

We, the Parliamentary Committee, offer the following for consideration in the matter of the Gulnare Free Will Baptist Church:

As we understand, the motion and subsequent vote in question was approved in a regular business meeting at the church and brought to the floor in regular order. It is also our assumption that the motion would necessitate an amendment or revision to existing bylaws.

According to Robert's Rules of Order; Robert's Rules of Order Newly Revised (11th ed.) we find the following: "**47. Votes that are Null and Void even if Unanimous.** No motion is in order that conflicts with the laws of the nation, or state, or with the assembly's constitution or by-laws, and if such a motion is adopted, even by a unanimous vote, it is null and void. No rule that conflicts with a rule of a higher order is of any authority; thus, a by-law providing for the suspension by general consent of an article of the constitution would be null and void; so, the general parliamentary rule allowing a two-thirds vote to amend the by-laws after due notice, is only in force when the by-laws are silent on the subject."

First, we believe the motion to be potentially "Illegal" and contrary to discrimination laws set forth in United States Law and Statutes promulgated in the Commonwealth of Kentucky. Obviously, no one on the parliamentary committee has a Doctorate in Jurisprudence and this does not represent a legal opinion. However, as a matter of the rule of order we wish to submit to the Pastor/Moderator of the Gulnare Free Will Baptist Church that the motion, vote and rule should be declared NULL AND VOID as it potentially violates rules of regular order. Legal counsel should be sought to determine the legality of the motion if the following statement is not in fact germane to the issue.

Second, it is the assumption that this vote was to amend the existing bylaws of the Gulnare Free Will Baptist Church. According to Robert's Rules of Order "**68. Amendments of Constitutions, By-laws, and Rules of Order.** Constitutions, by-laws, and rules of order, that have been adopted and contain no rule for their amendment, may be amended at any regular business meeting by a vote of the majority of the entire membership; or, if the amendment was submitted in writing at the previous regular business meeting, then they may be amended by a two-thirds vote of those voting, a quorum being present. But each society should adopt rules for the amendment of its constitution, by-laws, and rules of order, adapted to its own case, but always requiring previous notice and a two-thirds vote."

We respectfully submit to the Pastor/Moderator of the Gulnare Free Will Baptist Church that the vote failed to pass by the following rules:

- A. A simple majority of half the membership would require ($44/2= 22$) 23 yes votes. The church cast 9 yes votes total.
- B. A $2/3$ majority of those voting would require ($15 \times .66667=10$) 10 yes votes. The church cast only 9. The motion failed on both counts and therefore the motion did not pass the original vote.

Respectfully submitted: _____

