

*RULES APPLYING TO THE CONDUCT
OF
REPRESENTATIVE TOWN MEETINGS
IN
WALPOLE, MASSACHUSETTS*

As amended by the first meeting (Spring Session) of the Annual Town Meeting (1983)

As amended by the first meeting (Spring Session) of the Annual Town Meeting (1986)

As amended by the first meeting (Spring Session) of the Annual Town Meeting (1987)

As amended by the first meeting (Spring Session) of the Annual Town Meeting (1995)

As amended by the first meeting (Spring Session) of the Annual Town Meeting (1997)

As amended by the first meeting (Spring Session) of the Annual Town Meeting (1998)

As amended by the first meeting (Spring Session) of the Annual Town Meeting (1998)

As amended by the first meeting (Spring Session) of the Annual Town Meeting (2001)

As amended by the first meeting (Spring Session) of the Annual Town Meeting (2010)

As amended by the first meeting (Fall Session) of the Annual Town Meeting (2010)

As amended by the first meeting (Spring Session) of the Annual Town Meeting (2015)

**RULES APPLYING TO THE CONDUCT OF REPRESENTATIVE
TOWN MEETING MEMBERS**

The following rules of procedure shall become effective upon a majority vote of the elected representatives of the Annual Town Meeting of 1972 and as amended under Rule 10:
All instances of the word "shall" is to be interpreted as mandatory not directory.

1. SEATING

- a. All RTM Members shall sit in an area designated for them, and only them, as displayed at the entrances to the meeting.
- b. Individuals who are not RTM Members, but who serve on Town Committees, or are in attendance in support of Town Officials, and wish to be seated in a reserved area must make their presence known to the Moderator.
- c. All other individuals must be seated in the unreserved area. If more space is needed to accommodate the public, the Moderator will realign the reserved areas.

2. SPEAKERS

- a. Any individual wishing to address the assembly must approach the microphone, or in the event that the RTM is physically unable to approach the microphone, a microphone shall be provided them, to gain attention and shall only be allowed to speak after being recognized by the Moderator
- b. When recognized by the Moderator, RTM Members shall identify themselves by name and precinct number. Town Officials and Town Committee Members shall state their official title. All other speakers shall state their name and residence.
- c. All speakers who have been retained, paid or otherwise, or who are speaking on behalf of or as a representative of a group or organization must so state when identifying themselves.
- d. The only reason for speaking without recognition of the Moderator shall be to question the conduct, procedure, or legality of the discussion at hand. The RTM Member may vocally state "Mr. Moderator ... Point of Order". The Moderator shall immediately suspend debate, and recognize the RTM Member who shall approach the microphone, or in the event that the RTM is physically unable to approach the microphone, a microphone shall be provided them, and state the reason for the call of a Point of Order. No further discussion may take place until the Point of Order is addressed and ruled upon by the Moderator.
- e. The Moderator shall attempt to use the order below when recognizing speakers. This shall in no way restrict the number of times a person may speak nor restrict the Moderator from calling speakers in any order. The Moderator shall make an effort to recognize an individual who wishes to speak for the first time, over those who have previously spoken to the issue:
 1. Primary spokespersons for or against the motion who are making a presentation.

2. The Finance Committee Spokesperson
 3. Town Officials and Town Committee Members, including ex officio members according to the Town Charter, whose official duties or Committee have relevance to the motion
 4. RTM Members
 5. All other speakers. These speakers may speak for not more than 5 minutes. Permission to speak longer than 5 minutes may be granted by a majority vote of the RTM Members.
- f. Presentations being given by speakers listed in Sections 2e-1, 2e-2 and 2e-3 may be limited to a specified time period if recommended by the Moderator or by a RTM Member via a motion. Any recommendation to limit a presentation must also be approved by a majority vote of the RTM Members. A presentation time period may subsequently be extended by a motion which is adopted by a majority vote of the RTM Members.

3. ARTICLE DEBATE

- a. The sponsors of an Article shall not be bound by the recommendation of the Finance Committee. A negative main motion, "no action", shall be debatable, and the sponsor(s) or RTM Member(s) may speak against dismissal or postponement in favor of affirmative action. Defeating the "no action" is not alone sufficient to establish action on an Article. After defeat of this "no action" motion, the Moderator shall state that no motion has been made and request that a motion be made. A sponsor or RTM Member may then make an alternative motion. In the absence of an alternative motion, the next article shall be taken up.

