

# **HAWAII ASSOCIATION OF CONSERVATION DISTRICTS**

C.1 Constitution and By-Laws for the Hawaii Association of Conservation Districts  
(adopted Nov. 13, 1969 and amended June 8, 1989, July 20, 1990, July 18, 1991, June 12, 1998, June 28, 2006 and June 18, 2010)

## **Constitution and Bylaws**

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### **Article I – Name**

The name of the organization shall be “Hawaii Association of Conservation Districts” (HACD).

### **Article II – Purpose**

The Hawaii Association of Conservation Districts was organized in September of 1954 to serve as the state instrument and voice for the conservation movement in the State of Hawaii. HACD pools District experience and develops State policies on a continuing basis. It maintains and promotes relations with organizations and government agencies; publishes information about districts; works with youth, agriculture, urban programs, the environment, industry, and other fields; and provides specialized services to Districts.

The purposes of Hawaii Association of Conservation Districts are as follows:

1. To promote to the utmost the conservation and protection of natural resources within the State of Hawaii.
2. To encourage the responsible use of agricultural, rural, conservation, and urban lands.
3. To educate and inform the public about soil and water conservation policies and programs.
4. To encourage the active participation and cooperation of public and private organizations in promoting soil and water conservation within the State.

5. To work with member Districts to develop and promote legislation needed to facilitate and support the work of the Conservation Districts.
6. To pursue assistance from all available sources on local, state, and national levels to ensure the greatest conservation benefits to the natural resources and the people of Hawaii.

### **Article III- Membership**

There shall be three classes of membership: (A.) District Members, (B) Associate Members, and (C.) Affiliate Members.

- A. Each District in Hawaii is a member of this Association unless membership is expressly denied. Each District will be represented at meetings of this Association by two delegates with the power to vote.
- B. Associate Members of Member Districts may be voting members of the Association if delegated by its respective District Members.
- C. Any person, firm, corporation, or other organization interested in advancing the Association's purpose may become an affiliate member, eligible to attend regular and special meetings of the Association, as well as meetings of the Executive Committee, but without the privilege of voting. These affiliate members shall be voted into the association by the Executive Committee.

### **Article IV – Meetings**

#### **1. Annual Meetings.**

The regular meeting of the Association shall be held annually at the time and place to be determined by the Executive Committee.

#### **2. Special Meetings.**

Special Meetings may be called by action of the Executive Committee.

#### **3. Notice.**

Notice of all meetings shall be mailed from the Executive Committee at least four weeks in advance to the Chair of the entire member Conservation Districts. Such notice shall state the time, place, and purpose of the meeting.

#### **4. Teleconferencing and Videoconferencing Meetings.**

Meetings of the Executive Committee may be held by Teleconferencing and Videoconferencing.

#### **5. Minutes.**

Official Minutes shall be prepared for the following meetings: Annual Association, Executive Committee, standing committee, and special committees, excluding any executive sessions.

#### **6. Resolutions.**

Resolutions may be considered by the voting Delegates at the annual meeting only if they have been proposed by: the Executive Committee, a HACD Committee, a member Conservation District. Any proposed resolution must be submitted to the member Conservation Districts for review 30 days prior to the annual meeting.

## **Article V – Delegates**

1. Prior to the annual or special meetings, each member Conservation District will elect two members from its Board of Directors or Associate Directors to serve as Delegates to the HACD meeting.
2. The name of each Delegate will be submitted in writing to the Secretary of HACD prior to the start of each meeting.
3. Each Delegate present is entitled to cast one vote on any issue being considered at any regular or special meeting.
4. In the event that any Delegates are unable to be present for voting at any regular or special meeting, the proxy vote may be submitted by an alternative delegate from the member Conservation District or any other delegate, provided that such alternative Delegate shall present, in writing, authorization from the District unable to be present. The proxy must be presented to the Association's Secretary prior to the subject meeting.
5. Delegates or alternative Delegates must be present to vote any annual or special meeting.
6. Votes by the Delegates, on issues other than the election of Officers, may be taken by: show of hands, ballot, voice, or roll call, as may be determined by the President.
7. Quorum. A majority of Delegates, including officially recognized alternates, must be present in order for votes to be taken. In absence of a quorum, the presiding officer shall adjourn the meeting.

