

# Capital Area Groundwater Conservation District

## Rules of Order

### **Chapter 1. Members and Quorum**

#### **Rule 1.1 Terms of office**

(1) The term of office of each Commissioner is provided for and shall be in compliance with La. R.S. 38:3074.

(2) If any Commissioner resigns or is removed before the completion of a term, the Executive Director shall notify the Governor's Office and the nominating authority to begin the process of replacing that Commissioner.

#### **Rule 1.2 Confirmation by the Senate**

Each Commissioner's name shall be submitted to the Louisiana State Senate for confirmation at the first Regular Session of the Legislature after appointment. If the Commissioner is not confirmed by Senate during that Regular Session, he shall step down and the process to appoint a replacement to serve to the end of that term will commence. A replacement Commissioner shall serve the remainder of that term of office and may be eligible for re-appointment at the end of the term.

#### **Rule 1.3 Absences**

Commissioners are expected to attend meetings of the Commission. If any Commissioner misses three consecutive full Board meetings with no excuse deemed valid by the Chairman, the Executive Director shall notify the Governor's Office and the nominating authority to begin the process of replacing that Commissioner for the remainder of that term.

#### **Rule 1.4 Quorum**

(1) A quorum of the Commission is hereby defined as a simple majority of the total membership of the Commission.

(2) A quorum of any committee of the Commission is hereby defined as a majority of the total membership of the committee.

#### **Rule 1.5 Quorum necessary to transact business**

The presence of a quorum is required for the Commission or any of its committees to conduct business. Upon the observation of a lack of quorum, discussion may continue but no official action may be taken on any item. However, a smaller number of members may adjourn a meeting.

#### **Rule 1.6 Nominations for the Board member to be nominated by the Board**

Nominations shall be made by members of the Board to recommend to the Governor for appointment to the Board under the provisions of R.S. 38:3074 (A)(9). Each nomination shall be voted on individually by the Board members. Any nomination receiving a majority vote of the members present and voting shall be forwarded to the Governor for consideration for his appointment.

**Rule 1.7 Election of a Chairman of the Commission**

- (1) At the last meeting of the current Chairman’s term, nominations shall be made by members of the Board for a Chairman of the Commission. Any nomination receiving a majority vote of the members present and voting shall be selected as the new Chairman.
- (2) The Chairman shall serve for two years unless an item is placed on the agenda to appoint a new Chairman. If the item receives a two-thirds vote of the members present and voting, nominations shall then be taken for a new Chairman. Any nomination receiving a majority vote of the members present and voting shall be selected as the new Chairman.
- (3) In the event the Chairman resigns prior to the end of the term, nominations shall be made at the next board meeting for a new Chairman. Any nomination receiving a majority vote of the members present and voting shall be selected as the new Chairman.

**Rule 1.8 Election of a Vice-Chairman of the Commission**

- (1) At the last meeting of the current Vice-Chairman’s term, nominations shall be made by members of the Board for a Vice-Chairman of the Commission. Any nomination receiving a majority vote of the members present and voting shall be selected as the new Vice-Chairman.
- (2) The Vice-Chairman shall serve for two years unless an item is placed on the agenda to appoint a new Vice-Chairman. If the item receives a two-thirds vote of the members present and voting, nominations shall then be taken for a new Vice-Chairman. Any nomination receiving a majority vote of the members present and voting shall be selected as the new Vice-Chairman.
- (3) In the event the Vice-Chairman resigns prior to the end of the term, nominations shall be made at the next board meeting for a new Vice-Chairman. Any nomination receiving a majority vote of the members present and voting shall be selected as the new Vice-Chairman.

**Rule 1.8 Election of a Secretary/Treasurer of the Commission**

- (1) At the last meeting of the current Secretary/Treasurer’s term, nominations shall be made by members of the Board for a Secretary/Treasurer of the Commission. Any nomination receiving a majority vote of the members present and voting shall be selected as the new Secretary/Treasurer.
- (2) The Secretary/Treasurer shall serve for two years unless an item is placed on the agenda to appoint a new Secretary/Treasurer. If the item receives a two-thirds vote of the members present and voting, nominations shall then be taken for a new Secretary/Treasurer. Any nomination receiving a majority vote of the members present and voting shall be selected as the new Secretary/Treasurer.
- (3) In the event the Secretary/Treasurer resigns prior to the end of the term, nominations shall be made at the next board meeting for a new Secretary/Treasurer. Any nomination receiving a majority vote of the members present and voting shall be selected as the new Secretary/Treasurer.

**Decorum and Debate**

**Rule 2.1. Decorous language**

Every Commissioner and attendee shall confine himself to decorous language and conduct in addressing the Commission, any committee of the Commission, and each

Commissioner. Any party may be excluded from any hearing, meeting, or other proceeding by the Chairman for a failure to do so, and may be subject to such other just, reasonable, and lawful disciplinary action as the Board may prescribe including removal from the board by a two-thirds vote of the full board to recommend to the Governor's Office for the member's removal.

