

# RULES OF THE JACKSON COUNTY LEGISLATURE



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## THE JACKSON COUNTY LEGISLATURE

### RULES

#### **RULE ONE. Charter Authorization and Control.**

The Jackson County Charter, enacted November 3, 1970, authorizes the Legislature to determine its own rules and order of business (Article II, Section 9). In all cases of interpretation of these Rules, the provisions of the Charter are controlling.

#### **RULE TWO. Robert's Rules.**

Robert's Rules of Order, Newly Revised 11<sup>th</sup> Edition (2011) shall govern conduct of meetings of the Legislature except when the Charter, the Laws of Missouri or these Rules are to the contrary. The Clerk of the Legislature shall retain a copy of these Rules of Order. (Resolution #14966)

#### **RULE THREE. Election of Officers – Method.**

The election of the Chair and Vice-Chair of the Legislature (Article II, Section 7 of the County Charter) shall be by open roll call vote. Election shall be by a majority of those present and voting. The Chair and the Vice-Chair shall take up their duties immediately upon their election as officers.

**RULE FOUR. Chair duties and Powers.**

- A. The Chair shall preside at all meetings of the Legislature. The Chair shall appoint all members of all committees of the Legislature (Rules Nine and Ten) and may designate one as the Chair of the committee.
- B. The Chair must temporarily surrender the Chair to make, second or debate a particular motion. He may resume the Chair after disposition of that motion. (Resolution #7284)

**RULE FIVE. Vice-Chair.**

The Vice-Chair shall, in the absence of the Chair, act in the place of the Chair and shall perform such other duties as the Chair may direct (Article II, Section 7 of the County Charter).

**RULE SIX. Clerk and the Legislature.**

The Clerk of the County Legislature (Article II, Sections 19 & 20) shall prepare the Journal of the Legislature according to these Rules. The Journal shall contain the record of the transactions of business of the Legislature. Upon introduction of an ordinance or resolution, upon perfection of an ordinance, and upon passage of any resolution or ordinance, the Clerk shall enter the number and short title (Rule Fourteen) of such ordinance or resolution. The Clerk shall enter the vote by name as to these transactions. Upon the request of one legislator on any other transaction there shall be a roll call vote and the Clerk shall enter the vote by name. The Clerk shall deliver to each member of the Legislature and to the County Executive a copy

of the Journal of each meeting on the first business day following such meeting or as soon thereafter as possible. The Clerk shall make available to the public a copy of the Journal of each meeting. The Legislature shall approve the original copy of the Journal, the Chair shall sign the approved original copy, and the Clerk shall attest to such approval and signing. The Clerk shall maintain a book of Resolutions and Ordinances in which each resolution or ordinance passed by the Legislature shall be recorded. The Clerk shall maintain a Book of Executive Orders in which all such orders shall be recorded.

**B. Minutes of Open and Closed Meetings**

The Clerk of the County Legislature shall keep a copy of any and all open and closed minutes. The minutes shall include the date, time, place, members present, members absent, and a record of any votes taken;

The written minutes of all open meetings shall be open for public viewing and requests for copies of those minutes shall be furnished to the public at a cost of ten cents per page (\$.10). Payment of such copying fees may be requested prior to the making of copies. Each request for the copying of minutes shall be completed within three (3) business days; and

All minutes of closed meetings are closed and may only be viewed by members of the Jackson County Legislature in the Office of the Clerk of the Jackson County Legislature. (Resolution #15685 adopted 12/5/05)

**RULE SEVEN. Sergeant at Arms.**

The Sheriff of Jackson County, or a designated Deputy Sheriff, shall serve as the Sergeant at Arms at all meetings of the Legislature. The Sergeant at Arms shall preserve order at the direction of the Chair.

**RULE EIGHT. County Counselor and the Legislature.**

The County Counselor, or a designated Associate or Assistant Counselor, shall attend all meetings of the Legislature. The County Counselor shall provide the Legislature a formal opinion upon the request of the Legislature. The County Counselor shall approve the form of all ordinances before perfection and resolutions before final passage (Article V, Section 7).