## **Article VI –Executive Committee, Officers**

Executive Committee.

1. The Executive Committee shall consist of one (1) Director or Associate Director from each member Conservation District hereafter known as the Hawaii Association of Conservation Districts (HACD) Executive Committee.
2. The name of each District representative to the Executive Committee must be submitted to the HACD Secretary thirty days before the biennial meeting when elections are to be held.

Elected Officers.

1. In every odd numbered year (biennial), during the regular HACD Annual Meeting, the Delegates shall elect officers from within the Executive Committee to serve for the ensuing two years, as part of the required order of business.
2. The elected officers of the Association shall consist of a President, five (5) Vice-Presidents, one from Kauai-Niihau, one from Oahu, one from Molokai-Lanai, one from Maui-Kahoolawe, and one from the Island of Hawaii, a Secretary and a Treasurer.

**Appointed Officers.**

1. The President shall appoint an Auditor from the membership of the Soil and Water Conservation Districts. The Executive Committee shall approve the President's selection.

**Article VII –Nomination and Election of Officers**

1. Election of Officers takes place as part of every odd numbered year (biennial), during the annual Meeting of HACD. A nominating committee of 3 to 5 members of the Executive Committee, appointed by the President shall present a list of nominees for each office prior to this annual HACD meeting.
2. From this ballot, officers shall be elected by the voting Delegates attending the biennial meeting of HACD.
3. Nominations from the floor are permitted.
4. The First Vice President will be elected by the incoming Officers.
5. There shall never be two officers elected from the same District.
6. All Executive Committee Members and Officers shall take office at the close of the last sessions of the biennial meeting of the Association. They shall hold office until the next biennial meeting of the Association or until their successors have been elected and have qualified.
7. Should vacancies to the Executive Committee occur during their tenure in office, the District where the vacancy occurred shall submit, in writing, the name of their new representative within 30 days to the HACD Secretary, after which, if a vacancy remains, the Executive Committee will select a successor from among the Executive Committee to fill the vacancy until the next biennial meeting.
8. In the event that the President resigns or is unable to act, the 1<sup>st</sup> Vice President shall take over the duties of the President until the next election.

**Article VIII – Duties of Officers and Executive Committee**

**Duties of all Officers.**

The duties of the Officers of the Association shall be to administer the affairs of the Association in accordance with its bylaws, programs, and policies of HACD.

**1. Duties of the President.**

The President shall:

- Preside at all meetings of the Association.
- Shall be responsible for seeing that policies of the HACD Association are carried out in accordance with the applicable procedures and requirements.
- Be authorized to delegate to one or more officers the performance of any of his duties and to revoke such delegation at any time.
- Appoint committee chairs.
- Perform such duties as shall be assigned to the President by the Executive Committee of the Association.

- Represent the Association at the Pacific Region and national meetings and shall be the liaison between the Executive Committee and the Pacific Region and the National Committees of the National Association of Conservation Districts.
2. Duties of the 1<sup>st</sup> Vice President.  
The 1<sup>st</sup> Vice President shall:
- Act for the President in the absence of the President
  - Assume the position of President if a vacancy arises
3. Duties of the Secretary.  
The Secretary shall:
- Keep minutes of the Association and of the Executive Committee meetings
  - Furnish the Board of Directors of the Districts with information pertaining to the activities of the Association
  - Record minutes of all regular and special meetings. Such minutes shall be signed by the President and attested by the Secretary.
4. Duties of the Treasurer.  
The Treasurer shall:
- Receive and account for all monies paid into the Treasury
  - Use monies as may be directed by the President and attested by the Secretary
  - Be responsible for maintaining an accurate set of records of receipts and disbursements
  - Be responsible for the deposit in the bank of all monies received by the Association.
  - Prepare a financial report at the Annual Meeting when requested by the President. This report shall be audited. The Auditors' report shall follow the Treasurer's report.
5. Duties of the Executive Committee.  
The Executive Committee shall:
- Keep their Districts informed as to the Association's activities and issues.
  - Review and adopt the Association's annual budget.
  - Set policy for the Association.
  - Review and approve all expenses of the Association.

The Executive Committee shall meet at least four times during the year. Additional meetings may also be called by the President or by a majority of the Committee. This can be via conference call. The President has the right to vote on all issues that come before the Committee. A majority of the members shall be required for a quorum of meetings of the Executive Committee.

