

Mason's Ten Principles of Parliamentary Law¹ for a Citizen Advisory Committee

1. *The committee can take only those actions that it has authority or jurisdiction to take.* The committee's action, to be valid, must not violate any applicable law or constitutional provision. A citizen advisory committee has only those powers conferred on it by law or necessarily implied from some specific grant of power.
2. *The committee must meet in order to act.* Under North Carolina law, the powers conferred on the public bodies are exercised by the body as a group, not by its individual members. Therefore, the group must meet in order to act.
3. *All committee members must receive proper notice of meetings.* Since all members are equally entitled to participate in meetings, each member must be properly notified of the place, time, and purpose of:
 - (a) Regular Meetings
 - (b) Special Meetings
 - (c) Emergency Meetings
 - (d) Work Sessions and Subcommittee Meetings
4. *The committee may act only with a quorum.* A committee's bylaws or founding documents designate what shall constitute a quorum. Unless otherwise stated, the number required for a quorum is not affected by vacancies and if a member has withdrawn from a meeting without being excused by majority vote of the remaining members present, he or she shall be counted as present for the purposes of determining whether a quorum is present.
5. *There must be a question before the committee on which it can decide.* Except when electing their own officers, public bodies proceed by voting yes or no on specific proposals put forward by one or more members. Each member has the right to know at all times what question is before the committee and what effect a yes or no vote would have on that question.
 - Action by the Committee The committee shall proceed by motion.
 - One Motion at a Time A member may make only one motion at a time.
 - Substantive Motion A substantive motion is out of order while another substantive motion is pending.
 - Procedural Motions. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption.
 - Renewal of Motion A defeated motion may not be renewed at the same meeting.
 - Withdrawal of Motion A motion may be withdrawn by the introducer at any time before the chair puts the motion to a vote.

¹ Mason's *Principles* and the quoted rules are taken from Joseph S. Ferrell, *Suggested Rules of Procedure for the Board of County Commissioners* (Chapel Hill, N.C.: School of Government, 2002). A city council may adopt its own rules of procedure if these are consistent with state law and "generally accepted principles of parliamentary procedure" (G.S. 160A-71c)). Also see NC open meeting law (G.S. 143-33C.)

6. *There must be opportunity for debate.* The very nature of a deliberative body requires that members share information and opinion about matters before the committee. The chair shall state the motion and then open the floor to debate, presiding over the debate according to these general principles:
 - (a) The member making the motion or introducing the item is entitled to speak first.
 - (b) A member who has not spoken on the issue shall be recognized before someone who has already spoken.
 - (c) To the extent possible, the debate shall alternate between opponents and proponents of the measure.
 - (d) No member shall speak more than twice on the main question, or longer than [ten] minutes for the first speech and [five] minutes for the second speech; nor shall the member speak more than twice upon an amendment or procedural motion and then not longer than [five] minutes for the first speech and [two] minutes for the second speech.

7. *Questions must be decided by vote.* Legislative bodies do not decide matters by discussing them until a consensus emerges. Committees *may* be authorized to decide matters by consensus.

8. *Votes are decided by majority.* Usually only a simple majority of votes cast suffices, but the board's rules or an applicable law may sometimes require an extraordinary majority.
 - Adoption by Majority Vote A motion shall be adopted if approved by a majority of the votes cast, a quorum being present, unless an extraordinary majority is required by these rules or the laws of North Carolina.
 - Duty to Vote It is the duty of each member to vote unless excused by a majority vote according to law. The committee may excuse members from voting on matters involving their own financial interest or official conduct. A member who wishes to be excused from voting shall so inform the chair, who shall take a vote of the remaining members. A member who fails to vote, not having been excused, shall be recorded as voting in the [affirmative] [negative]. Unless excused by rule of the committee, the presiding officer has the duty to vote on any question before the committee, but has no right to break a tie vote in which he participated.

9. *There must be no fraud, trickery, or deception in the committee's proceedings.*
 - Prohibition of Secret Voting No vote may be taken by secret ballot. If the committee decides to vote by written ballot, each member shall sign his or her ballot and the minutes shall record the vote of each member. These ballots shall be retained and made available for public inspection until the minutes of that meeting have been approved, at which time they may be destroyed.

10. *The committee's rules of procedure must be applied consistently.*
 - Powers of the Chair The chair shall preside at all meetings of the committee. A member must be recognized by the chair in order to address the board. The chair shall have the following powers:
 1. To rule on points of parliamentary procedure, including the right to rule out of order any motion patently offered for obstructive or dilatory purposes;
 2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
 3. To call a brief recess at any time;
 4. To adjourn in an emergency.