

Rules of the House of Representatives

1.0 Procedural and Parliamentary Authority

- 1-1 Manual. The Wyoming Manual of Legislative Procedures, Revised, shall be referred to as the "Manual".
- 1-2 Parliamentary Practice. The rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure shall govern the House in all cases to which they can apply and in which they are not inconsistent with the rules and orders of the House and Joint Rules. [Ref: Mason's §§ 30 to 32]
- 1-3 Suspension of Rules. No change, suspension, or addition to the rules of the house shall be made except by a two-thirds vote of the elected members. [Ref: Mason's §§ 279 to 287]
- 1-4 Temporary Legislative Facilities. During the period when the Legislature is housed or holds legislative sessions in the Jonah Business Center in Cheyenne, the words "State Capitol" or "Capitol" when used in these Rules shall be understood to mean the Jonah Business Center.

2.0 House Organization

- 2-1 Removal of Officers. A vote of at least two-thirds of the elected House members for the removal of any officer of the House shall be sufficient to vacate the chair or office. [Ref: Mason's § 581]
- 2-2 House Committees. House standing committees shall be appointed by the Speaker of the House after conferring with the majority and minority leaders. House standing committees are as follows:
1. Judiciary
 2. Appropriations
 3. Revenue
 4. Education
 5. Agriculture, State and Public Lands and Water Resources
 6. Travel, Recreation, Wildlife and Cultural Resources
 7. Corporations, Elections and Political Subdivisions
 8. Transportation, Highways and Military Affairs
 9. Minerals, Business and Economic Development

10. Labor, Health and Social Services
11. Journal
12. Rules and Procedure

[Ref: Mason's §§ 600 to 602]

2-3 Committee Membership. Membership on committees shall be apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the House.

(a) Committees shall have nine members with these exceptions:

(i) Committee No. 2, Appropriations, seven members;

(ii) Committee No. 11, Journal, two members; and

(iii) Committee No. 12, Rules and Procedure, thirteen members.

[Ref: Mason's §§ 600 to 602]

2-4 Changes in Committee Membership. The Speaker of the House may appoint a member to fill any vacancy occurring on any house standing committee during the interim providing the appointment is made with the advice of the respective majority or minority leader, dependent upon the party in which the vacancy has occurred.

2-5 Conference Committees, Membership.

(a) The Speaker shall appoint three members to a conference committee following "Mason's Manual" Sections 769 and 770, generally; and Section 769-6, specifically.

(b) When a majority of the conferees from each house have reached an agreement as to the contents of a conference committee report on a House Bill, the Chairman, as soon as is reasonably possible, shall have the conference committee report drafted, signed by members of the committee, and shall deliver the bill along with the signed copies of the report to the House Chief Clerk as specified in Joint Rule 2-3.

[Ref: Mason's §§ 766 to 775]

3.0 Convening and Order of Business

- 3-1 Hour of Meeting. The House shall meet each day of sitting at 10 o'clock a.m. unless another time was designated at the preceding adjournment.
- 3-2 Absent Members and Officers. No member or officer shall be absent from the service of the House except:
- a. In case of sickness;
 - b. With permission of the Speaker first obtained; or
 - c. By a majority vote of the House first obtained.
- 3-3 Quorum - How Maintained. In case fewer than a quorum of the House shall convene, the Speaker is authorized to send the sergeant-at-arms, or any other person for any or all members absent without leave. [Ref: Mason's §§ 191, 500 to 506]
- 3-4 Order of Business. The following shall be the usual order of business but the order may be changed as necessary for the efficient management of business:
- a. Roll call
 - b. Prayer by the chaplain
 - c. Journal committee report
 - d. Messages from the Governor or Senate
 - e. Unfinished business
 - f. Introduction, reading and reference of bills
 - g. Senate files on first reading
 - h. Reports from standing committees
 - i. Reports from select committees
 - j. Bills on second reading
 - k. Bills on third reading and final passage
 - l. Consideration of bills on general file
 - m. Special orders and committee announcements
 - n. Adjournment

[Ref: Mason's §§ 200 to 210, 710 to 714]

4.0 Introduction and Referral of Bills

4-1 Definitions.

- (a) Whenever the word "bill" is used in these Rules, it shall include Senate files, House bills, Senate and

House joint memorials and resolutions unless otherwise specified.