## **6. Duties of the Auditor.**

The Auditor shall:

- At all times have access to the books and records of the Hawaii Association of Conservation Districts and shall be responsible for systematically checking the accounting system in use.
- He/she shall audit the books and records at least annually and shall report the findings and recommendations to the Executive Committee.
- He/she shall make interim reports to the Executive Committee when requested to do so.

## **7. Removal From Office**

The Executive Committee, with adequate reason, may remove any officer or member of the Executive Committee at any regular meeting or special meeting called for the purpose of removing the officer or member of the Executive Committee.

## **Article IX – Budget and Finance**

There shall be prepared an annual report budget of finances required for the operation of the Association. The budget shall be presented to the Executive Committee of the Association by a committee appointed by the President for the purpose. Upon adoption by the Executive Committee with such modifications as the Committee may determine, the budget shall serve as the basis for all assessments for the year. Upon ratification of the budget, each District shall provide its share of the assessment as determined. Each District's share of the assessment shall be the amount required to finance the annual budget divided by the number of Districts in the State Association. Each District's assessment shall be payable prior to July 1<sup>st</sup> of the year appertaining thereto, and thereby be in good standing.

## **Article X – Standing and Special Committees**

Within the first month following the election, the President of the Association shall appoint a Chair for each of the Standing Committees. All Chairpersons shall be District Directors. Upon acceptance of the appointment, the Chair will commence in serving in that capacity as long as the President remains in office, or until a successor is chosen. If any such appointment is not accepted, it shall be the responsibility of the President to fill the appointment by naming another appointee who will accept the position.

All Committee Chairpersons so appointed shall add to their Committees such "cooperators" as they may invite and who are willing to serve. Members of the Committees need not be District Directors as long as they are District Cooperators. The names of the Committee Members shall be submitted to the President within one month of the day the Chairpersons have accepted their position. Such Committee Members shall serve as long as their respective Chair shall serve, or until their Chair has been succeeded.

In addition to the Standing Committee Chairs, the President may appoint such Special Committee Chairpersons as necessary; who will select their own Committee Members in a like manner.

In addition to general purposes, the Executive Committee may assign special purposes to a Committee, by from time to time, as situations may require.

All Standing Committees and Special Committees shall include at least three members, including the Chair.

All Standing Committees shall convene at least once during the year.

A quorum of a majority of each committee shall be required for a meeting of that committee.

### **Standing Committees and their general purpose.**

1. District Outlook and Operations Committee.
  - a. To develop Association goals and objectives and an annual plan of operation.
  - b. To recommend policies for individual Conservation Districts, both present and future.
2. Legislative Committee.
  - a. To apprise the Association of pertinent pending State legislation;
  - b. To consider and develop suggestions for needed new legislation for the enactment;
  - c. To report on needed or pending Federal legislation;
  - d. To maintain contact between the Association and State legislators and Hawaii's congressional delegation.
3. Budget and Finance Committee.
  - a. To prepare and present in accordance with Article VII an annual budget for the Association
  - b. To develop and present plans for securing additional financing, when needed.
4. Education and Youth Committee.
  - a. To work with other groups and coordinate conservation education in the schools and colleges in Hawaii.
  - b. To encourage individual Conservation Districts in educating the public in their attitude and responsibility toward conservation of natural resources.
  - c. Map out long-range cooperative programs with various youth organizations to involve young people in conservation activities and projects.
5. Recreation and Wildlife Committee.
  - a. To work with other groups engaged in wildlife conservation.
  - b. To promote understanding of related conservation problems among urban people who hunt and fish.
  - c. To suggest and assist individual Districts' approaches to recreational issues as they relate to conservation of natural resources.
6. Soil Stewardship Committee.
  - a. To encourage Statewide observance of Soil Stewardship Week and Sunday.
  - b. To suggest and assist in Soil Stewardship Programs for individual Conservation Districts.

