

Democratic Party of Hawai'i Parliamentary Advisory Relating to Convention Resolutions

As delegates prepare for the 2015 O'ahu County Convention, be advised that any delegate, caucus, County, etc. having the right to submit resolutions for consideration should first carefully review the motions previously adopted.

See DPH website at: www.hawaiidemocrats.org (2010, 2012 and 2014);
and the O'ahu County website at www.oahudemocrats.org/resolutions.html

Article VIII, Section 7A of the Constitution of the Democratic Party of Hawai'i provides that:

The resolving clauses of resolutions, except for those clauses that refer to a specific date, event, or legislative session, once adopted by delegates at a convention of the Democratic Party of Hawai'i shall represent the official policies of the Party and shall remain in force and effect until rescinded or amended by the delegates at an annual or special convention.

Likewise Section 14.2 of the Bylaws of the O'ahu County Democrats provides that:

The platform and resolutions adopted by delegates at conventions of the O'ahu County Democrats shall remain in force and effect until rescinded or amended by a two-thirds roll call vote of the full membership of the O'ahu County Committee or by a majority of votes cast by delegates at an annual or special convention, or until they come into conflict with the platform or resolutions of the Democratic Party of Hawai'i.

Any Resolution submitted that is substantially the same or in conflict with a motion previously adopted as posted online will be ruled out of order unless it is presented either as a resolution to amend a specific, previously adopted resolution or as a resolution to rescind a specific, previously adopted resolution.

Article VIII, Section 5 of the Constitution of the Democratic Party of Hawai'i further provides that the current edition of *Robert's Rules of Order Newly Revised* shall apply to all precinct Club meetings, District Council meetings, County meetings and conventions and State Conventions, where not inconsistent with the Constitution of the Democratic Party of Hawai'i.

The current edition of *Robert's Rules of Order Newly Revised* (11th ed.) Provides:

1. "Motions to "reaffirm" a position previously taken by adopting a motion or resolution are not in order. Such a motion serves no useful purpose because the original motion is still in effect; also, possible attempts to amend a motion to reaffirm would come into conflict with the rules for the motion to Amend Something Previously Adopted (35); and if such a motion to reaffirm failed, it would create an ambiguous situation." (p. 104, ll. 24-31)
2. "... motions are out of order if they conflict with a motion that has been adopted by the society and has been neither rescinded, nor reconsidered and rejected after adoption. Such conflicting motions, if adopted, are null and void unless adopted by the vote required to rescind or amend the motion previously adopted." (p. 343, ll. 17-20)

Reintroduction of a motion or resolution substantially the same as one previously adopted is either intended to "reaffirm" the previously adopted motion/resolution or is intended to amend it in some way. In either event, such a reintroduction is improper & will be ruled out of order for reasons explained above.

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William J. Puette, Ph.D.
Professional Registered Parliamentarian (NAP)
Certified Parliamentarian (AIP)
Honolulu, Hawai'i

SAMPLE DPH COUNTY 2015 CONVENTION RESOLUTION:

Title: Urging That Unemployment Insurance include Health Care¹

Whereas, The expense to unemployed workers of maintaining medical insurance is commonly beyond their means; and

Whereas, Many unemployed workers in Hawai'i,² who must survive on unemployment insurance benefits alone, cannot afford the premium to continue medical insurance; and

Whereas, Hawai'i's workers and their dependents require health care during periods when they are unemployed; now, therefore, be it

Resolved, That _____ County Democrats urge expansion of unemployment insurance benefits to include payment of Health Care premiums; and be it

Ordered, That copies of this resolution be transmitted to the Democratic members of the Hawai'i State Legislature, the members of the Hawai'i Congressional delegation.⁴

Submitted by: ⁵

Maker: _____ Second: _____

Grammatically, a resolution is a single sentence with only one period at the end. The clauses should all be separate independent clauses ending in a semicolon and the connecting conjunction ("and") or appropriate phrase ("be it"), separated from the following clause by a blank line.

A preamble, consisting of "Whereas" clauses, is non-binding and not necessary or required. When used, the preamble clauses should avoid controversial statements or unsupported assertions that may draw attention and perhaps support from the resolving clause(s). Only the "*Resolved*," and "*Ordered*" clause(s) contain the binding and operative substance of the resolution.

Unless stated in the resolution itself, a resolution does not sunset. It is effective indefinitely until rescinded or amended.

¹ The Title briefly describes the intent of the resolution. Do not use all caps for the title or the words, *Whereas*, *Resolved*, or *Ordered*.

² Use the Hawaiian '*okina* and *kahakō* in Hawaiian words & names as appropriate (e.g. Hawai'i, O'ahu Kaua'i). The '*okina* is not an apostrophe. It should resemble a miniature "6" in superscript. It can be made by the left single quotation mark.

³ The first words after the word "*Resolved*," should be "That the _____ County Democrats of the Democratic Party of Hawai'i" - not "by the _____ County Democratic Party ..." or 'that some other entity' not under the control of the convention take a action or a position.

⁴ Instead of "*Resolved*", transmission directions to staff should use "*Ordered*". Do not stipulate that the copies be "certified."

⁵ Refer to the county bylaws and/or convention rules for submission requirements; otherwise, the maker and the second need to be county convention delegates.