**RULE NINE. Standing and Special Committees.**

A. Establishment. Subject to the provisions of paragraph B. of this Rule, the Standing Committees of the Legislature are:

- (1) Finance and Audit
- (2) Health and Environment
- (3) Land Use
- (4) Public Works
- (5) Anti-Crime (Resolution #20219)
- (6) Budget
- (7) Justice and Law Enforcement

The Special Committees of the Legislature are:

- (1) Intergovernmental Affairs
- (2) Rules

B. Committee Responsibilities

The responsibilities of the Standing and Special Committees of the Legislature are as follows:

Standing Committees

(1) Finance and Audit. Matters relating to the assessment and collection of taxes, county finances and management and geographic information systems, county purchasing policy, oversight of the county auditor's office and legal advisor to the Legislature, as set out in Chapter 2 of the County Code, and acquisitions affecting multi-departmental or countywide operations.

(2) Health and Environment. Matters relating to the Medical Examiner's Office and County health-related and environmental programs.

(3) Land Use. Matters relating to the Parks and Recreation Department, Harry S Truman Sports Complex, and consideration of development permits and applications under the County's Unified Development Code.

(4) Public Works. Matters relating to the Public Works and Economic Development Departments.

(5) Anti-Crime. Matters relating to proposed policies concerning and expenditures out of the County's Anti-Crime Sales Tax Fund. (Resolution #20219)

(6) Budget. Matters relating to the County's budget and the Legislature's budget priorities.

(7) Justice and Law Enforcement. Matters relating to the Courts, Corrections Department, and Sheriff's and Prosecuting Attorney's Offices.

#### Special Committees

(1) Intergovernmental Affairs. Matters relating to the relationships between the County and the federal, state, and other local governments, including lobbying activity and oversight of the lobbyist to the Legislature as set out in Chapter 2 of the County Code.

(2) Rules. Matters relating to the Rules of the Legislature.

#### C. Appointment and Membership.

The standing and special committees shall be filled by appointment by the fourth regular meeting of the Legislature each year. The Chair of the Legislature shall appoint a maximum of four Legislators to each standing committee. All committee appointments are effective until the first legislative meeting of the following year. The Chairman of the Legislature shall be a voting member of all committees.

D. Chair. When the Chair of the Legislature makes appointments to a standing or special committee, the Chair may designate one member as its chair. Such a designation does not preclude committee selection of its chair by a majority vote of committee members. If the Chair of the Legislature should not designate a standing or special committee chair, the committee shall elect its



own chair. Such election precludes later designation by the Chair of the Legislature.

E. Vice Chair. Each Committee shall elect from its membership a vice-chair who shall preside in the absence of the chair.

F. Operations. The chair of the committee shall call and preside at all meetings of the committee. The chair of a committee shall be responsible for preparing reports of the committee's proceedings.

G. Attendance. The chair of each standing or special committee shall maintain membership attendance records. Whenever a Legislator shall be absent without excuse from more than four consecutive regularly scheduled meetings of any committee to which the Legislator has been appointed, and said absences are duly noted in the minutes of that committee, the Legislator shall automatically be dropped from membership on the committee. The chair of the committee shall report such drops to the Chair of the Legislature and another member shall be appointed by the Chair of the Legislature within ten days. An absence is "excused" when the chair or a majority of the members then attending a meeting shall note their excusal of the absence in the minutes of that meeting or the next meeting immediately following that meeting.

H. Quorum. The quorum of a committee shall be a simple majority of those appointed to it.

I. Absence of Quorum, Procedure. When no quorum appears at the announced time of a meeting for a committee, the chair of the committee may request other members of the Legislature to participate as "quorum members" of

the committee for that one meeting until a sufficient number of appointed members shall appear. A quorum member may act as a voting member of that committee for all purposes. (Resolutions #14966, #15363 #16107, #16507)

**RULE TEN. Ad Hoc Committees.**

All committees other than standing committees are ad hoc committees. The Chair of the Legislature or the Legislature by Resolution may create ad hoc committees as the need arises. The Chair of the Legislature shall designate one member as chair of the ad hoc committee and shall inform each ad hoc committee of the purpose and task of the committee. An ad hoc committee shall be disbanded upon the completion of its task or upon the Legislature's receipt of its final report.

