



Presbytery of Des Moines

REV. PHILIP W. BARRETT, GENERAL PRESBYTER & STATED CLERK
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May 5, 2006

CALL TO THE 464th STATED MEETING

The 464th Stated Meeting of the Presbytery of Des Moines will be held on Tuesday, May 16, 2006, at the First Presbyterian Church of Chariton, Iowa. Directions to the church are contained in a map included in this packet.

Registration begins at 8:30 a.m. **Please do not arrive before 8:30.** The people preparing the materials and process for registration, and those preparing the coffee and rolls, will not be ready until then. **The Presbytery will convene at 9:30 a.m.**

The *Proposed Docket* is enclosed, along with items for information and action. Commissioners should bring these to the meeting. Extra copies are available at the meeting for visitors only, so extra packets are limited. Two special visitors from our denomination's Peace, Unity and Purity Task Force will be with us. **Mark Achtemeier**, member of the faculty at Dubuque Seminary, and **Barbara Wheeler**, President of Auburn Seminary in New York, will share and then participate in conversation and dialogue with the Presbytery. This will take up the bulk of our morning. Other business and reports will take place in the afternoon.

Beginning with the May meeting, much of our "usual" business will be handled by using a "Consent Agenda" process. This means we will vote to approve or adopt – in one action – all actions or recommendations presented prior to the meeting. This reduces the actual debate or conversation time during the meeting. The Council will introduce this process to us and carefully lead us through it during the meeting. You will notice that the reports in the Call contain a letter designation with numbers for the various sections or parts. This allows for easy identification in the Consent Agenda form.

We have a new addition to our Orientation Time. The Budget and Finance Committee will be holding a "Budget Conversation" for those interested in learning more or talking about our budget.

The Minutes of the January Stated Meeting were distributed to Commissioners and Members May 1. Please remember to bring these to the May meeting by going online and downloading them to print. They are located on the Internet at: www.presbyteryofdesmoines.org. Extra copies are at a minimum.

A REMINDER: Under our structure and style of operating in our Presbytery, meetings do not have business as the central focus and purpose for our gathering. Worship, dialogue and fellowship are primary reasons for meeting. There is still business – after all, we cannot be Presbyterians if we do not have business – but much of our meeting time is more conversational than parliamentary in nature. It will help our meetings to be carried on in this kind of spirit if Members and Commissioners come expecting such a spirit to be present.

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As you look at the *Proposed Docket*, you will see that this meeting lasts until approximately 3:45 p.m. Knowing that most travel a long distance, the Council has planned a docket that will allow for early adjournment to allow for traveling home. A full day's meeting is standard since our Presbytery meets only four times per year. All of the items on the docket require Presbytery attention at our meetings.

Another thing you might note as you look at the *Proposed Docket* is that, as usual, it is full. We have a variety of activities and actions – worship, reports, and welcoming of new members, for example. These will keep the time moving quickly and 3:45 p.m. will be on us before we know it. Each Commissioner and Minister member is encouraged to be present for the entire meeting. Avoidable late arrivals and early leavings are discourteous to those presenting reports and rob other people of the opportunity to share in work and ministry with those not present.

For a variety of reasons, some members of our Presbytery have asked who may participate in discussions during a Presbytery meeting. *Guidelines for Participation in Presbytery Meetings*, is a helpful piece explaining this and is located at the end of this packet.

A reminder about how we handle “Joys and Concerns;” instead of mixing announcements with items for prayer, we now have an announcement time for publicity items after lunch, and prayer concerns will be shared during worship.

Child care will be provided. Please call the First Presbyterian Church in Chariton, 641-774-2436, to sign up for child care. Contact must be made by Noon on Friday, May 12. Please provide a sack lunch for each child. Milk will be provided.

The church has a large projection screen. A video projector and laptop can be available if requested prior to the meeting. If you need the projector or any other equipment, please contact the Presbytery Office.

We will continue the registration process of having all attendees sign in. This has seemed to work well in our previous two meetings. **REMEMBER** – Congregations are not excused from having an elder in attendance. Also, if you plan to bring extra persons, please call the church to let them know.