4. CLOSING DEBATE (Moving the Question)

- a. A motion to close debate may be made by an RTM Member by first gaining recognition from the Moderator as provided under Rule 2a. Such a motion is non-debatable, and the person making the motion must not precede his motion by any comment whatsoever, or the motion and the speaker will be declared out of order and debate shall continue. Upon a properly made motion, the Moderator shall immediately call for a vote on the motion.
- b. A motion to close debate requires a two-thirds vote for passage.

5. METHOD OF TAKING VOTES

- a. There are four methods for taking votes. They are Voice, Standing, Roll Call and Secret Ballot
- b. A motion will carry only when the affirmative vote, (i.e. "Aye" or "Yes") meets the quantitative requirements established either by General Laws, or any established procedural rules (majority, two-thirds, four-fifths, etc.). Any vote, requiring a majority vote for passage that ends in a tie shall result in defeat of the motion.

c. Voice Vote:

The RTM members, when called upon by the Moderator, vote by voice; i.e.: "Aye" or "No". This shall be the primary method of voting.

d. Standing Vote:

1. The Moderator shall conduct a Standing Vote in any of the following cases:

- i. If the Moderator is unable to call a Voice Vote
- ii. If the motion being voted upon requires other than a simple or 2/3 majority, and the Voice Vote is not unanimous.
- iii. If no less than seven (7) RTM Members stand and verbally call for a standing vote.

2. The hall shall be divided into sections by the Moderator. Two tellers for each section, chosen from the RTM Members, shall be appointed by the Moderator. The Moderator shall also appoint alternative Tellers, as needed, to temporarily replace any Teller who wishes to speak on an article. RTM Members shall stand in accordance with their vote when asked to do so by the Moderator. The Tellers, for each section, shall each count the section, and agree on the count, or conduct a recount. The Tellers shall use the public address system to announce their count to the Moderator and the public at the same time. The Moderator shall count the votes of the Tellers by a show of hands.

e. Roll Call Vote:

1. The Moderator shall conduct a Roll Call vote in the following cases:

- i. If prior to taking any vote, a motion is made from the floor, and seconded by no less than twenty (20) RTM Members. Such a motion requires a majority vote for adoption.
- ii. If no less than twenty (20) RTM Members stand and challenge the call of a Standing Vote.

2. The Town Clerk shall call the roll, by precinct, RTM Members must respond to the Roll Call with "Aye", "No" or "Abstain". At the conclusion of the calling of the roll the Clerk shall request the vote of any RIM Member that was not recorded earlier. The Moderator will call the results of a Roll Call Vote on the basis of those present and voting, assuming that a legal quorum is considered to exist.

f. Secret Ballot Vote:

1. A Secret Ballot Vote shall be conducted in the following cases:

- i. The Moderator shall conduct a Secret Ballot if prior to taking any vote, a motion is made from the floor and seconded by no less than twenty (20) RTM Members. Such a motion requires a two-thirds vote for adoption.
- ii. In the case of the absence of the Moderator, the election of a Temporary Moderator may be by Secret Ballot on a motion made and seconded from the floor. Such a motion requires a majority for adoption.

2. The RTM Members from each precinct, shall come to the front of the hall and register with a Teller and receive a Ballot. The RTM members will then mark the Ballot in the manner directed and deposit it in the Ballot Box. The Tellers will then count the Ballots with the Town Clerk. The Moderator will call the results of a Secret Ballot.

- g. Motions of either a Roll Call Vote or Secret Ballot Vote are not subject to debate, nor may such a motion be reconsidered.
- h. There is no appeal to the Moderator's call of a Roll Call or a Secret Ballot Vote.

6. RECONSIDERATION

The word "**reconsideration**" applies to a vote, not to an article. The intention of a motion to reconsider, therefore, is to reverse a previously taken vote, regardless of reasons. The motion on which the vote was originally taken is exactly the same motion that will be before the house again if the motion to reconsider is carried.

- a. Reconsideration on any Article, or portion of an Article, if it has previously been divided, is permitted
- b. The motion to reconsider is not debatable. The mover must explain, in not more than three minutes why such a motion is being made, following which the vote will be immediately taken, assuming that the mover has made no statements requiring comment by Town Counsel or the Moderator.
- c. A motion to reconsider requires a two-thirds vote for passage.
- d. A motion to reconsider, if defeated, may be raised a second time.
- e. The motion to reconsider, if carried, may not be raised again unless the original vote is reversed. (Example; the original vote was in favor; the vote is reconsidered and the resulting vote is against: the vote against may once more be reconsidered.)