**RULE ELEVEN. Quorum.**

The Chair of the Legislature shall take the chair at the time set for a meeting and immediately call the members to order. The clerk shall call the roll. Upon the appearance of five members, (Article II, Section 9), the Legislature may proceed with its meeting. In the absence of a quorum, a majority of the members present may order the Sergeant at Arms to locate, and escort to its place of meeting, all those members who are absent.

**RULE TWELVE. Regular Meetings.**

The Legislature shall hold its regular meeting on Monday. On the first, third, fourth, and fifth Monday of the month, the meeting shall be at 1:00 P.M. at the Kansas City Courthouse. On the second Monday of the month, the meeting shall be at 1:00 P.M. at the Eastern Jackson County Courthouse. If Monday is a County holiday, the meeting shall be held on the following Tuesday, at the same time as regularly scheduled. The exact time of any succeeding regular meeting can be changed by majority vote. (Resolution #20219)

**RULE THIRTEEN. Special Meetings.**

The Chair may call a special meeting of the Legislature by notifying the Clerk of the purpose, time and place of the meeting. Any five members of the Legislature may call a special meeting by notifying the Clerk in writing of the purpose, time and place of the meeting. Thereupon, the Clerk shall notify all members and the County Executive of the meeting. Method of Notice is the option of the Clerk. Notice may be given by

- (1) email
- (2) telephone, or
- (3) personal notice

Notice must be issued at least twenty-four hours before the time set for the special meeting. This requirement of notice may be waived, including retroactively, but only in writing by all members of the Legislature. Only business

relevant to the purpose stated in the notice to the Clerk may be considered at a special meeting.

**RULE FOURTEEN. Agenda and Order of Business.**

A. Agenda Formation. The Clerk shall prepare the agenda on the Thursday preceding each regular meeting of the Legislature. The Clerk shall include all matters that have come to the Clerk's attention by noon Thursday. All items of business shall be listed by short title. A short title is a simple, one sentence statement of the purpose and content of the item. The Clerk shall deliver one copy of the agenda to the Legislative Offices of each member no later than 10:00 A.M. on Friday preceding each regular meeting of the Legislature. The Clerk shall make copies available to the public and shall post the agenda on the county's website. Items of business on the agenda for the last regular meeting of any year, not acted upon prior to the end of the year shall be carried over to the agenda for the first regular meeting of the succeeding year.

B. Items Absent from the Agenda. No Ordinance shall be adopted or perfected and no Resolution shall be adopted at any meeting unless such Ordinance or Resolution is included on the agenda prepared for that meeting, except by unanimous consent of the members present. This Rule 14.B shall not be subject to the suspension provisions of Rule 27 of these Rules.

C. Order of Business. The Order of Business at all regular meetings of the Legislature shall be as follows:

- (1) Roll Call.
- (2) The Pledge of Allegiance. (Resolution #7903)
- (3) Approval of the Journal of the Previous Meeting.
- (4) Hearings.
- (5) Communications with and Reports of the County Executive.  
(Resolution #20219)
- (6) Perfection of Proposed Ordinances and Reports of Committee.
- (7) Final Passage of Proposed Ordinances.
- (8) Resolutions in Committee.
- (9) Consent Agenda.
- (10) Introduction of Proposed Ordinances and Assignment to Committee.
- (11) Introduction of Proposed Resolutions and Assignment to Committee.
- (12) County Executive Orders.
- (13) Unfinished Business.
- (14) New Business.
- (15) Adjournment.

Any person wishing to appear before the Legislature and speak at a meeting should make that request in writing to the Chair of the County Legislature no later than the Wednesday prior to the meeting. (Resolution #20219)

## **RULE FIFTEEN. Consent Agenda.**

A. Only resolutions being considered for adoption, ordinances being considered for perfection and ordinances being considered for final passage are eligible for inclusion under the consent agenda. The short title of the resolution or ordinance must appear on the printed agenda in order for that resolution or ordinance to be eligible for inclusion on the consent agenda. A resolution or ordinance must have been reported out of committee with either a recommendation of “do pass” or a recommendation of “do perfect” to be eligible for inclusion on the consent agenda.

