

ITEM 36 | RECONSIDER¹

This motion is peculiar in that the making of the motion has a higher rank than its consideration, and for a certain time prevents anything being done as the result of the vote it is proposed to reconsider. It can be made only on the day the vote to be reconsidered was taken, or on the next succeeding day, a legal holiday or a recess not being counted as a day. It must be made by one who voted with the prevailing side. Any member may second it. It can be made while any other question is pending, even if another member has the floor, or after it has been voted to adjourn, provided the chair has not declared the assembly adjourned. It may be made after the previous question has been ordered, in which case it and the motion to be reconsidered are undebatable.

While the making of the motion to reconsider has such high privilege, its consideration has only the rank of the motion to be reconsidered, though it has the right of way in preference to any new motion of equal rank, as illustrated further on; and the reconsideration of a vote disposing of a main question either temporarily or permanently may be called up, when no question is pending, even though the general orders are being carried out. The motion to reconsider cannot be amended, postponed indefinitely, or committed. If the reconsideration is laid on the table or postponed definitely, the question to be reconsidered and all adhering questions go with it.² The previous question and the motions limiting or extending the limits of debate may be applied to it when it is debatable. It is undebatable only when the motion to be reconsidered is undebatable. When debatable it opens to debate the merits of the question to be reconsidered. It cannot be withdrawn after it is too late to renew the motion. If the motion to reconsider is lost it cannot be repeated except by general consent. No question can be twice reconsidered unless it was materially amended after its first reconsideration. A reconsideration requires only a majority vote, regardless of the vote necessary to adopt the motion reconsidered.

The motion to reconsider cannot be applied to a vote on a motion that may be renewed within a reasonable time; or when practically the same result may be attained by some other parliamentary motion; or when the vote has been partially executed (except in case of the motion to limit debate), or something has been done as the result of the vote that the assembly cannot undo; or to an affirmative vote in the nature of a contract, when the other party to the contract has been notified of the vote; or to a vote on the

motion to reconsider. In accordance with these principles, votes on the following motions cannot be reconsidered: Adjourn; Take a Recess; Lay on the Table; Take from the Table; Suspend the Rules or Order of Business; and Reconsider. Affirmative votes on the following cannot be reconsidered: Proceed to the Orders of the Day; Adopt, or after they are adopted, to Amend, or Repeal, or Rescind, the Constitution, By-laws, or Rules of Order or any other rules that require previous notice for their amendment; Elect to membership or office if the member or officer is present and does not decline, or if absent and has learned of his election in the usual way and has not declined; to Reopen Nominations. A negative vote on the motion to Postpone Indefinitely cannot be reconsidered as practically the same question comes up again when the vote is taken on the main question. After a committee has taken up the matter referred to it, it is too late to reconsider the vote committing it, though the committee may be discharged. But after debate has proceeded under an order limiting or extending the limits of debate, the vote making that order may be reconsidered, as the debate may develop facts that make it desirable to return to the regular rules of debate. The minutes, or record of proceedings, may be corrected at any time without reconsidering the vote approving them.

If the main question is pending and it is moved to reconsider the vote on any subsidiary [12], incidental [13], or privileged [14] motion, the chair states the question on the reconsideration the moment the motion to be reconsidered is in order if it were made then for the first time. Thus, if, while the motions to commit, for the previous question, and to lay on the table are pending, it is moved to reconsider a negative vote on postponing to a certain time, the chair proceeds to take the vote on laying on the table and, if that is lost, next on the previous question, and then on reconsidering the vote on the postponement, and if that is adopted, then on the postponement, and if that is lost, then on to commit. If the motion to lay on the table had been carried, then when the question was taken from the table the same method of procedure would be followed; that is, the question would be first on ordering the previous question, and next on reconsidering the vote on the postponement, etc. If the reconsideration of an amendment of the first degree is moved while another amendment of the same degree is pending, the pending amendment is first disposed of and then the chair announces the question on the reconsideration of the amendment. If the reconsideration of an amendment to an immediately

pending question is moved the chair at once announces the question on the reconsideration.

If the reconsideration is moved while another subject is before the assembly, it cannot interrupt the pending business, but, as soon as that has been disposed of, if called up it has the preference over all other main motions and general orders. In such a case the chair does not state the question on the reconsideration until it is called up.

If the motion to reconsider is made at a time when the reconsideration could be called up if it had been previously made, the chair at once states the question on the reconsideration, unless the mover adds to his motion the words, "and have it entered on the minutes," as explained further on.