### **Rule 2.2. Recognition to address the Commission**

When any Commissioner wishes to speak in debate, he shall raise his hand and wait to be recognized by the Chairman. The Chairman shall recognize Commissioners in the order in which they shall speak on that specific agenda. Members of the public shall be allowed to speak only at properly designated times within such meetings.

### **Rule 2.3. Points of order and information**

When a member wishes to raise a point of order or a point of information, he shall raise his hand state that he has a point of order and then wait to be recognized by the Chairman. The Chairman shall acknowledge the member and allow for the point of order to be expressed.

### **Rule 2.4. Electronic Recognition**

In instances where rules for recognition may not be practical, such as a meeting conducted electronically, as may be allowed from time to time by law, the Chairman will prescribe such other method for Commissioners to seek recognition in a manner consistent with the intent of this Chapter.

## **Chapter 3. Meetings of the Board**

### **Rule 3.1. Scheduling and Notification of meetings**

(1) At the beginning of each calendar year, a written notice of the anticipated dates for Regular meetings shall be published in the official journal of the District and in conformity with the State Open Meetings Law. . Such notice shall also be sent to all Commissioners and to any person who requests to be sent notifications from the Board and shall be available on the District's website.

(2) A written public notice of any Regular, Special, or rescheduled meeting shall be published on the District website and any official social media account maintained by the Board and shall be posted on the door of the district domicile no later than twenty-four hours before the meeting. In addition, such notice shall be emailed to all commissioners and to any person requesting notice to be sent. Such notice shall include the date, time, location, and agenda of the meeting. Notice may also be published in the official journal of the District so as to be available to readers no less than twenty-four hours before the meeting. All actions regarding meeting notification will be in conformity with the State Open Meetings Law.

(3) In cases of extraordinary emergency, defined by the Open Meetings Law (R.S.42.17(A)(1) and (5)), such notice shall not be required; however, the Chairman shall give notice of the meeting as he deems appropriate including through electronic media postings and by email to the assembled list of the Commission.

(4) Upon request, the same notice provided to Commissioners shall be provided to any member of the news media or the public. A list of email addresses shall be maintained and

utilized by the District Executive Director, or his designee, for those members of the media and the public requesting notification of meetings.

**Rule 3.2. Preparation and distribution of agenda**

(1) No less than twenty-four hours before each Regular, Special, or rescheduled meeting, the Executive Director, or his designee, shall provide each Commissioner a notice stating the date, time, location, and agenda. Failure to send initial notice of any Regular meeting, however, shall not invalidate such meeting if said meeting is to be held at a time and place specified in Article IV: Sec.2(2) of these By-Laws.

(2) In cases of extraordinary emergency, such notice shall not be required; however, the Chairman, through the Executive Director, or his designee shall give notice of the meeting as he deems appropriate and as circumstances permit including by email, posting on the Board's website, and any official social media account maintained by the Board.

(3) Copies of materials associated with items on the agenda shall be forwarded to the Commissioners at the same time as the agenda.

(4) The Chairman in conjunction with the Executive Director shall prepare the agenda. Upon written request by a member, within two weeks prior to the date of the next meeting, the Chairman shall include a single agenda item in the next meeting agenda for the requesting member.

(5) If an item on the agenda requires an action, the item must be distributed to the members by email or place on the website three (3) days prior to the meeting, or if by mail seven (7) days prior to the meeting. Failure to distribute the item timely will make the item ineligible for consideration unless the item is approved by two-thirds of the members present and voting.

**Rule 3.3. Cancellation of meetings**

Whenever a meeting of the Board is cancelled following publication of a notice, a notice of cancellation shall be posted in the same manner as the notice of the meeting.

**Rule 3.4. Meetings of committees**

Committees shall follow the same procedures outlined above for setting of agendas, scheduling meetings, notification of meetings to the members and public, and notification of cancelled meetings.

**Chapter 4. Order of Business**

**Rule 4.1. Order of business for Board meetings**

The Chairman shall call the meeting to order. The order of business for Board meetings shall be as follows:

- (1) Call to Order
- (2) Roll call
- (3) Establishment of a quorum
- (4) Invocation
- (5) Pledge of Allegiance
- (6) Recognition of guests
- (7) Amendments to the Agenda

- (8) Approval of minutes of previous meeting
- (9) Executive Director's Report
- (10) Chairman's Report
- (11) Administrative Committee Report
- (12) Technical Committee Report
- (13) Executive Committee Report
- (14) Member Agenda Items
- (15) Old Business
- (16) New Business
- (17) Commissioner Comments
- (18) Announcements
- (19) Public Comment (non-agenda items only)
- (20) Adjournment

**Rule 4.2. Vote required to change Order of Business**

The order of business shall not be altered except by favorable vote of a majority of the Commissioners present.