B. For the purpose of forming the consent agenda, the Clerk of the Legislature shall read the short title of each ordinance or resolution which is eligible for inclusion on the consent agenda. The Chair of the Legislature shall then ask if any Legislator has any objection to placing that resolution or ordinance on the consent agenda. If any Legislator objects at this time to placing a resolution or ordinance on the consent agenda, then that resolution or ordinance shall not be placed on the consent agenda. If no Legislator objects to placing a resolution or ordinance on the consent agenda, that resolution or ordinance shall be thereupon placed on the consent agenda.

C. After a resolution or ordinance has been placed on the consent agenda, it is not debatable unless it is subsequently removed from the consent agenda. After a resolution or ordinance has been placed on the consent agenda, but before action has been taken on passage of the consent agenda, no resolution or

ordinance shall be removed from the consent agenda except upon the request of one Legislator with the concurrence of two other Legislators.

D. After all appropriate resolutions have been placed on the consent agenda as provided by this Rule, the Legislature will vote on all such resolutions or ordinances on the consent agenda. The Clerk of the Legislature shall, when recording the actions of the Legislature by use of the consent agenda, record the vote from a consent agenda as the vote to adopt, to perfect or to pass, as the case may be, each separate item included on the consent agenda.

**RULE SIXTEEN. Ordinances – Introduction.**

A. Proposals for ordinances shall be introduced by members by submitting a Request for Legislative Action (RLA), including short title, to the County Counselor’s Office. The County Counselor’s Office shall assign a number to the proposal and transmit it to the County Clerk to place it on the agenda for the next regular meeting. Upon the reading of the short title at the meeting, the sponsoring member or members may briefly explain the purpose and application of the proposal.

B. A proposal for any ordinance which would grant a permit under Chapter 240 of the Jackson County Code, the Unified Development Code, shall be assigned a number and placed on the agenda for the next regular meeting by the Clerk, without a sponsor. For purposes of compliance with other provisions of this Rule, Rule Seventeen governing the perfection of ordinances, Rule Twenty-one, governing the results of no action on ordinances and resolutions, and Rule

Twenty-two, governing the dropping of ordinances and resolutions, the chair of the Legislature's Land Use Committee shall be deemed the sponsor of such an ordinance. (Resolution #11766)

C. Proposals for ordinances shall be assigned to the appropriate committee by the Chairman of the Legislature. If a sponsor of the proposal objects to assignment to that particular committee, the sponsoring member may move for reassignment to some other designated committee. Passage of such a motion for reassignment requires a two-thirds majority of those present and voting.

D. A proposal for ordinance may be immediately added to the perfection agenda of the same meeting at which the proposal was introduced only if a motion for immediate perfection is carried. Passage of such a motion requires a two-thirds majority of those present and voting. If the ordinance appropriates funds, a motion for immediate perfection will be defeated by two "No" votes. (Resolution #17631)

E. No proposal for ordinance shall contain more than one subject.

**RULE SEVENTEEN. Ordinances – Perfection.**

A. The "perfection" of a proposal for ordinance is the act of making the proposal ready for final passage or defeat by putting the proposal in its final form. A proposal for ordinance is perfected by the approval of a majority of those present and voting on a "motion to perfect." Once perfected, a proposal for ordinance may not be amended. If a motion to perfect fails, the ordinance shall be dropped from the agenda of the Legislature.



B. Following the introduction of a proposal for ordinance, its short title (Rule Six) shall appear on the “perfection” docket of each succeeding meeting of the Legislature, together with the name of the committee to which it is assigned and the number of meetings at which it has appeared on the perfection docket. Until its perfection (as defined in paragraph A above) a proposal for ordinance is “awaiting perfection.”

C. A committee to which a proposal for ordinance is assigned may require the presence of a sponsor of a proposal at its meetings before it considers the proposal. Likewise, a committee may request the presence of department head of the county which a proposal may affect before it considers the proposal.

