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Addendum to Rosenberg's Rules of Order

September 12, 2006

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one-half the body. So, for example, in a five-member body a quorum is three members. If less than a quorum of members is present, it cannot legally transact business. Even if the body has a quorum to begin the meeting, the body can lose it during the meeting when a member departs (or even when a member leaves the room) and when that occurs the body loses its ability to transact business unless a quorum is reestablished.

The default rule identified above, however, gives way to a specific rule of which establishes a quorum. So, for example, the rules of a particular five-member body may indicate that a quorum is four members for that body; or the rules of another seven-member body may require that a quorum is only three members for that particular body. The body must follow the rules it has established for its quorum. In the absence of a rule, the quorum is one more than half the members of the body.

Counting Abstention Votes

Usually, it's pretty easy to determine whether a particular motion passed or was defeated. If a simple majority vote is needed to pass a motion, then more than 50% of the body is required. So, for example, in a five-member body a vote of 3 in favor and 2 opposed, the motion passes. If it is 2 in favor and 3 opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many votes are required? The simple rule of thumb is to count the "no" votes and subtract that from the total to determine how many "yes" votes are needed to pass a particular motion. So, for example, in a seven-member body, if 2 members vote "no" and 4 members vote "yes", a two-thirds majority vote of 4 members is required to achieve a two-thirds majority vote on the motion.

In the event of a tie vote, the motion always fails as an affirmative vote cannot pass any motion. So, as an example, in a five-member body, if the vote is 2 in favor and 2 opposed with 1 member absent, the motion is defeated.

Vote counting starts to become complicated when members vote "abstain" or in the case of a written ballot, cast a blank ballot. Do those "abstentions" count? How do you count them? The starting point is to check the rules of the body.

rules of body say that you count votes of “those present” then you treat one way. However, if the rules of the body say that you count the votes “present and voting” then you treat abstentions a different way. As a thumb (and the default rule) if the rules of the body are silent on the subject you count all votes that are “present and voting”. Accordingly, you do NOT count abstain votes on the motion. Members who abstain are counted for purposes of determining quorum, but you treat the abstention votes on the motion as if they do not exist. On the other hand, if the rules of the body specifically say that you count the votes of those “present”, then you DO count abstain votes both in determining quorum and on the motion. In that event the abstention votes act just like a “no” vote.

How does this work in practice? Let’s look at a few examples.

Let’s assume that we have a five-member city council voting on a motion that requires a simple majority vote to pass, and let’s assume further that there is no specific rule on counting votes. Accordingly, the default rule kicks in: you count all votes of members that are present and voting. If the vote on the motion is 2-2 with 1 abstention, the motion fails. For quorum purposes, the vote and abstentions are counted for quorum purposes but on the actual motion, it is like the abstention vote never happened. If the vote were 2 “no” and 2 “abstentions”, the motion passes. Again, the abstention vote is essentially ignored on the motion and the effective vote is 2-1, motion passes. As a word of caution, however, one must look to the rules of the body to see if there is a particular rule regarding the number of “yes” votes required to pass. For example, the body may have a rule that the affirmative vote of at least three members is required to pass a motion by a simple majority, and in such a case a vote would be insufficient to pass a motion.)

Let’s assume that we have a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and let’s further assume that there is no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, motion fails for lack of a two-thirds majority. If the vote is 4-1, motion passes with a clear two-thirds majority. A vote of 3 “yes”, 1 “no” and 1 “abstain” allows passage of the motion. Once again, the abstention is counted only for purposes of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed – so an effective 3-1 vote is clearly a two-thirds majority. And even a vote of 2 “yes”, 1 “no”, 1 “abstain” and 1 “absent” allows the motion to pass. There is a quorum, and (ignoring the abstention) the effective vote is 2-1, providing an affirmative two-thirds vote, passing the motion.

Now, let’s change the scenario slightly. Let’s assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body DOES have a specific rule requiring the two-thirds majority to be “present and voting”. Under this specific rule, we must count all votes present and voting not only for quorum but also for the motion. In this scenario, an abstention has the same force and effect as a “no” vote. Accordingly, if the vote were 3 “yes”, 1 “no” and 1 abstain” then the motion fails. The abstention is treated like a “no” vote and the effective vote of 3-2 is not enough to pass the two-thirds majority muster. The same result (defeat of the motion) obtains if the vote were 2 “yes”, 1 “no” and 2 “abstain”. And again, the same result (defeat of the motion) obtains if the vote is 2 “yes”, 1 “no”, 1 “abstain” and 1 “absent”.

And how, exactly, does a member cast an “abstention” vote? Any time a member votes “abstain” or says “I abstain” – that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is, essentially, saying, “count me for purposes of a quorum, but my vote on the issue is no”). In fact, any manifestation of intention to vote neither “yes” or “no” on the motion may be treated by the chair as an abstention. And if written ballot voting, a blank ballot is counted as an abstention as well.