

Roberts Rules of Order for Small Assemblies: Commissions, Boards and Committees
A method of keeping order and speeding up the process

By

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Small Assemblies.

If a municipal administrative commission, or even the municipality itself has adopted *Roberts Rules of Order Newly Revised* (“RONR”) or it names “Roberts Rules of Order” with some reference to the latest version, RONR is the rule of the assembly and all of its commissions, boards and committees. In some bylaws of commissions, RONR are designated as the rules of order for the association.

The general rules for a large assembly is to following the agenda, making motions, amendments and votes for adoption (although a show of hands is appropriate rather than the formal Roberts standard of standing) apply equally well to a board or committee. However, under RONR the rules of order for a small meeting or assembly (less than a dozen or so people) are much more informal and pragmatic and should be used by the chair of the board or committee to speed matters along.

In a board, commission or committee of around a dozen or less members, the *Roberts Rules of Order Newly Revised* mandates significantly different rules of order which are less formal, and can speed up deliberations.

RONR indicates that board, commission and committee meetings should *not* be conducted with the formality of a large assembly. However, it is important to emphasize again, that if the bylaws of the commission or board, or the procedural rules of the municipality adopt *Roberts Rules of Order, Newly Revised*, the following *are* the rules of order for boards and committees unless the commission, board or committee specifically adopts other rules.

A general rule for boards or committees is that they can not transact business except at a regularly called meeting, noticed to all members, or an adjournment. The state statutes govern the form, timing and publication of the notices. They can not act without a quorum, (a majority unless the bylaws of the commission provide otherwise). They should follow their agenda, unless there is a vote to take a matter out of order. A telephone meeting is only binding if all of the members can hear and participate in the debate and the rules permit it. If telephone approval is obtained one member at a time in an emergency, the resolution has not been formally adopted; proceeding under it is at the peril of the officer doing so, because the resolution must be ratified at a regular meeting where it can be amended.

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Minutes of the commission, board or committee must be kept by the secretary or clerk. Like any minutes they only consist of the resolutions passed, actions of the chair and the reports received by the assembly. They do not cover the substance of discussions or arguments if that substance was not adopted by the board or committee. They do not cover testimony in hearings or side discussions. These are not actions of the meeting. The minutes are only available to the members of the commission, board or committee, unless it votes to provide them to others, or if at the meeting of the superior assembly, the board or committees minutes are ordered to be produced and read to the assembly's meeting. If no notice of the vote to produce the minutes has been given in the call of the meeting, the vote will require a two-thirds vote because the assembly is varying the rules. Upon adoption or acceptance of the minutes, they become an official record and are to be made available as the record of the official action of the assembly. Until then, the draft minutes are the personal notes of the secretary, and although under the Freedom of Information Act, state and municipal agency minutes may be required to be made public, they do not represent the action of the commission, board or committee.

Certain requirements of RONR for large assemblies do *not* apply to meetings of commissions, boards and committees of less than a dozen or so members. The Rules and exceptions are called the rules of order for small assemblies. However, the following RONR modifications to the Rules for small assemblies are significant and, to my recollection, are seldom considered in meetings of commissions, committees and small boards. RONR actually points out that some of the formality that is required to keep a large assembly on course and in order would hinder business at a small meeting. These modifications for smaller assemblies are as follows:

- Members are not required to obtain the floor before speaking or making a motion, which can be done while seated. The chair merely recognizes the person.
- Motions need not be seconded, although the chair should repeat the motion so that the meeting knows what is being talked about and before there is a vote, the proposed resolution should be repeated by the chair unless the resolution is clear. (A long motion should be in writing to assist the chair.)
- There is no limit on the number of times that a person can speak, although in boards and committees it is not proper for a member to speak if a person who has not spoken wishes to be recognized. It is never proper to interrupt.
- Informal discussion on a topic is permitted, even though no motion is pending. (It is required, however, to stick to the agenda.)
- When a proposal is perfectly clear to the assembly, a vote can be taken without a motion having been made, but the chair is responsible for expressing the resolution before it is put to a vote.
- The chair need not rise while putting questions to a vote.
- The chair can participate in the discussion and unless there is a rule or custom of the board or committee to the contrary, can make motions and vote.
- In order to have the benefit of the committee's or board's matured judgment, no motions to close or limit debate (such as "calling the question") are permitted.