7. Water Resources Committee.
  - a. To coordinate with individual Districts and communities problems of water control and conservation.
  - b. To suggest schemes which will improve the control and conservation of water resources.
8. Public Relations Committee.
  - a. To inform the Association of public attitudes toward conservation reports.
  - b. To suggest and develop publicity techniques and programs for the Association and individual Districts to use in informing the public and developing their support.
9. Hawaii State Conservation Awareness Contest Committee.
  - a. To encourage the implementation of a Land Appreciation Contest in all District and to conduct a State-wide Contest

## **Article XI – Amendments**

1. Amendment Meetings.

The Constitution and Bylaws may be amended at the HACD quarterly meetings of the Association, providing procedures and protocol is followed as mandated in the Bylaws.

2. Notice.

In order for a proposed amendment to the Constitution and Bylaws to be considered, Notice together with proposed amendments must be provided to the chairperson of each member District at least thirty days in advance of the meeting.

3. Vote.

The Constitution and Bylaws may be amended by a two thirds vote of the membership present at the quarterly business meeting. Any approved amendment shall become effective after the adjournment of the quarterly meeting.

## **Article XII- Dissolution**

In the event of the dissolution of the Association, any assets remaining after discharge of existing obligations will be distributed to one or more non-profit, tax-exempt organizations which work toward similar purposes as the Association. The organization or organizations will be determined by majority vote of the Executive Committee.

## **Article XIII – Parliamentary Authority**

Meetings of the Association shall be conducted according to the current edition of Robert's Rules of Order for Parliamentary Procedure unless otherwise stated in the Bylaws.

## **A Guideline for the HACD Annual Meeting Host Districts**

This guideline presents suggestions to enable sponsoring Soil and Water Conservation Districts to better prepare for HACD annual meetings....so that a minimum of effort will result in a successful, well-organized convention.

### **HACD Responsibilities:**

1. Establishes date and length of convention and selects the host or sponsoring SWCD. Generally done at a prior year's convention.
2. Establishes convention theme and recommends speakers who are knowledgeable in their theme subject.
3. Prepares the business session agenda for inclusion within the overall program agenda.

### **Publicity Committee**

- Arranges for pressroom, newspaper and, if applicable, TV coverage.
- Prepares necessary signs and maps showing meeting room, pressroom and banquet room.
- Locates and arranges displays.
- Arranges for printing programs, tickets, nametags and registration forms.
- Provides programs, registration forms and other pre-convention information to all SWCD's and others.
- Prepares biographies and pictures of speakers, awardees, and other important persons participating in the convention for newspaper release and all other publicity needs.
- Prepares letters of appreciation to all those who participated in the program-speakers, MC's entertainment, etc.

### **Special Suggestions**

#### **Hotel Selection**

- Conference or meeting room should be separate from dining areas.
- Conference room should have means available to darken the room for slide or movie presentations.
- Obtain bids from several hotels before final selection is made.
- Evaluate additional services provided by each hotel.
- Inquire as to number and type of rooms provided free by the hotel when blocking 30 rooms.
- Room and room deposits and payments are to be made directly to hotel convention participants. Information concerning deadlines and addresses furnished by Finance Committee.
- Make arrangements for incoming messages.

#### **Hospitality**

- The committee shall request names of SWCD delegates and means and times of arrival and departure to coordinate transportation to and from hotel.
- Notify special guests as to who (by name) their host will be.
- Registration should cover costs of transportation, housing and other courtesies to special guests.

### **Publicity**

- Assistance may be requested from NRCS public information specialist concerning news articles, etc.
- Courtesy pressroom should be conveniently located to convention meeting room. It should be well marked with appropriate sign and include telephone, typewriter, etc.
- Signs should be large enough to attract attention.
- Convention name and meeting room location should be so noted on hotel activity board.
- Press releases should be issued on a daily basis.

### **Calendar of Events (Amended June 8, 1989)**

#### **July-August**

HACD: Selects host SWCD for the following year's convention.

Determine dates.

SWCD: Selects hotel and blocks 30 rooms.

#### **September**

SWCD: Requests suggestions and evaluations to prior convention from previous host.

#### **February**

HACD: Establishes convention theme.

Recommend speakers.

SWCD: Selects convention chair.

Selects committee chair.

Allocates tentative committee budgets.

#### **March**

HACD: Prepares the tentative business agenda and sends to host SWCD.

Orders required awards.

SWCD: Develops budget.

Determines contents of convention packet.

Determines type and location of tour, if applicable.

Prepares tentative program agenda.

#### **April**

Determines meals and costs.

