

PARLIAMENTARY RULES OF ORDER

A. Purpose of the Parliamentary Rules of Order

In general, the Board's proceedings are governed by regulations found in California Code of Regulations, title 18, section 5000 et seq. The Parliamentary Rules of Order are intended to provide for the orderly conduct of Board meetings and appropriate parliamentary authority in those procedural matters not covered by the Constitution, statutes or regulations.

B. Duties of the Chair

1. The Chair shall preside at all meetings of the Board. It is the responsibility of the Chair to conduct the meeting in an orderly manner.
2. In the absence of the Chair, the Vice-Chair shall preside and exercise all the powers and duties of the Chair. If there is a quorum present, and both the Chair and the Vice-Chair are absent, the Board Members present may agree upon a Board Member to preside and serve as temporary Chair.
3. The Chair shall recognize other Board Members who wish to speak.
4. The Chair has the same right to make or second a motion or to debate as the other Board Members. The role of presiding officer need not be assigned to another Board Member while the Chair exercises these rights.
5. The Chair may ask whether there is a motion and a second to bring a matter to a vote, or may move or second a motion to bring a matter to a vote.

C. Order of Business

The Chair will take up the items of business in the order listed in the published agenda. However, when the circumstances warrant, the Chair may modify the order of business.

D. Obtaining the Floor

A Board Member must be recognized by the Chair in order to speak on any matter or to make a motion.

E. Motions

1. All motions by a Board Member require a second by another Board Member. If there is no second, the motion dies. However, raising a parliamentary question or point of order is not a motion, and therefore, does not require a second.
2. A Board Member may withdraw a motion or a second at any time before the roll call for the vote on that motion begins.

F. Debate

1. Discussion of a matter is permitted while no motion is pending.
2. Except as set forth in the regulations, until such time as a motion to vote on the pending matter has been made and seconded, any Board Member may be recognized and speak on a pending matter.
3. Debate shall be confined to the current matter pending before the Board.

G. Voting and Calling for a Vote

1. Unless there is unanimous consent, voting is by roll call.
2. A motion calling for a vote on a pending matter is not in order until each Board Member who wishes to do so has had an opportunity to speak on the issue.
3. A motion calling for a vote is not debatable.

H. Point of Order

1. A point of order is the device used to require a deliberative body to observe its own rules and to follow established parliamentary practice. Any Board Member may raise a point of order at any time.
2. The Chair shall rule on a point of order.
3. The Board Members may challenge the Chair's decision regarding a point of order by putting the matter to a vote. The affirmative vote of a majority of a quorum will overrule the decision of the Chair regarding a point of order.
4. Before a decision is made regarding a point of order, any Board Member may request the advice or opinion of the Chief Counsel or the Chief Counsel's designee.

I. Exhibits

1. At the conclusion of debate, any materials presented by any party which have been marked as exhibit(s) during the pending matter and which the party elects to be entered into the record must be moved into evidence.
2. The Chair shall ask the parties if the exhibit(s) are submitted. Each party must make a motion to move the exhibit(s) into evidence.
3. If there are no objections, the exhibit(s) will be entered into evidence and made a part of the record of the pending matter.
4. If any Board Member or party objects to the admission of evidence, the question shall be discussed and voted upon pursuant to these Parliamentary Rules of Order.

J. Committee Procedures

1. If a committee meeting is to be held, it should be scheduled in conjunction with a Sacramento Board meeting, absent exceptional circumstances (which shall be approved in advance by the Board).
2. Agenda items for a committee meeting are determined by the committee chair in consultation with the committee staff person. Board Members must submit agenda items for inclusion in the agenda to the committee staff person, in consultation with the committee chair. The committee staff person shall submit all agenda items, materials and exhibits to the Chief of Board Proceedings for publication and distribution.
3. All committee minutes shall be submitted to the Board for approval at the Administrative Session of the Board meeting, discussed and voted on pursuant to these rules.
4. It is the Board Chair's prerogative to establish new standing advisory committees, subcommittees, or special advisory committees.

K. Suspension of the Rules

Any Parliamentary Rule of Order may be suspended in connection with the consideration of a matter before the Board by the affirmative vote of a majority of a quorum.

L. Amendment of the Rules

Any Parliamentary Rule of Order may be amended at any regular meeting of the Board by the affirmative vote of a majority of a quorum, provided that notice of any proposed amendment is given pursuant to Government Code Section 11125.

M. Controlling Law

1. The constitutional, statutory, regulatory, and case law of this state is controlling over any Parliamentary Rule of Order herein adopted. Where the Attorney General has issued opinions on a matter of Board procedure the Board will follow the Attorney General's advice.
2. When a question arises that is not covered by constitutional, statutory, regulatory, or case law, opinions of the Attorney General, or the Parliamentary Rules of Order, Robert's Rules of Order Newly Revised (10th edition) shall be the authority followed by the Board in so far as those rules are found to be applicable.
3. Failure to comply with the Parliamentary Rules of Order does not invalidate actions of the Board.

History: 1. Adopted by the Board on June 29, 1995.

2. Amendments adopted by the Board on August 22, 1996.

3. Amendments adopted by the Board on December 17, 2008.