In case the weather is bad and you should have questions about the status of the meeting, call the Presbytery Office, 515-276-4991. A message will be left on the voice mail system informing you if the meeting has been postponed or cancelled.

I look forward to being with all of you on the May 16.



Philip W. Barrett,
Stated Clerk

Enclosures

PROPOSED DOCKET

May 16, 2006

8:30 a.m.	Registration Begins Coffee and Fellowship	
9:00	Orientation of "First Timers" Budget Orientation	Kate Stangl Terry Amann
9:30	Convene Presbytery I – Stated Clerk	Lila Jean Jensen
10:00	Worship Begins	
10:15	Peace, Unity and Purity Task Force Presentation and Dialogue	Barbara Wheeler Mark Achtemeier Tiare Mathison-Bowie
Noon	Gathering Together for a Meal	
1:00 p.m.	Announcements	
1:10	Worship Continues	
1:30	E – Coordinating Council	
1:40	A - Congregational Care and Development Committee	Ann Rouse
1:50	L – Camping and Youth Task Force	Steve Mathison-Bowie
2:00	Worship Continues	
2:30	D - Budget and Finance Committee	Terry Amann
2:35	K – Social Ministries Task Force	Nancy Lister-Settle
2:50	J – General Presbyter Report	Phil Barrett
3:00	Worship Continues	

Proposed Docket continued...

3:10 B – Professional Care and Development Committee Ken Rummer

3:25 H – Personnel Committee Bob Burnett

3:30 Other Business

3:35 Worship continues

3:40 Adjourn

Maps to Chariton, Iowa:







Driving Directions: The First Presbyterian Church in Chariton is located 8th Street and Braden Avenue. It can be reached by traveling on Highway 34 or Highway 14.

- **From the West:** Highway 34 turns into Court Avenue once you reach Chariton. Go straight on Court Ave. until you reach Grand Street. Go north on Grand St. to Braden Ave.. Go east on Braden Ave.. The church is located across the street from the public library.
- **From the North:** Highway 14 turns into 7th Street once you reach Chariton. Take 7th Street to Braden and go west on Braden Ave.. Look for the sign that directs you to the public library.
- **From the East:** Highway 34 to Highway 14. Go north on Hwy. 14 to Braden Ave. Go west on Braden Ave to the church. Look for the sign that directs you to the public library.
- **From the South:** Highway 34 to town. Go west on Braden Ave. to the church. Look for the sign that directs you to the public library.

Parking: The church does not have a parking lot, but there should be ample street parking. Also, available are the Town Square parking lot as well as the Community of Christ parking lot on the corner of 7th and Roland streets.

The church is handicapped-accessible; the main door will take you directly into the sanctuary.

I – REPORT OF THE STATED CLERK

May 16, 2006

- I-A All reports have been filed with the Synod of Lakes and Prairies of the General Assembly as of this date, and all correspondence received on behalf of the Presbytery has been assigned, referred or answered. This includes notification from the General Assembly that this Presbytery's Overture had been received.
- I-B The Presbytery Annual Reports have been submitted to the General Assembly and Synod.
- I-C Reports have been received from the following Commissions:
- Ordination – Julie Sterling, First Presbyterian Church, Knoxville
Installation – Mary Beth Mardis-LeCroy, Westminster Presbyterian Church, Des Moines,
Associate Pastor
Linda O'Connell, First Presbyterian Church, Lucas, Pastor
- We need to dismiss these Commissions with thanks.
- I-D The Presbyterian Investment and Loan Program has notified the Presbytery that there has been an adjustment in the loan terms with the Ankeny Presbyterian Church.
- I-E Notification has been received from the Synod of Lakes and Prairies that the following persons from our Presbytery have been elected to the Board of Directors of Calvin Community, class of 2009: Florence Buhr, Wendell Harms, Gary Nielsen, Joyce Rash, Dwight Tomes.
- I-F A reminder that Presbytery Minutes and Calls to Meetings are now placed on the Presbytery's Web site, www.presbyteryofdesmoines.org, as official notification or communication regarding meetings. The main reason for this is that they are available immediately upon production. A secondary benefit is financial because this saves substantial mailing costs. It also allows people to download only what they want or need. We do send these *via* the postal service only to those who notify us that they do not have Internet service. In other words, if you have Internet access, we expect you to receive these and any other items sent electronically via your computer.
- I-G Since an important change came to our *Book of Order* basically making all ordained persons mandatory reporters, I have received several questions about any training available for ordained persons. Thanks to the Office of the General Assembly (OGA), a document on the reporting requirements and parameters has been provided and it is attached to this report. As always, I welcome any questions and opportunities to deal with the implications of such issues.