Determines registration fees.

Approves and prints program agenda.  
Prints tickets, etc.

### **May**

HACD: Provides list of special guests to host SWCD.  
SWCD: Arranges banquet luncheon entertainment.  
Arranges for displays.  
Sends program agenda and pre-registration material to all SWCDs and others.  
Prepares news releases concerning the convention, speakers, etc.  
All SWCDs prepare Parade of Districts presentations.

### **June**

SWCD: Arranges for door prizes, etc.  
Prepares necessary signs, etc.  
Arranges for transportation.  
Locates and arranges for needed equipment (projectors, PA system, etc.)  
Locates sponsors for coffee, rolls, etc.  
Arranges for Press Room facilities and contacts newspapers.  
Contacts registration desk personnel.  
Assembles convention packet.  
All SWCDs notify DLNR of attending delegates.

### **July**

HACD ANNUAL MEETING  
SWCD: Critique convention activities.  
Prepare final financial statement.  
Prepare and send letters of appreciation where applicable.

## **Simplified Parliamentary Procedure**

### **I. Order of Business**

1. The meeting is “called to order” by chair.
2. The minutes of the preceding meeting
  - May be approved as read
  - May be approved with additions or corrections
3. Monthly statement of Treasurer is “Received as read and filed for audit”.  
(Chair so states.) No motion is necessary.
4. Reports of standing committees are called for by the chair.
5. Reports of special committees are called for by the chair.
6. Unfinished Business.
7. New Business.
8. The Program (if an annual or other special meeting). The Program is part of the meeting; the chair “presides” throughout.
9. Adjournment.

## **II. Duties of Chair**

1. To preside at all meetings.
2. Keep calm at all times.
3. Talk no more than necessary while presiding.
4. Have agenda for meeting before him/her and proceed in a business like manner.
5. Have a working knowledge of parliamentary law and a thorough understanding of the constitution and by-laws of other legal charter of the organization.
6. Keep a list of committees on the table while presiding.
7. Refrain from entering the debate of questions before the assembly. If it is essential that this is done, the vice-chair should be placed in the chair. The chair is not permitted to resume the chair until after the vote has been taken on the question under discussion.
8. Extend every courtesy to the opponents of a motion, even though the motion is one the presiding officer favors.
9. Always appear at the rostrum a few minutes before the time the meeting is called to order. When the time arrives, note whether a quorum is present; if so, call the meeting to order, and declare "a quorum is present".

## **III. Other Officials**

### **Vice-Chair:**

The vice-chair of an organization is the one who acts in place of the chair, whenever needed. In case of resignation or death of the chair, the vice-chair automatically becomes the chair unless the by-laws provide other methods.

In official meetings, the vice-chair should preside in the absence of the chair or whenever the chair temporarily vacates the chair.

The vice-chair cannot fill vacancies where the by-laws state that such vacancies shall be filled by the chair.

If the chair should be absent for a long period, the vice-chair may exercise all duties of the chair except to change or modify rules made by the chair.

The office of vice-chair becomes vacant when the vice-chair assumes the duties of the chair. If there are several vice-chairs, they automatically move to the higher office leaving the lower office vacant. This office should be filled as instructed by the by-laws or authorized legal authority.

On the absence of the chair, the vice-chair is not "ex-officio" a member of any committee.

### **Secretary:**

The Secretary should issue all calls or notices of meetings and should write such letters as the board of directors or executive committee may designate.

The secretary should keep a neat and careful record of all business done in the meeting, with the exact wording of every motion and whether it was lost or carried. Brief extracts from speeches, if important, may be recorded but no comment of any kind, favorable or unfavorable, should be made. The minutes should show the names of persons appointed to committees, and it is the duty of the secretary to notify all persons nominated or elected on any committee.

The secretary should be on hand a few minutes before a meeting is called to order. He/she should have the minute's book of the organization at every meeting so that reference can be made to minutes of past meetings.

The secretary should always have a copy of the by-laws; standing rules; book of parliamentary procedure endorsed by the organization; list of members or clubs; and a list of unfinished business, copy of which should be given to the presiding officer.  
Minutes.