D. A committee to which a proposal for ordinance is assigned may:

- (1) Accept the proposal in the form approved by the Counselor;
- (2) Amend the proposal; or
- (3) Substitute a new draft of the proposal

A committee may

- (1) Take no action;
- (2) Return the proposal to the Legislature with no recommendation;
- (3) Recommend that the Legislature not perfect the proposal;
- (4) Recommend that the Legislature do perfect the proposal, the proposal as amended, or its substituted draft of the proposal.

E. Amendments by a committee or substitution of a new draft by a committee shall not be contrary to or beyond the scope of the short title of the proposal.

F. If a committee's vote on a motion to recommend "do perfect" is a tie, the motion is defeated, and the proposal shall be returned to the Legislature with no recommendation.

G. Copies of any proposal for ordinance which has been amended in committee shall show the amendments by bracketing any words which the amendment deletes and underlining any words which the amendment adds. Committee chairs shall ensure that the County Counselor provides a sufficient number of copies of any proposal for ordinance so amended to the Legislature at the regular meeting at which it is reported out of committee. Neither a committee nor the Legislature as a Whole may take action on an ordinance amended in committee or on the floor of the Legislature until the amendment has been reduced to writing as set out in this paragraph, at a minimum via pen and ink.

H. Upon receipt of a report of "do not perfect" or upon a receipt of a report of "no recommendation," the Legislature may not act on the proposal until a member of the Legislature moves that the proposal for ordinance be perfected. (Resolution #14966)

#### **RULE EIGHTEEN. Ordinances – Passage.**

A. A proposal for ordinance shall be placed on the agenda for final passage at the first meeting of the Legislature following its perfection unless the Legislature shall finally adopt the perfected ordinance under paragraph B of this Rule.

B. A motion for final passage of a perfected proposal for ordinance is in order at the same meeting wherein it was perfected. However, if any member of the

legislature objects to final passage at the same meeting at which an ordinance is perfected, the ordinance may be finally passed at that meeting only with the affirmative vote of at least six members of the legislature.

C. Passage of a proposal into ordinance shall be by open roll call vote and shall require a majority of the Legislature (Article II, Section 10 of the Charter).

**RULE NINETEEN. Resolutions - Introduction and Assignment to Committee.**

A. Proposals for resolutions shall be introduced by members by first submitting a written draft of the proposal, including short title, to the County Counselor's office. The County Counselor's office shall then assign a number to the proposal and transmit it to the County Clerk to place it on the agenda for the next regular meeting. Upon the reading of the short title at the meeting, the sponsoring member or members may briefly explain the purpose and application of the proposal.

B. Unless immediately adopted, proposals for resolutions shall be assigned to the appropriate committee by the Chair of the Legislature. If a sponsor of a resolution objects to the committee assignment, that member may move for reassignment to some other designated committee. Passage of such a motion requires a two-thirds majority of those present and voting.

C. If a Resolution is assigned to committee, the committee may:

- (1) Accept the resolution in the form approved by the Counselor;
- (2) Amend the resolution; or

(3) Substitute a new draft of the resolution.

A committee may:

(1) Take no action;

(2) Return the resolution to the Legislature with no recommendation;

(3) Recommend that the Legislature do not pass the resolution; or

(4) Recommend that the Legislature do pass the resolution, the resolution as amended, or its substituted draft of the resolution.

D. Amendments by a committee or substitution of a new draft by a committee shall not be contrary to or beyond the scope of the short title of the resolution.

E. If a committee's vote on a motion to recommend "do pass" is a tie, the motion is defeated, and the proposal shall be returned to the Legislature with no recommendation.

F. Copies of any resolution which has been amended in committee shall show the amendments by bracketing any words which the amendment deletes and underlining any words which the amendment adds. Committee chairs shall ensure that the County Counselor provides a sufficient number of copies of any resolution so amended to the Legislature at the regular meeting at which it is reported out of committee. Neither a committee nor the Legislature as a Whole may take action on a resolution amended in committee or on the floor of the Legislature until the amendment has been reduced to writing as set out in this paragraph, at a minimum via pen and ink. (Resolution #14966)

**RULE TWENTY. Resolutions – Passage.**

A. Passage of resolutions shall be by open roll call vote and shall require a majority of the Legislature (Article II, Section 10 of the Charter). A resolution may be adopted at any time after its introduction.