Respectfully Submitted

Philip W. Barrett, Stated Clerk



Sexual Misconduct Reporting Requirements

In July, 2005 three provisions were added to the Constitution of the Presbyterian Church (U.S.A.) in the Form of Government which require officers of the church to report knowledge gained of harm or risk of harm of physical or sexual abuse of a minor.

Specifically, the provisions read as follows:

G-6.0204b. *A minister of Word and Sacrament shall report to ecclesiastical and civil legal authorities knowledge of harm or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of a confidential communication as defined in G-6.0204a; or (2) she or he reasonably believes that there is a risk of future physical harm or abuse.*

G- 6.0304b. *An elder shall report to ecclesiastical and civil legal authorities knowledge, gained in the course of service to the church, of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of privileged communication; or (2) she or he reasonably believes that there is risk of future physical harm or abuse.*

G-6.0402b. *A deacon shall report to ecclesiastical and civil legal authorities knowledge, gained in the course of service to the church, of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of privileged communication; or (2) she or he reasonably believes that there is risk of future physical harm or abuse.*

These provisions of the *Book of Order* attempt to balance conflicting moral duties for officers of the Presbyterian Church (U.S.A.).

For ministers of word and sacrament, the provision strives to balance the duty to protect children from future harm with the duty of a minister to hold in confidence any information revealed to them during the exercise of pastoral care.

For elders and deacons, the provisions strive to balance the duty of an officer of the church to protect children from harm and any secular duty the officer may have to hold in confidence any information revealed as a result of a secular relationship such as attorney/client, counselor/client, or physician/patient. The secular duties will be a function of secular law and may vary from state to state.

Ministers of Word and Sacrament

Ministers of Word and Sacrament have a duty under the *Book of Order* to report to both ecclesiastical and civil legal authorities when they have knowledge of harm or risk of harm of the physical abuse, neglect and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity.

The exception to this duty is when the knowledge is gained within a confidential communication. The *Book of Order* defines the confidential communication that must be held in confidence by a minister as all information revealed to the minister in the course of providing pastoral care and all information relating to the exercise of pastoral care. There is an exception to the exception and that is when the minister reasonably believes that there is a risk of imminent bodily harm to any person or a risk of future physical harm or abuse to a minor or an adult who lacks mental capacity the minister may voluntarily reveal the information.

At this time, we do not have an interpretation as to which ecclesiastical and civil legal authorities must the ministers report their knowledge. Within the ecclesiastical context, presumably any information should be reported to the individuals who have responsibility for the pastoral care of the victim and their family members and to the individuals who have the responsibility for discipline if the perpetrator is either a member, employee or volunteer of the Presbyterian Church (U.S.A.). If the perpetrator is a member of the PC(USA) any reporting would be made to the clerk of session for members, elders and deacons or to the stated clerk for ministers of word and sacrament. If the perpetrator is an employee or volunteer, the report should be made to the supervising entity of the employee or volunteer. The congregation or the governing body may have a sexual misconduct policy that provides a guide as to who is the appropriate person within the church to receive such a report. Within the civil context, any information should be reported according to state law.

The PC(USA) does not have an authoritative interpretation as to the definition of “knowledge of harm” or “knowledge of risk of harm”. The person who is trying to determine whether they have a duty to report, will have to use a reasonable determination as to whether the child has been harmed or is at risk of the above harms.