The minutes of an organization should contain a record of what is done and not what is said. Minutes should contain:

1. Date, place and time of meeting.
2. Whether it is a regular or special meeting.
3. Name of person presiding.
4. Name of secretary. (In small boards, the names of those present should be recorded).
5. All main motions, whether adopted or rejected.
6. The names of the persons making the motions, the name of the seconder need not be recorded.
7. Points of order and appeals, whether sustained or lost.
8. A motion that was withdrawn should not be recorded.

### **Treasurer**

The Treasurer of any organization is the custodian of its funds and receives and disburses them upon the authority from the organization, the board, executive committee or the finance or budget committee. A treasurer should be bonded.

The organization should approve the budget or authorize the executive committee or the board of directors to do so. A committee chair or an officer or member should get permission from the chair or board to make expenditure.

No treasure should accept bills for payment, such as for postage, traveling expenses, etc, from a committee unless receipts are enclosed.

The treasure should make a monthly statement and a report once a year, or upon the request of the board or parent body during the year. The annual report should be audited. An auditor's report should be presented following the treasurer's report. The presiding officer states to the assembly that to adopt the report of the auditor (if carried) has the effect of accepting the treasurer's report.

### **Committees**

Committees have no authority except that which is granted by the constitution or by vote of the organization. Unless otherwise provided, the person first named or the one receiving the largest number of votes is its chair. A committee has no right to incur any debt or involve the organization in any way unless given full authority to do so.

Under no circumstances should one or more members of a committee go ahead with the business without action by a quorum; usually the majority of the committee, being present. Failure to observe these rules render such action the “action of individuals” and are subject to “censure”.

#### **IV. Principal Motions**

General statement: When a motion has been made, seconded, and stated by the chair, the assembly is not at liberty to consider any other business until this motion has been disposed of. If the motion is long and involved, the chair shall ask the mover to hand it in writing to the secretary. The mover cannot withdraw his/her motion after it has been stated by the chair. In general, all important motions should be seconded, which may be done without rising or addressing the chair.

1. To Amend: This motion is “to change”, add or omit words” in the original main motion and is debatable; majority vote.
2. To Amend the Amendment: This is a motion to change, add or omit words in the first amendment; debatable; majority vote.
3. Method: The first vote is on changing words of the second amendment, the second vote (if the first vote adopts the change) on the first amendment as changed; the third vote is on adopting the main motion as changed.
4. To Commit: When a motion becomes involved through amendments or when it is wise to investigate a question more carefully, it may be moved to commit the motion to a committee for further consideration. Debatable and amendable, but a committee must make a report on such a question.
5. To Lay on the Table: The object of this motion is to postpone the subject under discussion in such a way that it can be taken up at some time in the near future when a motion to “take from the table” would be in order. These motions are not debatable or amendable; majority vote.
6. To Postpone: A motion to postpone the question before the assembly to some future time is in order, except when the speaker has the floor. Debatable; majority vote.
7. To Adjourn: This motion is always in order except:
  - When a speaker has the floor.
  - When a vote is being taken.
  - After it has been voted down.
  - When the assembly is in the midst of some business that cannot be abruptly stopped.

When meeting the above conditions, the motion is not debatable. When the motion is made to adjourn to a definite place and time, it is debatable.

8. To Reconsider: The motion to reconsider a motion that was carried or lost is in order if made on the same day or the next calendar day, but must be made by one who voted with the prevailing side. No question can twice be reconsidered. Debatable; majority vote. The motion requires two votes, first one whether it should be reconsidered, second one on the original motion after reconsideration.
9. The Previous Question: This motion is to close debate on the pending question. This motion may be made when debate becomes long and drawn out. It is not debatable. The form is: “Mr. or Madam Chair, I move the previous question.” The chair then

asks, “Shall debate be closed and the question now put?” If this is adopted by a two-thirds majority vote, the question before the assembly is immediately voted upon.

10. Point of Order: This motion is always in order, but can be used only to present an objection to a ruling of the chair or some method of parliamentary procedure. The form is, “Mr. or Madam Chair, I rise to a point of order.” The Chair, “please state your point of order.” After the member has stated his/her objection, the chair answers, “Your point of order is sustained.” Or “Your point of order is denied.”. If any member is not satisfied, he/she may appeal the decision of the chair. The chair then addresses the assembly, “Shall the decision of the chair be sustained” This is debatable and the presiding officer may discuss it without leaving the chair. Voted on like any other motion. Majority or tie vote sustains the decision of the chair.  
Requires a majority of “no” votes to reverse decision of the chair.

