



Agenda Item: Discussion Item

Title: WORK SESSION: Abstention Policy for Boards and Commissions

Recommended Council MOTION:

No action is taken during a work session.

Administrative or Policy Goal:

Background:

This work session was requested by Harrington and seconded by Shuster. There has been an increase in Board and Commission members abstaining from votes during a meeting. Council requested to discuss whether a policy is needed to require Board and Commission members to state a reason for their abstention similar to the Council policy.

LMC 2.04.200 Councilmen required to vote-Exceptions.

Each Councilman who is present when a question is to be voted upon shall vote thereon, unless excused therefrom by the city council. He may, before the vote is called for, give his reasons for not voting. If he is directly interested in the question he need not vote. When he is on trial he shall not vote.

Robert’s Rules of Order Newly Revised Version 11th Edition states:

Pg. 407

“RIGHT OF ABSTENTION. Although it is the duty of every member who has an opinion on a question to express it by his vote, he can abstain, since he cannot be compelled to vote. By the same token, when an office or position is to be filled by a number of members, as in the case of a committee, or positions on a board, a member may partially abstain by voting for less than all of those for whom he is entitled to vote.

ABSTAINING FROM VOTING ON A QUESTION OF DIRECT PERSONAL INTEREST. No member should vote on a question in which he has a direct personal or pecuniary interest not common to other members of the organization. For example, if a motion proposes that the organization enter into a contract with a commercial firm of which a member of the organization is an officer and from which contract he would derive person pecuniary profit, the member should abstain from voting on the motion. However, no member can be compelled to refrain from voting in such circumstances.”

Pg. 403

“Voting requirements based on the number of members present- a majority of those present, two thirds of those present, etc. – while possible, are generally undesirable. Since an abstention in such cases has the same effect as a negative vote, these bases deny members the right to maintain a neutral position by abstaining. For the same reason, members present who fail to vote through indifference rather than through deliberative neutrality may affect the result negatively. When such a vote is required, however, the chair must count those present immediately after the affirmative vote is taken, before any change can take place in attendance.”

"If he does not wish to vote, he answers present (or abstain).

Responsible Staff:

Robert Southard, City Attorney

Nancy Bartholomew, City Clerk