7. CONSIDERING ARTICLES OUT OF ORDER

- a. Consideration of salary changes under negotiations may be deferred until the conclusion of negotiations.
- b. Upon motion of the Moderator, or any RTM Member, Articles may be considered out of printed sequence only by a majority vote of the RTM. Courtesy would be given to citizen sponsored Articles.
- c. A vote to change the order of articles for consideration may not be reconsidered.
- d. Consent Agenda: The purpose of the Consent Agenda would be to identify like Articles, which generate no apparent controversy and could be properly voted on as one unit without debate. The Moderator would read the Article numbers to be placed on the Consent Agenda. If any Town Meeting Member objects to the inclusion of any Article, that Article would be removed and acted upon separately.

8. NOTIFICATION OF FUTURE MEETINGS

- a. In conformity with the Act establishing a Representative Town Government in Walpole, Chapter 709 of the Acts of 1969, and in conformity with the Town Charter, written notification of the first session of all Town Meetings will be mailed to all Town Meeting Representatives.
- b. The first session of all Town Meetings shall be scheduled on a Monday evening and, in the event of a lack of quorum, shall automatically be rescheduled for the following Monday evening and shall be so posted by the Town Clerk and notice so published in accordance with the Walpole Town Charter, §219-2. Additional sessions, as may be required, shall be scheduled for the following consecutive Wednesdays and Mondays until dissolution.
- c. A Town Meeting shall be considered postponed on any day on which school, at the location of Town meeting, has been cancelled and shall reconvene on the next nearest Monday or Wednesday evening.
- d. The Moderator, after consulting with appropriate Town officials, has the authority to postpone Town meeting due to inclement weather or other emergencies. Town Meeting shall reconvene on the next nearest Monday or Wednesday evening.

9. RULES COMMITTEE

- a. A Standing Committee called the Rules Committee consisting of one (1) RTM Member from each Precinct shall be elected at the first meeting (Spring Session) of the Annual Town Meeting.
- b. Each Precinct shall have its caucus at its own convenience and will be prepared to offer a candidate for re-appointment or a new candidate. Upon receipt of a complete slate, the Moderator shall put their names to the RTM Members.
- c. If a vacancy occurs prior to the opening of Town Meeting the Town Clerk shall notify all RTM Members from that Precinct of the opening. The Moderator shall appoint a RTM Member from the same Precinct to serve until the next Special or Annual Town Meeting. At the next Special or Annual Town Meeting, the Precinct shall select a member of the Rules Committee as called for in section (b) above.

10. RULES CHANGES

- a. All proposed changes in Rules will be referred to the Rules Committee which will consider them and make recommendations as the first order of business at the first meeting (Spring Session or Fall Session) of the Annual Town Meeting.
- b. Changes in the Rules, presented in accordance with (a) above shall become immediately effective upon a two-thirds vote of the RTM Members present.
- c. Rules governing all other matters not specifically covered herein or by Rules later adopted, remain within the province of the Moderator to decide and to order.
- d. The Rules Committee shall consider all matters pertaining to the conduct of RTM Meetings.
 1. When ordered by a majority of RTM Members
 2. When ordered by the Moderator
 3. On the Rules Committee's initiative

11. MODERATOR APPOINTED COMMITTEES

- a. Study Committees to be appointed by the Moderator require a two-thirds vote of the meeting so to order.

12. ADJOURNMENT, TIME, DISSOLUTION, UNLESS OTHERWISE GOVERNED BYLAW

A meeting may be adjourned at any time upon a motion, as stipulated under section 2a and 2b, made and seconded and carried by a simple majority. Such a motion shall carry a time and place for convening the subsequent meeting as stipulated under Section 8b and 8c.

13. ATTRIBUTION OF WRITTEN INFORMATION

Any written information distributed, inside the building, to Town Meeting Representatives must be identifiable as to the responsible individual. In the case of a committee or citizens group, written information, distributed inside the building, must include the name of the Chairman or authorized representative of said group.

14. BROADCAST OF TOWN MEETING

If the Moderator determines that the proceedings will likely be interrupted by the broadcast coverage including lighting, roving cameras, and interviews being conducted while Town Meeting is in session, the Moderator may recommend changes to be made after informing the RTM members and securing a majority vote.

15. ORDER OF DOCUMENTS TO BE USED WHEN CONDUCTING TOWN MEETING

Town Meeting shall be conducted under the following documents. In the case of any conflict, the priority of the documents shall be as follows:

1. Massachusetts General Laws
2. Walpole Town Charter
3. Walpole Town Meeting Rules
4. Town Meeting Time, which shall be available for public view at the Walpole Library
5. A Citizen's Guide to Town Meeting, Secretary of the Commonwealth Citizen Information Service