If, after the vote has been taken on the adoption of a main motion, it is desired to consider the vote on an amendment, it is necessary to reconsider the vote on the main question also, and one motion should be made to cover both votes. The same principle applies in case of an amendment to an amendment, whether the vote has been taken on the resolution, or only on the amendment of the first degree. When the motion covers the reconsideration of two or three votes, the debate is limited to the question that was first voted on. Thus, if the motion is to reconsider the votes on a resolution and amendments of the first and second degree, the debate is limited to the amendment of the second degree. If the motion to reconsider is adopted the chair states the question on the amendment of the second degree and recognizes the mover of the reconsideration as entitled to the floor. The question is now in exactly the same condition it was in just previous to taking the original vote on that amendment.

The Forms of making this motion are as follows: "I move to reconsider the vote on the resolution relating to a banquet." "I move to reconsider the vote on the amendment to strike out 'Wednesday' and insert 'Thursday.'" [This form is used when the resolution is still pending.] "I move to reconsider the votes on the resolution relating to a banquet and on the amendment to strike out 'Wednesday' and insert 'Thursday.'" [This form is used when the vote has been taken on the resolution, and it is desired to reconsider the vote on an amendment.] When the motion to reconsider is made the chair states the question, if it can then be considered, and proceeds as with any other question. If it cannot be considered at that time, he says, "Mr. A moves to reconsider the vote on.... The secretary will make a note of it," and proceeds



with the pending business. The reconsideration, after being moved, is brought before the assembly for action as explained in the previous paragraph. If it is called up by a member, he simply says, after obtaining the floor, "I call up the motion to reconsider the vote on ..." This call requires no second or vote. If the call is in order, as previously explained, the chair says, "The motion to reconsider the vote [or votes] on ... is called up. The question is, 'Will the assembly reconsider the vote [or votes] on ...? Are you ready for the question?'" If the reconsideration is one that the chair states the question on as soon as it can be considered (as when it is moved to reconsider an amendment while another amendment is pending), as soon as the proper time arrives the chair states the question on the reconsideration the same as if the motion to reconsider were made at this time.

When the debate, if there is any, is finished, he puts the question thus: "As many as are in favor of reconsidering the vote on the resolution relating to a banquet, say aye; those opposed say no. The ayes have it and the vote on the resolution is reconsidered. The question is now on the resolution, which is," etc. Or, the question may be put thus: "The question is, Will the assembly reconsider the votes on the resolution relating to a banquet, and on the amendment to strike out 'Wednesday' and insert 'Thursday?'" As many as are in favor of the reconsideration say aye; those opposed say no. The ayes have it and the votes on the resolution and the amendment are reconsidered. The question is now on the amendment, which is," etc. If the motion to reconsider is adopted the business is in exactly the same condition it was in before taking the vote, or the votes, that have been reconsidered, and the chair instantly states the question on the immediately pending question, which is then open to debate and amendment as before.

The Effect of Making this motion is to suspend all action that the original motion would have required until the reconsideration is acted upon; but if it is not called up, this effect terminates with the session³ [63], except in an assembly having regular meetings as often as quarterly, when, if not called up, its effect does not terminate till the close of the next regular session. As long as its effect lasts, any one at an adjourned, or a special, or a regular meeting, may call up the motion to reconsider and have it acted upon, though it is not usual for any one but the mover to call it up on the day it is made if the session lasts beyond that day and there is no need of prompt action.

The Effect of the Adoption of this motion is to place before the assembly the original question in the exact position it occupied before it was voted upon; consequently no one, after the reconsideration is adopted, can debate the question reconsidered who had on that day exhausted his right of debate on that question; his only recourse is to discuss the question while the motion to reconsider is before the assembly. If the question is not reconsidered until a later day than that on which the vote to be reconsidered was taken, then it is open to free debate regardless of speeches made previously. When a vote taken under the operation of the previous question is reconsidered, the question is then divested of the previous question, and is open to debate and amendment, provided the previous question had been exhausted by votes taken on all the questions covered by it, before the motion to reconsider was made.

In standing and special committees a vote may be reconsidered regardless of the time elapsed since the vote was taken, provided the motion is made by one who did not vote with the losing side, and that all members who voted with the prevailing side are present, or have received due notice that the reconsideration would be moved at this meeting. A vote cannot be reconsidered in committee of the whole.