The PC(USA) General Assembly has not interpreted the terms: physical abuse, neglect, sexual molestation or sexual abuse within this provision. The person who is trying to determine whether they have a duty to report, will have to use a reasonable determination as to whether the child has been harmed or is at risk of the above harms.

The 1993 General Assembly passed a Sexual Misconduct Policy in which child sexual abuse is defined: “Child Sexual Abuse includes, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult person or of a third person. The behavior may or may not involve touching. Sexual behavior between a child and an adult is always considered forced whether or not consented to by the child. No upper age limit for child sexual abuse has been given in this policy because the age of adulthood varies from state to state. The upper age limit is intended to be that recognized in the state in which the act was committed.”

The 2001 General Assembly passed a policy Turn Mourning into Dancing: A Policy Statement on Healing Domestic Violence in which physical abuse is defined as the use of brute force, such as hitting, biting, kicking, slapping, burning or scalding, to damage a person’s body. The weapon may be a fist, a knife, a gun, or other object.

The PC(USA) does not have an authoritative interpretation of the terms: a minor or an adult who lacks the mental capacity. It is reasonable to presume that “mental capacity” is limited to the mental capacity to consent to sexual conduct. Since the age of adulthood varies from state to state, the term “minor” will presumably vary according to the law of the state until the PC(USA) had defined this provision in this context.

Elders and Deacons

Elders and Deacons have a duty under the *Book of Order* to report to both ecclesiastical and civil legal authorities when they have knowledge gained in the course of service to the church of harm or risk of harm of the physical abuse, neglect and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity.

The exception to this duty is when the knowledge is gained within a “privileged” communication. The Assembly intended to provide an exception for a secular relationship such as attorney/client, counselor/client, or physician/patient that may be granted certain confidential privileges under state law. Since it is probable that the secular definition of “privileged” will vary from state to state, the term “privileged” is deliberately left undefined in the church constitution.

There is also an exception for knowledge gained outside of service to the church. This acknowledges that officers of the church may have access to knowledge gained outside of service to the church that may result in the individual having conflicting professional confidentiality issues. This exception acknowledges those potential conflicts of interests. However, to date the PC(USA) does not have a definition of “service to the church” for the purposes of this provision. The service may be limited to when the officer is specifically doing work approved by and commissioned by the church, or it may be defined broadly as whenever there is the appearance that the officer is engaged in “service for the church.” The officer who is trying to determine whether or not they have a duty under the *Book of Order* to report any knowledge of abuse is advised to make a reasonable determination whether there is a reasonable risk of future harm, whether the information was gained while the officer was in service to the church, and whether there is a secular legal duty to report.

If elder or deacon gains knowledge during the course of service to the church her duty to report may not be limited to knowledge of risk of future physical harm or abuse, but also when she has knowledge of past harm related to physical abuse, neglect and/or sexual molestation of a minor or an adult who lacks mental capacity.

The PC(USA) does not have an authoritative interpretation as to the definition of “knowledge of harm” or “knowledge of risk of harm”. The person who is trying to determine whether they have a duty to report, will have to use a reasonable determination as to whether the child has been harmed or is at risk of the above harms.

The PC(USA) General Assembly has not interpreted the terms: physical abuse, neglect, sexual molestation or sexual abuse within this provision. The person who is trying to determine whether they have a duty to report, will have to use a reasonable determination as to whether the child has been harmed or is at risk of the above harms.

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The PC(USA) does not have an authoritative interpretation of the terms: a minor or an adult who lacks the mental capacity. It is reasonable to presume that “mental capacity” is limited to the mental capacity to consent to sexual conduct. Since the age of adulthood varies from state to state, the term “minor” presumably will vary according to the law of the state until the PC(USA) has interpreted it in this context.

Clerks of Session, Stated Clerks and Governing Body Staff

The new provisions to the *Book of Order* make it mandatory for any officer of the church to report any knowledge of harm or risk of harm of a minor to the ecclesiastical and civil legal authorities. There are exceptions to this duty that are described above. The General Assembly has not issued an authoritative interpretation of the term “ecclesiastical authority”.