**Rule 4.3. Vote required to add to the Agenda**

A unanimous vote of those present and voting shall be required to add an item to the Agenda.

**Rule 4.4. Order of business for each agenda item requiring action**

For each agenda item requiring action by the Commission, the order of business shall be as follows:

- (1) Introduction of the item
- (2) Discussion of the item by the Commissioners
- (3) Motion and second by members of the Commission, with the allowance of substitute motions
- (4) Public comment on item
- (5) Additional discussion of the item by the Commissioners
- (6) Vote

**Rule 4.5 Public Comment**

The public is allowed the opportunity to speak, but only at the appropriate time in accordance with the Commission's Public Comment Policy.

## **Chapter 5. Committees**

**Rule 5.1 Establishment and appointment of committees**

The Chairman may establish committees either on a standing basis or task force or panel as needed. The Chairman of the Board shall appoint the members of the committees. The Chairman shall seek to maintain a numerical balance in membership between committees. The Chairman shall solicit requests from all members for their preferred committee assignments and will attempt to make appointments to said committees based upon these

preferences. The Chairman shall promptly notify Board membership of committee assignments at the first regular Board meeting of the year. Commission members may request at any time during the calendar year to transfer to a different committee if a vacancy in that committee occurs.

#### **Rule 5.2 Executive Committee**

There shall be an Executive Committee consisting of the elected officers (Chairman, Vice-Chairman and Secretary/Treasurer) and the Chairman of each of the standing committees established by the Board or any other Board member appointed by the Chairman. The committee shall provide counsel to the staff on non-routine matters that may arise between Commission meetings along with personnel matters. The Chairman shall appoint items to be considered by the Committee and the Committee Chairman shall report back to the full Board at the next regularly scheduled Board meeting the results to the Committee.

#### **Rule 5.3 Administrative Committee**

There shall be an Administrative Committee appointed by the Chairman. The Committee shall provide administrative expertise and assistance to the Board. The Chairman shall appoint items to be considered by the Committee and the Committee Chairman shall report back to the full Board at the next regularly scheduled Board meeting the results of the Committee.

#### **Rule 5.4 Technical Committee**

There shall be a Technical Committee appointed by the Chairman. The committee shall provide technical expertise and assistance to the Board. The Chairman shall appoint items to be considered by the Committee and the Committee Chairman shall report back to the full Board at the next regularly scheduled Board meeting the results of the Committee.

#### **Rule 5.5 Reports of Committees**

The Chairman of each committee shall be responsible for reporting to the full Board any actions recommended by his Committee at the next regularly scheduled Board meeting.

## **Chapter 6. Motions**

#### **Rule 6.1. Motions on the floor**

Only one main motion may be on the floor at a time, but more than one secondary motion may be on the floor. When any of the motions on the following list is the last motion made, any motion listed below it on the list can be made at that time and any motion above it on the list cannot be made at that time. Pending motions must be disposed of in descending order of precedence.

#### **Rule 6.2. Main Motion**

A main Motion introduces business to the Commission for its consideration. **The motion requires a second; is debatable; and requires a majority vote for approval.**

#### **Rule 6.3. Subsidiary Motion**

Subsidiary Motions change or affect how the main motion is handled, must be voted on before the main motion, and are listed below in order of precedence.

(1) **Postpone Indefinitely** - in effect killing the issue. The issue may be revived at a subsequent meeting. **The motion requires a second; is debatable; and requires a majority vote for approval.**

(2) **Amend** - alters the wording of the main motion before it is voted on. An amendment must be germane to the main motion. Its acceptance does not adopt the amended motion; the amended main motion must be voted on in its modified form. **The motion requires a second; is debatable; and requires a majority vote for approval.**

(3) **Motion to Substitute** - When an entire motion is substituted for another, the Chairman must first call for a vote on the Motion to Substitute to determine the advisability of substituting a new motion. If the Motion to Substitute passes, the Chairman then opens the Substitute Motion to debate. The Substitute Motion in turn must be voted upon, and is subject to amendment. **The motion requires a second; is debatable; and requires a majority vote for approval.**

(4) **Secondary Amendment** - An amendment can be offered to an amendment (amendment of the second order). Amendments of the third order are not permitted. **The motion requires a second; is debatable; and requires a majority vote for approval.**

(5) **Refer (Commit)** - sends a pending motion to a standing committee or task force or panel. **The motion requires a second; is debatable; and requires a majority vote for approval.**

(6) **Postpone to a Certain Time** - delays action until a certain time specified in the motion (not beyond the next regular business meeting). **The motion requires a second; is debatable; and requires a majority vote for approval.**