Reconsider and Have Entered on the Minutes.⁴ The motion to reconsider, as previously explained in this section, provides means for correcting, at least on the day on which it occurred, errors due to hasty action. By using the same motion and having it entered on the minutes so that it cannot be called up until another day, a means is provided for preventing a temporary majority from taking action that is opposed by the majority of the society. This is needed in large societies with frequent meetings and small quorums, the attendance in many cases not exceeding ten per cent of the membership. It enables a society with a small quorum to protect itself from injudicious action by temporary majorities, without requiring previous notice of main motions and amendments as is done in the English Parliament. To accomplish this, however, it is necessary to allow this form of the motion to be applied to a vote finally disposing of a main motion, regardless of the fact that the motion to reconsider has already been made. Otherwise it would be useless, as it would generally be forestalled by the motion to reconsider, in its simple form, which would be voted down, and then this motion could not be made. As this form of the motion is designed only to be used when the meeting is an unrepresentative one, this fact should be very apparent, and some

members of the temporary minority should vote with the temporary majority on adopting or postponing indefinitely a main motion of importance, when they think the action is in opposition to the wishes of the great majority of the society. One of them should then move "to reconsider the vote on the resolution [or motion] and have it [or, request that it be] entered on the minutes," which has the effect of suspending all action required by the vote it is proposed to reconsider, as previously explained, and thus gives time to notify absent members of the proposed action. If no member of the temporary minority voted with the majority, and it is too late for any one to change his vote so as to move to reconsider, then some one should give notice of a motion to rescind the objectionable vote at the next meeting, which may be done by a majority vote after this notice has been given.

Should a minority make an improper use of this form of the motion to reconsider by applying it to a vote which required action before the next regular business meeting, the remedy is at once to vote that when the assembly adjourns it adjourns to meet on another day, appointing a suitable day, when the reconsideration could be called up and disposed of. The mere making of this motion would probably cause the withdrawal of the motion to reconsider, as it would defeat the object of that motion if the majority of the society is in favor of the motion to be reconsidered. If the motion to reconsider is withdrawn, of course the other would be.

This form of the motion to reconsider and have entered on the minutes differs from the simple form to reconsider in the following respects:

- (1) It can be made only on the day the vote to be reconsidered is taken. If a meeting is held on the next day the simple form of the motion to reconsider, made then, accomplishes the object of this motion by bringing the question before the assembly on a different day from the one when the vote was taken.
- (2) It outranks the simple form of the motion to reconsider, and may be made even after the vote has been taken on the motion to reconsider, provided the result of the vote has not been announced. If made after the simple form of the motion to reconsider, it supersedes the latter, which is thereafter ignored.
- (3) It can be applied only to votes which finally dispose of the main question. They are as follows: an affirmative or

negative vote on adapting, and an affirmative vote on postponing indefinitely, a main question. And it may be applied to a negative vote on the consideration of a question that has been objected to, provided the session extends beyond that day.

(4) In an assembly not having regular business meetings as often as quarterly, it cannot be moved at the last business meeting of a session.

(5) It cannot be called up on the day it is made, except when it is moved on the last day of a session of an assembly not having regular business sessions as often as quarterly, when any one can call it up at the last business meeting of the session.

After it is called up there is no difference in the treatment of the two forms of the motion.

Footnotes

¹ H.R. Rule 18. §1, is as follows:

"1. When a motion has been made and carried, or lost, it shall be in order for any member of the majority, on the same or succeeding day, to move for the reconsideration thereof, and such motion shall take precedence of all other questions except the consideration of a conference report or a motion to adjourn, and shall not be withdrawn after the said succeeding day without the consent of the House, and thereafter any member may call it up for consideration: Provided, that such motion, if made during the last six days of a session, shall be disposed of when made."

This rule is construed to mean that the motion to reconsider may be made by any member who voted on the question, except when the yeas and nays were ordered to be recorded in the journal, which is done, however, with every important vote.

² In Congress it is usual for the member in charge of an important bill as soon as it is passed to move its reconsideration, and at the same time to move that the reconsideration be laid on the table. If the latter motion is adopted the reconsideration is dead and the bill is in the same condition as if the reconsideration had been voted on and lost. These Rules, like the common parliamentary law, carry the bill to the table, from which it could be taken at any time. [See note, 35.] Unless there is a special rule allowing it, the two motions could not be made at the same time in an ordinary society.

³ In Congress the effect always terminates with the session, and it cannot be called up by any one but the mover, until the expiration of the time during which it will be in order to move a reconsideration.



⁴ In Congress, where the quorum is a majority of the members elected, and the members are paid for their services, there is no need for this form of the motion. On the contrary, it has been found necessary to provide means by which the majority may, when it pleases, prevent the making of the motion to reconsider by any one except the member in charge of the measure.