Generally a "commission" or "board" has independent power to pass binding resolutions, on which action must be taken, while a "committee" does not. In the municipal context, only the specifically appointed and enabled board or commission has the power to undertake actions within its enabling authority. That power can not be delegated to a committee, unless the enabling authority specifically authorizes such actions. If a committee of the board reports to the commission or board, the board is the superior convening authority. However, if the committee reports to the town meeting or council, that meeting is the superior assembly. The superior assembly depends on which group appointed and charged the committee. Only the superior assembly can discipline members of a committee. However, if it is a commission or board with independent ability to take binding actions, it can discipline its own members.

If the board, commission or committee is to make substantive decisions or recommendations, it may permit interested persons to appear before it and provide information. This is called a *hearing*. In a hearing, the board or committee does not deliberate, make decisions nor should the members express positions of policy. However, members can ask questions with the chair's permission. During deliberations, unless the bylaws or statutes require that the meeting be open, only members of the committee should be present.

In a commission, board or committee, the accepted process for all assemblies under RONR, of passage of a "motion without objection" can particularly speed the up the process. For instance, if the chair feels that the board or committee has reached consensus and there are no objecting parties, the chair can ask that the motion be adopted, "without objection." As in a large assembly, any person can object and then the motion will continue to be open for debate. If not, silence means that the resolution has been adopted unanimously.

Business of a commission, board or committee with a long agenda can also be speeded by having a "consent calendar" that lists all of the chair's or manager's suggested resolutions, which are thought to be able to be passed on a routine manner. The consent calendar is often called at the beginning of the meeting, after the chair calls the meeting to order. Thus, the whole consent calendar is called at once by the chair for passage "without objection" and if any member wishes to discuss or debate an item, the member points out the objection or wish to debate, and the item is then removed from the consent calendar and placed under new, or if already having appeared at a previous meeting, old business. If the consent calendar is passed without objection, the minutes will reflect that the motions were all passed unanimously. Great numbers of routine matters can be passed in a few moments. In meetings, such as organization meetings where only boiler plate motions must be passed, the whole meeting can be passed by consent and concluded in short order. Commissions often have routine recommendations of staff as to reductions of bonds, continuation of periods for submission, etc., and the consent calendar can speed those matters up without losing the right of any commission, board or committee member from taking the matter off of the consent calendar and putting the issue to debate.

Small Assemblies, Special Characteristics of Committees.

Committees of meetings, commissions or boards can be appointed by resolution of the meeting, commission or board, or if the bylaws include standing committees, the appointment can be

made under the bylaw provision. Committees can be as few as a single person, who can have a fact-finding or hearing function or if the task is substantial, the committee can be several persons.

When the committee makes a report to the superior commission, board or body for action, the recommendations should be in writing. The reporting committee can include the reason for the recommendation, but unless the board or committee has adopted the report as a whole, the reasons should be only those of the person reporting. If the report requires an action for the superior assembly, the report should end with the wording of a motion. It is also a good idea that if a committee report is to end with a proposal for action, this proposal should be summarized in the beginning of the report as well.

Generally a commission, board or committee with a “power” can not shirk its duty by taking its powers and submitting them to the superior assembly or a plebiscite of the attendees at a hearing for a vote and ratification. For instance, a zoning commission under the general statutes has the power of enacting zoning regulations. The municipality has only the power to enact or reject zoning as a whole. Thus the superior assembly, such as the town meeting or council, cannot change the zoning regulations, or be asked to revise or amend the zoning regulations.

However, as a part of its general powers of any assembly, any meeting of a committee can govern its debate, appoint subcommittees to make recommendations, convene and adjourn and discipline its members for actions relevant to the meeting. The convening commission or board does everything else.