All members of governing bodies should be aware of any sexual misconduct policies adopted by the governing body that defines the appropriate reporting procedure. If the perpetrator is a member of the PC(USA) the reporting procedure would be according to the Rules of Discipline of the *Book of Order*. So that any reporting would be made to the clerk of session for allegations against members, elders and deacons or to the stated clerk for allegations against ministers of word and sacrament. If the perpetrator is an employee or volunteer, the report should be made to the supervising entity of the employee or volunteer.

E – COORDINATING COUNCIL REPORT

May 16, 2006

The Coordinating Council of the Presbytery of Des Moines met on April 20, 2006, at Calvin Community in Des Moines.

The Council took the following actions:

- E-1 Reviewed the January 21, 2006, Stated Meeting of the Presbytery.
- E-2 Planned the May 16, 2006, Stated Meeting with the major focus on the Report of the denomination's Peace, Unity and Purity Task Force. Our Presbytery's PUP Task Force will manage the floor discussion following presentations by members of the denomination's Task Force.

Introduction and use of the Consent Agenda process for the management of business will also take place.

- E-3 Made initial plans for the August 19, 2006 Stated Meeting with possible focus on reports from General Assembly, Synod School, camps and the retirement of Rev. Bob Cook.

The Council recommends that the Presbytery adopt the following recommendations:

- E-4 That Sandi Stuckey, Director of Christian Education at the Westminster Presbyterian Church in Des Moines, be appointed as the POINT Person for the Presbytery.
- E-5 That the Council be granted permission to carry out some long range planning for the Presbytery as part of its work.
- E-6 That, through 2007, Presbytery grant the Council the authority to consult with the Budget and Finance Committee on budget priorities and to make recommendations to the Presbytery regarding implementation of those priorities.

H – PERSONNEL COMMITTEE REPORT

May 16, 2006

Much of the committee business occurs at the beginning of a new year.

On April 1 a training event was held at Scotch Ridge Church from 8:30-12:00 noon for congregational personnel committees. Six churches were present at this meeting. The topics discussed included 1) a Theological Rationale and Purpose, 2) How to Conduct Annual Reviews, 3) Maintenance and Care Keeping of Documents and Personnel Files, 4) Legal and Liability Issues that Personnel Committees must consider.

On February 6 the committee met with Kim Coulter, Director of Communications to conduct her first annual review. As this is a new position, Kim assumed much of the responsibility of mastering the content and scope of the office. Reports indicate that churches appreciate the new dimensions of communication and feel much more “in tune” and “informed” about Presbytery, Synod and General Assembly development.

Kim is excited about her position and has demonstrated her knowledge, skills, expertise and enthusiasm for the tasks laid upon her.

The one area we detected where improvement might be made is the excess hours she willingly puts in. This exceeds the part time arrangement agreed to. To correct this, members of Presbytery will need to observe the times and deadlines announced for information and articles to be included in the monthly newsletter.

We are fortunate to have someone with her skills, interest and commitment to initiate the process of forging better communication avenues for a more informed church.

On March 7 the committee visited with Phil Barrett for his annual review. As in the past, Phil has demonstrated his interest and involvement in all phases of the church’s life. Local PNCs have access and guidance from Phil. He works with congregations when invited and is available for social events, anniversaries, etc. He often preaches and participates in the life off local churches.

While personal contact with all churches is not possible, his spirit and insights are often present and reflected in the work of committees such as CCD and PCDC committees.

He continues to work with Goanar Chol in the area of the Sudanese ministry.

Phil encourages the development of the Regional Partnerships and is sometimes discouraged when they do not function as they might. He gets a “high” when exciting things happen in and through the partnerships.

He is in dialogue with his colleagues in neighboring Presbyteries and searches for ways to work together in responding to present trends and future opportunities. The transformation process is an exciting and promising development for him. It occupies some of his time and stimulates him as well.

Ecumenical and denominational concerns and issues are areas where Phil demonstrates interest and involvement. He continues to stretch our horizons and keeps Presbytery sensitive to the needs and opportunities beyond our Presbytery.

