Mr. Moderator, I move to amend by striking out...
	Mr. Moderator, I move to amend by striking out...and inserting...
	Mr. Moderator, I move to substitute...for...
4. Amend an Amendment	Mr. Moderator, I move to amend the pending amendment by (see above)
5. Amend Something Previously Adopted	Mr. Moderator, I move to amend the resolution under Article...by...
6. Commit or Refer	Mr. Moderator, I move that the proposal be referred to a committee of...
8. Division of a Question	Mr. Moderator, I move to divide the question.
9. Lay on the Table	Mr. Moderator, I move that the proposal be laid on the table.
10. Point of Order	Mr. Moderator, I rise to a point of order.
11. Postpone to a time certain	Mr. Moderator, I move to postpone the question to...
12. Postpone Indefinitely	Mr. Moderator, I move that the question be postponed indefinitely.
13. Previous Question	Mr. Moderator, I move the previous question.
14. Question of Privilege	Mr. Moderator, I rise to a question of privilege.
15. Recess	Mr. Moderator, I move to recess for...
16. Reconsider	Mr. Moderator, I move to reconsider the vote under Article...
	Mr. Moderator, I move to reconsider the vote on the amendment to...
17. Separate Consideration	Mr. Moderator, I move for separate consideration.
18. Suspend the Rules	Mr. Moderator, I move to suspend the rules which interfere with...
19. Take from the Table	Mr. Moderator, I move to take from the table the motion relating to...

### INTERRUPTING A SPEAKER

No one may interrupt a speaker except for a point of order or a question of privilege.

### POINT OF ORDER

A point of order is a question directed to the Moderator about whether the current speaker is entitled to be speaking, or whether the current subject under discussion (or what the speaker is saying) is irrelevant, illegal or contrary to proper procedure. No other "point of order" is proper.

### PREVIOUS QUESTION

To call or move the question is a request to immediately stop all discussion and vote on the question. This requires a 2/3 vote. If such a motion passes, it is immediately followed by a vote on the main question under discussion.

### VOTING

Voting is typically by hand vote (although electronic voting may be authorized at the Moderator's discretion) and the Moderator declares the result of such votes. If seven or more voters immediately rise to question the declared result, the Moderator shall determine the result by a standing count of votes by the Tellers. After the vote counted by the Tellers is presented to the Moderator and announced to the floor, any further motions for recount are out of order.

### ADJOURNMENT AND DISSOLUTION

Individual sessions of Town Meeting normally adjourn at 11:00 p.m. but may adjourn at such earlier or later time as vote of the majority may determine. Town Meeting shall not dissolve until all articles in the Warrant have been properly considered.