If a committee consists of members of a large assembly, the motion to enact the recommendations to the superior assembly need not have a second, as it is presumed that other members of the committee approved the motion, and it would be considered automatically seconded.

Upon the making of the motion by the committee, the motion is debated, amended, and put to a vote under the rules of the superior assembly. Under the general rules of debate for a large assembly since the moving party can speak first and last, when the chair recognizes that everyone with a right and desire to speak has done so, the chair can recognize the committee reporting person for the last word.

For instance, if a committee of the commission were to report to the commission concerning an approval of a change to the regulations, at the time on the agenda when the particular committee’s report was to be read, the reporting person (often the chair of the committee), would provide the background of the proceedings of the committee, the reasons for the recommendation, and conclude with a motion that the regulations be amended specifically, with language of the amendment, and that the commission notice and hold a hearing on the proposed amendment containing substantially terms as listed in the motion.

The committee report can be oral, but if the recommended motion consists of more than a few words, the proposed resolution should be in writing.

Then if the convening assembly was a commission or board, it could debate the motion under its abbreviated and informal rules and no second would be needed anyway. .

Committees, as opposed to boards, are presumed to have no power to bind the assembly. However, a committee can be appointed “with power” to take designated activities and for those activities becomes an agent of the superior body provided that the superior body has the authority in its organization documents or enabling statutes to delegate such powers. If a committee is appointed to undertake the will of the superior body, it should be small and its members should be sympathetic with the action to be taken. However, if it is a fact-finding, study or deliberative committee, the committee should represent various viewpoints.

When a committee is appointed, all members should be notified and its charge and powers must be communicated. If it is a standing committee, its charge is permanent, and usually outlined in the bylaws or the minutes of the superior assembly establishing the committee. If it is a special committee, its charge is communicated and it goes out of existence when its job is done.

When a special committee has finished its business, it does not adjourn but a motion is made for it to “rise” and the chair to report the actions of the committee to the convening assembly. At that point the committee goes out of existence.

A standing committee remains in existence and usually reports its doings at the annual meeting. When it has finished its business for the year, it adjourns as it will remain in existence in the next year, possibly with new members.

When a committee adjourns without a date to re-assemble, it is deemed to have adjourned to meet at the call of the chair.

In a small committee the chair often also acts as secretary and will often take the most active role in the business of the committee.

Sometimes when a large assembly wants to make its proceedings informal, including the ability of people to have unlimited rights to speak, such as when the assembly is attempting to draft a complicated motion, it can move to adjourn and reconstitute itself as a committee of the whole, elect a special chair and after deliberations and the drafting and wrangling is over, “rise” (that is, go out of existence), and the assembly is re-convened, the elected chair reports to the assembly and the more formal rules then apply again.

Conclusion

Generally, these informal rules for commissions, boards and committees are rules of common sense. We have seen the process drag on and on as commissions, boards and committees tie themselves up in knots often over minor routine matters which could have been passed by consent. Robert’s Rules of Order offers a system for reaching majority vote in a large deliberative assembly by providing order and permitting the assembly to reach majority conclusions in a swift and concise manner. By the chair's generous use of the “without objection” process, and not allowing everybody to speak and modify the resolution, a board or

committee can reach a swift consensus of the matter on the table. However, the minor modifications of RONR for boards and committees can make it easy for the chair to reach unanimous consensus and, obviously, a unanimous decision is always much better than that of a majority.

The only certain rules for a small assembly are: the chair is in charge and can speak and vote, people speak in order and as often as the chair permits and don't interrupt, no seconds or termination of debate motions are permitted, and the agenda is followed.

The purpose of the committee, board and small assembly rules are to facilitate reaching a consensus, while the general Robert's Rules of Order for regular assemblies are to facilitate reaching a majority decision.

Like any meeting, even the small assembly actions should be brought to conclusion and the action taken or rejected by the meeting. Without those basic elements, there is no meeting, there are no minutes (the meeting did not do anything) and all that occurred was a fortuitous gathering of citizens.