The Personnel Committee feels that Presbytery is fortunate to have well qualified and committed staff and is determined to provide the resources, staff and conditions that will ensure that their ministry continues in our midst for years to come.

As always, the committee wants to avoid “burnout” and encourages staff members to place some limits on hours worked and to protect personal time for self development and family.

The committee urges all churches to appoint personnel committees and is ready to assist sessions who want to do so.

Robert L. Burnett, Chairman
Des Moines Presbytery Personnel Committee

GUIDELINES FOR PARTICIPATION IN PRESBYTERY MEETINGS

Meetings of our Presbytery are always special because it is a time for the Presbytery family to gather for conversations, business and fellowship. Many different people come to a Presbytery meeting for many different reasons.

When our Presbytery meets, we welcome and encourage participation. There are times, however, that participation is limited. Those times are ordinarily when our Presbytery is conducting its formal business. Because our Presbyterian structure calls for elected Commissioners to determine direction and act on business, only those who are elected Commissioners or are members of our Presbytery are allowed to participate in discussions or voting. Visitors and guests become observers of the process at that time.

At other times in our meetings, each person present is invited to participate in dialogues, conversations, or other activities. Such times include worship, special thematic presentations and small group discussions.

If you are not sure when you may participate in what is happening in the meeting, please talk to the Moderator or Stated Clerk individually.

PARLIAMENTARY PROCEDURES AT-A-GLANCE

TO DO THIS	YOU SAY THIS:	MAY YOU INTERRUPT SPEAKER?	MUST YOU BE SECONDED?	IS THE MOTION DEBATABLE?	IS THE MOTION AMENDABLE?	WHAT VOTE IS REQUIRED?
Adjourn the meeting	"I move that we adjourn."	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Majority vote required
Recess the meeting	"I move that we recess until..."	May not interrupt speaker	Must be seconded	Not debatable	Amendable	Majority vote required
Complain about noise, room temp, etc.	"Point of privilege."	May interrupt speaker	No second needed	Not debatable	Not amendable	No vote required ³
Suspend further consideration of something	"I move we table it."	May not interrupt speaker	Must be seconded	Not Debatable	Not amendable	Majority vote required
End debate	"I move the previous question."	May not interrupt speaker	Must be seconded	Not Debatable	Not amendable	Two-thirds vote required
Postpone consideration of something	"I move we postpone this matter until..."	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote required
Have something studied further	"I move we refer this matter to a committee."	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote required
Amend a motion	"I move that this motion be amended by..."	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote required
Introduce business (a primary motion)	"I move that..."	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote required
¹ The motions or points above are listed in established order or precedence. When any one of them is pending, you may not introduce another that is listed below it. But you may introduce another that is listed above it. ² In this case, any resulting motion is debatable. ³ Chair decides						
Object to procedure or to a personal affront	"Point of order."	May interrupt speaker	No second needed	Not debatable	Not amendable	No vote required, chair decides
Request information	"Point of information."	If urgent, may interrupt speaker	No second needed	Not debatable	Not amendable	No vote required
Ask for a vote by actual count to verify a voice vote	"I call for a division."	May not interrupt speaker ²	No second needed	Not debatable	Not amendable	No vote required unless someone objects ³
Object to considering some undiplomatic or improper matter	"I object to consideration of this question."	May interrupt speaker	No second needed	Not debatable	Not amendable	Two-thirds vote required
Take up a matter previously tabled	"I move we take from the table..."	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Majority vote required
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	May interrupt speaker	Must be seconded	Debatable if original motion is debatable	Not amendable	Majority vote required
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Two-thirds vote required
Vote on a ruling by the chair	"I appeal the chair's decision."	May interrupt speaker	Must be seconded	Debatable	Not amendable	Majority vote required
¹ The motion, points, and proposals listed above have no established order of precedence. Any of them may be introduced at any time – except when the meeting is considering one of the top three matters listed in the above chart (motion to adjourn, motion to recess, point of privilege). ² But division must be called for before another motion is stated. ³ Then majority vote is required.						

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