

ASK THE LEAGUE

Who moderates at the annual Town Meeting when the moderator wants to speak to a question?

The moderator is the presiding officer of special and annual town meetings wherein voting is conducted from the floor. “The moderator shall be the presiding officer of municipal meetings, shall decide questions of order and shall make public declaration of votes taken, except in elections using the Australian ballot system.” 17 V.S.A. § 2658. These proceedings are insulated from any potential bias or partisanship on behalf of the moderator by Robert’s Rules of Order, which are the rules of parliamentary procedure that govern the moderator’s handling of the business being transacted. The prominence of these rules limits the moderator’s discretionary judgment, thus ensuring that this role is one of impartial facilitator of the will of the electorate. This safeguards the fairness and impartiality of the process, not the outcome of the articles voted upon.

Nevertheless, town moderators still have all the same rights and privileges in debate at town meeting as all other members of the community. It is only the impartiality demanded of office that precludes their involvement. According to Robert’s Rules of Order,

Normally, especially in a large body, he should have nothing to say on the merits of pending questions. On certain occasions – which should be extremely rare – the presiding officer may believe that a crucial factor relating to such a question has been overlooked and that his obligation as a member to call attention to the

point outweighs his duty to preside at that time.

The way to resolve this type of situation, should it arise, is for the moderator to relinquish his role for the duration of the pending article and turn it over to the chair of the selectboard without objection (i.e., unanimous silent consent). The selectboard chair can either act in capacity as moderator until the next article of business is taken up or open the floor to nominations for a moderator pro tempore (“for the time being”) to be elected by majority vote of those assembled. RONR (10th ed.) § 43, pages 382-383. After the vote is completed the moderator can return to the podium and resume his or her duties.

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