

## For MWAQC Executive Committee Approval

### **RULES OF PROCEDURE APPLICABLE TO ACPAC: THE CONDUCT OF MEMBERS AND OF NON-MEMBERS**

Rules of Procedure applicable to ACPAC meetings derive from several sources:

- [Bylaws of Air and Climate Public Advisory Committee \(ACPAC\)](#)
- [Bylaws of Metropolitan Washington Air Quality Committee \(MWAQC\)](#)
- [Bylaws of Climate Energy and Environment Policy Committee \(CEEPC\)](#)
- [Bylaws of the Metropolitan Washington Council of Governments \(COG\)](#)
- [Rules of Procedure of the \(COG\) Board of Directors](#)
- Robert's Rules of Order Revised, Fourth Edition

COG, MWAQC, CEEPC, and ACPAC all adopt Robert's Rules as applicable to the proceedings of the respective organizations. The COG Board of Directors has also adopted specific Rules of Procedure for the conduct of business that occurs under the general authority of COG.

Since MWAQC is, in significant part, a derivative of COG and is largely supported by COG financial and human resources, and since the COG Rules of Procedures are generally more liberal than Robert's Rules, ACPAC is obligated to follow the COG procedures when such rules specifically address a situation, and must follow Robert's Rules when the COG Rules of Procedure are silent on the situation or question at hand.

#### 1. May the public address ACPAC?

ACPAC does not have an official public comment period at its meetings. An official public comment period is designated time on the agenda for members of the public to address the committee on issues related to climate, energy, and air. It is at the chair's discretion for a member of the public to address ACPAC. If ACPAC elects to consider public comment, it may do so at such times and places, and for such individual or group duration as it sees fit.

MWAQC is independent from COG and has a requirement to seek public participation ([Bylaws, Section 9](#)), which it has implemented formally by the creation of ACPAC, and informally by affording a limited public comment period at the beginning of each MWAQC meeting. To make a public comment related to air quality issues, members of the public may do so through [MWAQC](#).

COG has no requirement to permit public comment at its meetings, except as part of a public hearing process, set and advertised pursuant to Sections 6.00-6.04 of the COG Rules of Procedure. CEEPC is under the COG Board structure and does not have a public comment period at its meetings.

#### 2. How does a person obtain the floor for purpose of a comment or question?

To participate in a meeting, a member of the public must submit a request via email to [COG Staff](#) by the Thursday prior to each meeting. Once in the meeting, the member of the public must await recognition by the chair or, if an open public forum is permitted, may

## **For MWAQC Executive Committee Approval**

request recognition from the chair by standing, raising a hand, or such other signal as the chair may indicate is appropriate for such purpose.

A member may seek recognition orally from the chair. Neither a member of the public or a member of ACPAC may substantively address the body until recognized by the chair. For an ACPAC member the requirement to seek and receive recognition from the chair is true whether the purpose is to give notice, make a motion, submit a report, or for any other purpose. COG Rules of Procedure, Section 2.01; Robert's Rules, Article 1, Section 3. If a member is entitled to the floor, the chair must recognize the member. In general, a member is entitled if, a) no other member currently has the floor and b) the member seeking recognition has not already spoken to the issue while others desire to address the question. (COG Rules of Procedure, Section 2.01)

There are a few occasions when a member need not obtain the chair's recognition, e.g., calling a member to order, requesting division of a vote, parliamentary inquiry. These, however, cannot be used to defeat the normal operations of the body pursuant to the rules; they merely ensure parliamentary accuracy and personal privilege. See, e.g., (Robert's Rules, Article VI, Section 41)

### **3. Once a member has the floor, what are the limitations on his or her speech?**

The primary general requirement is germaneness. A member's comments must be germane to the question or issue before the body. Germane debate is limited to five minutes at any one time for any member. (COG Rules of Procedure, Section 2.02)

If the member's comments are not germane the chair may rule a member out of order, and grant recognition to another member. (Robert's Rules, Article VII, Section 42)

COG's rules grant a member the privilege of addressing the body "for a period not longer than five minutes concerning matters which may affect the Board collectively, its rights, its dignity and the integrity of its proceedings, or the rights, reputation, and conduct of its individual members in their representative capacities only. (COG Rules of Procedure, Section 2.03)

Any statement, whether under COG Rules of Procedure, Sections 2.02 or 2.03, must follow decorum and be made in good taste, without personal attack. If, in the opinion of the chair, decorum is not followed, the chair may rule the statement out of order and grant recognition to another member.

If a member disagrees with the ruling of the chair, the member may appeal the ruling of the chair. The full assembly will then vote on the appeal with both the appealing member and the chair authorized to vote. A majority vote is required to sustain the chair. (Robert's Rules, Article IV, Section 24)

### **4. How does the chair maintain order and decorum?**

If a member of the public acts in a manner disturbing the assembly, the chair may request that the person leave the meeting. If the person does not, and continues to disrupt the assembly, the person may be removed from the virtual meeting space by COG Staff. If the

### **For MWAQC Executive Committee Approval**

meeting is in person, the chair may request that the public person is removed either by a sergeant at arms or, if necessary, the police. The public person has no right to appeal such order of the chair.

If a member of ACPAC does not relinquish the floor when so ordered or continues to act in a way that disrupts the continuing efforts of the body, the chair may order the member to leave the meeting. If the member refuses, in case of an in-person meeting, the chair may request that other members of the body, its sergeant at arms, or the police perform this function. The chair may request COG staff to remove the member from the virtual meeting. This order of the chair may be appealed, pursuant to Robert's Rules, Article IV, Section 24.