

(Revised)

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CALIFORNIA WING CADET ADVISORY COUNCIL

CALIFORNIA WING - CIVIL AIR PATROL

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15 April 2001

MEMORANDUM FOR CWCAC

FROM: CWCAC Chairman

SUBJECT: Amendment to add a suspend-the-rules clause to the Constitution.

1. Motions to suspend rules are often necessary for the council to effectively conduct business. For example, at the last CWCAC meeting it was necessary to suspend the membership requirements for members of the Executive Council during the nomination period. According to *Robert's Rules of Order*, motions to suspend rules should have a definite purpose and must be approved by a two-thirds vote. These motions, however, may not suspend rules contained in the constitution. *Robert's Rules of Order* states that,

The Constitution and By-Laws cannot be suspended even by unanimous consent, unless they provide for their own suspension.

2. The CWCAC Constitution addresses membership requirements in Section III, subdivision (a). This section requires that, "All members of the Executive Council must have earned the Billy Mitchell Award and have been a Group Representative for at least one year of the two years prior to elections."

3. Although the CWCAC Constitution's membership requirements are desirable, in recent years they have not always been possible. Therefore, I propose that the following subdivision (c) be added to Membership Section III of the CWCAC Constitution:

Section III(c):

The above membership requirements for the Executive Council may be suspended for one election by a 2/3 vote before or during the nomination period if an adequate number of qualified persons are not available to serve in any given position. If the motion to suspend the rules passes, then the requirements are waived for all Executive Council positions for that election.

4. The purpose of this amendment is to provide a legal means for suspending membership requirements. Previous illegal suspensions of membership requirements that passed by a 2/3 vote should be observed as though they were conducted properly because the council's intent was the same.

Sincerely,

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