**RULE TWENTY-ONE. Ordinances and Resolutions – Results of No Action.**

If a proposal for ordinance or resolution is assigned to committee and no action is taken by the committee for eight (8) consecutive regular meetings of the Legislature, the proposal for ordinance or the resolution is automatically dropped from the agenda upon its eighth appearance on the agenda. A sponsor of a proposal for ordinance or of a resolution may move at any time prior to that to discharge a proposal for ordinance or a resolution from committee to the Legislature. Passage of such a motion requires a vote of five (5).

**RULE TWENTY-TWO. Ordinances and Resolutions – Dropping.**

A proposed ordinance or proposed resolution may be permanently dropped from the order of business at any time upon a motion of a sponsor of the proposed ordinance or resolution and concurred in by two other members of the Legislature.

**RULE TWENTY-THREE. Fiscal Note.**

A proposed ordinance or resolution shall contain a fiscal note which specifies the estimated expenditure occasioned by the ordinance or resolution, the source of the funds, and whether or not the cost was included in the annual budget.

**RULE TWENTY-FOUR. Nominations.**

When it is the duty of the Legislature to nominate or to appoint a person or persons to be a member of any other body, the Legislature shall use these procedures.

A. A resolution of nomination or of appointment shall be introduced. It shall be in the following form:

“BE IT RESOLVED by the County Legislature that the following named person is (or persons are; if persons state number) appointed (or, nominated for appointment) for (name of body) for (term) under (statute authorizing).”

B. The Legislature shall not consider the resolution until the first regular meeting after its introduction. When the resolution is called on the order of business for consideration, any Legislator may move that nominations be opened under the resolution. The Chair shall then declare the floor open for nominations. Nominations shall not require a second. No legislator shall be allowed to place in nomination more names than there are vacancies which are the subject of the resolution.

C. After a reasonable time has been given for nominations, the Chair may entertain a motion to close nominations or may ask if there are any other

nominations, and if there are none, the Chair may declare nominations closed. A motion to close nominations shall require a second and shall be undebatable. A two-thirds majority shall be required for its passage. Nominations may be reopened by a simple majority vote.

D. The Legislature shall vote on nominations as follows: The Legislators shall write the name or names of those for whom they cast their votes on a paper ballot which shall be passed to the Clerk. The ballot shall be signed by the Legislator casting it and shall not contain more names than there are vacancies to be filled. Cumulative voting shall not be allowed. The Clerk shall verify the signature on each ballot and shall read each ballot aloud. A majority vote of the Legislature shall be required to appoint or nominate each person to the vacancy or vacancies which is the subject of the resolution. If more than the number of persons needed to fill the said vacancies receive a majority of the votes cast, then that number required to fill the vacancies receiving the highest number of votes shall be deemed nominated or appointed. If there is a tie between two or more candidates receiving a majority, so that more candidates would be nominated or appointed than there are vacancies, the Legislature shall vote again on the candidates which are tied until the proper number are elected under these rules.

E. If fewer persons receive a majority vote than are necessary to fill the vacancies, then those persons receiving the majority vote shall be deemed elected and the Chair shall declare nominations open again for the filling of the remaining vacancy or vacancies.

**RULE TWENTY-FIVE. Reference.**

Any reference in these rules to the masculine form or noun or pronoun shall include the feminine form when appropriate. References to the singular shall include the plural when appropriate. The residing officer of the Legislature or of any of its committees may use the title Chair, Chairman, Chairwoman or Chairperson, as he or she sees fit.

**RULE TWENTY-SIX. Adoption of Rules.**

Adoption of these or any succeeding rules shall require two-thirds majority of the Legislators present and voting.

**RULE TWENTY-SEVEN. Suspension of Rules.**

A provision of the rules may be temporarily suspended for the duration of a meeting by two-thirds of the Legislators present and voting.

**RULE TWENTY-EIGHT. Amendment of Rules.**

Amendment of the rules shall require two-thirds majority vote of the Legislators present and voting. Amendments shall not be effective until the meeting next following their passage.

Revised 08/20/2019

(Resolution #20219 adopted 8/19/2019)