## **V. Nominations, Elections and Terms of Office**

General Henry M. Robert, author of ‘Robert’s Rules of Order’, says: “In the election of the officers of a society, it is more usual to have the nominations made by a committee—when the committee makes its report which consists of ticket (a ticket is one name for each office to be filled by ballot), the chair asks, “Are there any other nominations?”, at which time they may be made from the floor. The committee’s nominations are treated just as if made by members from the floor, no vote being taken on accepting them.

If nominations are made from the floor, these names are added to those submitted by the nominating committee. Neither nominations by the committee nor nominations from the floor require a second or adoption by vote, but are acted upon in the election ballot. Nominations are never seconded except as a complimentary endorsement of candidates not known to the assembly.

When nominations are completed, the assembly proceeds to the election, voting by the method prescribed in the constitution and by-laws. The usual method in permanent societies is by ballot, the balloting continued until the offices are filled.

A motion may be made to close nominations but this motion is not in order until the assembly has been given a reasonable time to add further nominations to those already made. It is an undebatable main motion, incidental to the nominations. It requires two-thirds vote. The motion to reopen nominations is undebatable and requires a majority vote.

The chair should remind the members that the nominating committee has endeavored to present as sure a ticket as possible, but it is now their privilege to name a candidate for any or all of the offices to be filled, and that they still have the opportunity to cast a ballot, for any eligible members, whether nominated or not.

A member may withdraw his/her name if placed in nomination, announcing that if elected he/she would not be able to serve; but he/she cannot “withdraw in favor of another member”.

## **KINDS OF VOTING**

Majority means one over half the members voting and plurality vote is the largest of two or more numbers. A plurality vote never adopts a motion to elect a member to office except by virtue of a special rule previously adopted in the constitution or by-laws. In an

election, a candidate has a plurality rule when he/she has a larger vote than any other candidate.

## **THE CHAIR VOTES**

When the vote is by ballot, the chair writes his/her ballot and casts it with the rest.

On a tie vote the motion is lost. If a majority of one the chair, (if a member of the assembly), may vote with the minority and make it a tie, and declare the motion “lost” unless the vote is by ballot.

In the event of a tie by ballot, balloting must continue until a candidate receives majority (unless bylaws provide for plurality).

To move “that the election be made unanimous”, is a mistaken courtesy, as it forces those who did not vote for the candidate to submit unwillingly to the transferring of their vote, thus make it appear to be unanimous, when it is not. One negative response causes such a motion to be “lost”.

An election takes effect immediately following the completion of the annual business unless the bylaws specify some other date.

This does not mean that officers are to assume office at this meeting, for the duties of the outgoing officers are not completed for the year until after adjournment of the annual session and all business relating to the annual meeting has been perfected.

If a member of the assembly, the President is entitled to vote when the vote is by ballot, and in all other cases where the vote would change the result. Thus, in a case where a two-thirds vote is necessary, and his vote thrown with the minority would prevent the adoption of the question, he can cast his vote; so, also, he can vote with the minority when it will produce a tie vote and thus cause the motion to fail; but he cannot vote twice, first to make a tie, and then to give the casting vote.

### ***Question 1:***

#### **Is it true that the president can vote only to break a tie?**

#### ***Answer:***

No, it is not true that the president can vote only to break a tie. If the president is a member of the assembly, he or she has exactly the same rights and privileges as all other members have, including the right to speak in debate and the right to vote on all questions. However, the impartiality required of the presiding officer of an assembly (especially a large one) precludes exercising the right to debate while presiding, and also requires refraining from voting except (i) when the vote is by ballot, or (ii) whenever his or her vote will affect the result.

When will the chair's vote affect the result? On a vote which is not by ballot, if a majority vote is required and there is a tie, he or she may vote in the affirmative to cause the motion to prevail. If there is one more in the affirmative than in the negative, the president can create a tie by voting in the negative to cause the motion to fail. Similarly, if a two-thirds vote is required, he or she may vote either to cause, or to block, attainment of the necessary two thirds. [[RONR](#) (10th ed.), p. 392-93; see also Table A, p.190 of [RONR In Brief](#).]