(7) **Limit or Extend Debate** - is used (1) to reduce or increase the number or length of speeches permitted or (2) to require that debate be closed at a specified time. **The motion requires a second and is \*not\* debatable. It requires a two-thirds vote for approval.**

(8) **Previous Question ("Call for the Question")** - is a motion that immediately closes debate if passed. **The motion requires a second and is \*not\* debatable. It requires a two-thirds vote for approval.**

(9) **Lay on the Table** - enables the Board to lay the pending question aside temporarily when something else of immediate urgency has arisen. It is not debatable. A motion to lay on the table is out of order if the intent is to avoid further consideration of the motion. Frequently when one indicates a desire "to table" a motion, the correct motion is either to Postpone Indefinitely or Postpone Definitely **The motion needs a second; is \*not\* debatable; and needs a majority vote for approval.**

#### **Rule 6.4. Privileged Motions**

Privileged Motions do not relate to the pending business but have to deal with matters which must be considered immediately without debate. Privileged motions are as follows:

(1) **To Recess** - used to request an intermission which does not close the meeting. **The motion requires a second; is \*not\* debatable; and requires a majority vote for approval.**

(2) **To Adjourn** - used to close the meeting immediately. **The motion requires a second; is \*not\* debatable; and requires a majority vote for approval.**

### **Rule 6.5. Incidental Motions**

Incidental Motions are procedural questions that must be considered prior to other motions. They include the following:

(1) **Point of Order** - used when a member believes that the rules are being violated, thereby calling on the Chairman for a ruling and enforcement of the rules. A Commissioner may interrupt a speaker to raise a point of order.

(2) **Appeal the Ruling of the Chairman** - used to challenge the Chairman's ruling on a question of parliamentary procedure. A Commissioner may interrupt a speaker to appeal from the decision of the Chairman. **The motion requires a second; is \*not\* debatable; and requires a majority vote for approval.**

(3) **Suspend the Rules** - used to temporarily suspend a rule. The motion cannot be applied to the By-Laws. **The motion requires a second; is \*not\* debatable; and requires a majority vote for approval.**

(4) **Withdraw the Motion**- permits the maker of a motion to remove it from deliberation. **Requires unanimous consent.**

(5) **Point of Information** - requests the Chairman to provide information.

(6) **Division of a Question** - divides a motion containing two or more provisions that can stand alone so that each provision can be considered and voted upon separately. **The motion requires a second; is \*not\* debatable; and requires a majority vote for approval.**

### **Rule 6.6. Main Motions That Bring a Question Back Before the Board**

Rules that can bring an issue back for debate are the following:

(1) **Take from the Table** - resumes consideration of a motion laid on the table earlier in the same session or in the previous session. **The motion requires a second; is \*not\* debatable; and requires a majority vote for approval.**

(2) **Reconsider** - reopens to debate a motion that has already been voted upon in the same session. The motion to reconsider can only be made by a Commissioner who voted on the prevailing side. It suspends action on the motion to which it is applied until it has been decided. It cannot be postponed beyond the next regular business session. **The motion requires a second; is debatable; and requires a majority vote for approval.**

## **Chapter 7. Voting**

### **Rule 7.1. Majority vote**

Majority vote - defined as more than half of the votes cast by those present and voting. A majority vote of the members present is required for the adoption of each decision of the Board, except that, in accordance with the Open Meetings Law (R.S. 42:19(A)(1)(b)(ii)(cc)), a unanimous vote of the members present is required to approve an addition to a meeting's agenda if the meeting is currently ongoing at the time the addition is proposed.

### **Rule 7.2. Two-thirds vote**

Two-thirds vote - defined as at least two-thirds of those present and voting. Examples of motions that require a two-thirds vote: to close, limit, or extend debate; to suspend the rules; to amend the bylaws; to close nominations; to remove an officer; or to object to the consideration of a motion; or to go into Executive Session.

### **Rule 7.3. Voting by the Chairman**

The Chairman may vote at any time he wishes but is required to vote in order to break a tie vote.

### **Rule 7.4. Methods of Voting**

- (1) Voice vote - method normally used.
- (2) Show of hands - used to verify an inconclusive voice vote or on motions requiring a two-thirds vote.
- (3) Roll call vote - voting is by a calling of the roll of the members of the Board. A roll call vote may also be kept as a record vote upon a motion to that effect prior to the vote.

### **Rule 7.5. Voting by Proxy**

Proxy voting is prohibited.

### **Rule 7.6. Roll Call Vote**

A request for a roll call vote may be made by any Commissioner prior to commencing a vote. Such request requires the concurrence of a majority of the Commissioners present and voting.

### **Rule 7.7. Record Vote**

A request for a record vote may be made by any Commissioner prior to commencing a vote. Such request requires the concurrence of a majority of the Commissioners present and voting.