

## AN INTRODUCTION TO ESSEX TOWN MEETING PROCEDURES

**NOTE:** Smoking is prohibited in the School and on School Grounds.

### A. PURPOSE OF TOWN MEETING:

Whereas the Board of Selectmen is the executive branch of Town government, the Town Meeting is the legislative branch and has the power to make local laws (bylaws) and the power to approve the Town budget of expenditures and the method for paying for them. As the legislative branch, Town Meeting needs rules of procedure to have an orderly and dignified way of proceeding with its business and to protect the rights of individuals and minorities to have a fair opportunity to express their opinions and propose alternatives. This introduction is a brief summary of the rules most commonly used.

### B. REGISTRATION:

Voters must register upon entering the Meeting. Non-voters may attend, but must sit in a separate area.

### C. QUORUM:

To transact Town Meeting business, a quorum of 30 Essex Registered Voters must be present.

### D. TO SPEAK AT TOWN MEETING:

Unless physically unable to do so, a voter wishing to speak should rise and get in line with others behind a designated microphone or microphones. Those physically unable to approach a microphone should obtain a red card from the registration table upon entering the Meeting and may raise it to signify to the Moderator that they wish to speak. A portable microphone, if available, will be brought to such a voter where they are sitting. The Moderator will recognize the voter and they may then state their business. The first time a voter is recognized at a Meeting, the voter should state their name and street address.

### E. DEBATABLE MOTIONS:

To be debatable, any motion must be seconded and be in writing and given to the Moderator before the maker may speak on the subject of the motion. The maker of a motion is always entitled to begin the debate as soon as the Moderator has received the motion in writing and has again recognized the maker of the motion.

Until the vote is called by the Moderator, any voter may follow the procedure to speak (Section D, above) and request the opportunity to debate, make motions for amendments, or otherwise, but the voter must be recognized by the Moderator before speaking.

#### DEBATE EXCEPTIONS:

- (1) *Debate may be terminated* – See Section F, below.
- (2) *Limitations on Speaking* – Without first obtaining leave of the Meeting, no person shall speak more than twice on any question except to correct a mistake or misstatement, and no person shall speak more than 5 minutes at any one time without again being recognized by the Moderator (Town Bylaw).

#### 1. INTRODUCE BUSINESS AT THE TOWN MEETING:

“I move \_\_\_\_\_”, or “I move the adoption of \_\_\_\_\_”.

“I wish to present the following resolution \_\_\_\_\_. I move its adoption.”

#### 2. INDEFINITELY POSTPONE (A NEGATIVE VOTE):

“I move to postpone this article indefinitely.” (Can be main motion or proposal to defeat a pending main motion).

#### 3. AMEND MOTION:

“I move to amend the motion by \_\_\_\_\_.”

“I move to amend by striking out the motion and substituting this motion \_\_\_\_\_.”

#### 4. CHANGE ORDER OF ARTICLE:

“I move Article #\_\_ be considered before (or after) Article #\_\_.” (Can't be moved while any other motion pending).

### F. LIMITING, EXTENDING, OR STOPPING DEBATE:

#### 1. STOP DEBATE AND ORDER AN IMMEDIATE VOTE:

“I move the previous question.” (2/3 vote required – no debate)

#### 2. LIMIT OR EXTEND DEBATE:

“I move to limit (or extend) the debate on this motion to (specify time).” (2/3 vote required – no debate) *OVER*

G. RECONSIDERATION OR RESCISSION:

"I move to reconsider the vote on the motion \_\_\_\_\_." (If reconsideration passes, it is followed by another vote on the original motion.)

"I move to rescind the vote on the motion \_\_\_\_\_."

**NOTE:** "Reconsideration" or "Rescission" can be moved by anyone the same day or any other day of the Town Meeting in which the action to be reconsidered occurred, but can only be moved once (2/3 vote required to reconsider or rescind).

H. DISSOLVE A MEETING:

"I move that we dissolve or adjourn *sine die*." (Only when all articles are resolved or lack of quorum – Privileged\* - no debate.)

I. ADJOURN TO CONTINUE MEETING LATER:

"I move that when we adjourn, we adjourn to meet on (date) at (time)." (Privileged\*)

J. PRIVILEGE OR POINT OF ORDER (may interrupt):

"I rise to a question of privilege. (State issue – comfort and convenience or personal slur or slander.)" (Privileged – no debate)

"I rise to a point of order. (State question of procedure)." (No debate)

K. VOTES:

1. The Moderator may announce a vote as it appears by the sound of voices, including votes requiring 2/3. If s/he is in doubt, or if his/her announcement is doubted by 7 or more voters rising, s/he shall order a rising vote for a count.

2. Passing Vote (other than Majority) Required of Voters Present:

Zoning Bylaw Amendment (MGL c. 40A § 5) -	2/3
Transfer to or from Stabilization Fund (MGL c. 40 § 5B) -	2/3
Appropriation for purchase or eminent domain acquisition of land or easement (MGL c. 40 § 14)	2/3
Real estate transfer votes when land acquired by eminent domain (MGL c. 40 § 15) -	2/3
Note: Land acquired for parkland or watershed purposes requires legislative approval. Sale or lease of land may be subject to Procurement Act (MGL c. 30B) unless exempted by legislature.	

Most borrowing votes (except temporary loans, leases, or highway construction anticipating reimbursement, which require majority only) -	2/3
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Reconsideration (Town Bylaw) -	2/3
Limit, Extend, or Stop Debate (Including Previous Question) -	2/3
Suspension of Rules or Lay on Table -	2/3
Previous Years' Bills (MGL c. 44 § 64):	
Annual Town Meeting -	4/5
Special Town Meeting -	9/10

3. Secret Ballots:  
If requested by 20% or more of voters present, a secret ballot shall be taken in form chosen by moderator (Town Bylaw)

**NOTE:** \*Privileged motions have priority over other motions.