(b) Whenever used in these Rules, the words "budget bill", "mirror budget bill" or "general appropriations bill or bills" refers to the "general appropriations bill" specified in subsection 14-1(a) of the Joint Rules of the House and Senate which contains appropriations for the ordinary expenses of the three branches of state government and may include other appropriations allowed by Article 3, Section 34 of the Wyoming Constitution.

4-2 Preparation of Bills. Bills for consideration by the legislature shall be prepared, jacketed, indexed and stored in the computer by the Legislative Service Office before being introduced in the house designated by the prime sponsor. [Ref: Mason's §§ 729, 730]

4-3 Identification of Bills. Each legislative bill presented to the chief clerk for introduction to the House shall show on the cover its title and the sponsor's signature. The name(s) of the sponsors shall be shown on reproductions of each bill.

4-4 No Change of Sponsors. After the first reading of a measure, no change in its sponsorship shall be made.

4-5 Introduction Deadline. No bill, other than general appropriations bills, shall be introduced after noon of the 15th legislative working day of the session, except by consent of two-thirds of the elected members of the House. Bills that have been signed, submitted and accepted by the Legislative Service Office prior to the twelve noon cutoff date for consideration of bills but are still at the printer's office will be considered as being within the cutoff deadline. Such a list of bills will be delivered by the Legislative Service Office to the Speaker at the cutoff hour. [Ref: Mason's § 725]

4-6 Introduction Method. After signing the bill jacket, the sponsor or sponsors ask the chief clerk to place the bill in that order of business "Introduction, Reading and Reference of Bills". (See procedure and language style in manual.) [Ref: Mason's §§ 726 to 728]

4-7 Reference to Committee. The Speaker shall refer each bill to the appropriate committee but the House may, on motion, refer the bill to another committee.

4-8 Referral of Bills Requiring an Appropriation.

(a) A bill containing an appropriation, or which requires an appropriation or change in funds, may be assigned to a standing committee other than appropriations, but if so, it shall be re-referred to the appropriations committee upon being reported back from the committee to which first assigned. The appropriations committee shall consider and may recommend:

(i) Modifications to any appropriation contained in the bill, or the addition or deletion of an appropriation, and any necessary related conforming amendments;

(ii) That a delayed effective date or other limiting condition be added to any bill that requires, but does not provide, an appropriation;

(iii) That the bill do not pass, provided that the committee report may include a "do not pass" recommendation as an alternative to any other recommendation made under this subsection.

(b) A re-referred bill shall be given priority consideration by the appropriations committee.

(c) Standing committee amendments shall be considered in the same order as the bill was referred to committee and for purposes of prioritization under House Rule 6-2 the recommendation of the first standing committee to report on the bill shall apply.

5.0 Standing Committee Proceedings

5-1 Opening Meetings; Executive Sessions. All committee meetings will be open to the public unless declared an executive session by the chairman.

5-2 Bill Delivered to Committee; Meeting Notice. No standing committee shall meet to consider any bill referred to it unless notice of the date, time and place of the meeting and the bills to be considered has been posted in the State

Capitol at the place designated for posting of meeting notices by 3:00 p.m. on the day before the meeting is to be held. For a meeting to be held on a Monday, the notice shall be posted by 3:00 p.m. on the first legislative day preceding that Monday. This subsection does not apply to:

- (a) Continued consideration of a bill by a committee after the committee has begun consideration of that bill at a meeting for which notice was posted in compliance with this subsection;
- (b) A bill that has been re-referred to another committee after another committee has submitted a report on that bill;
- (c) Meetings scheduled on the first or second day of any session for the consideration of a joint interim committee bill, provided:
 - (i) The Standing Committee took no votes on the bill under consideration; or
 - (ii) A notice was posted by 5:00 p.m. on the day before the meeting is to be held. The notice may state the Committee intends to consider the bill if it is referred to that Committee.

5-3 Proxy Voting in Committee. A member of the House who has been excused from attendance at a standing committee meeting by the committee chairman due to the member's required attendance at another legislative meeting, may file an absentee vote on a matter pending before the standing committee, provided:

- (a) The member submits a signed vote form that specifically identifies the motion and the member's desired vote;
- (b) The vote form is delivered to the committee chairman before the vote on the motion is taken;
- (c) The absentee vote may be revoked by the member before the vote is taken by signing and filing a written revocation with the committee chairman or by the member personally appearing at the meeting and voting on the motion in person;

- (d) A member voting by absentee vote shall not be counted as being present for purposes of establishing a quorum.

5-4 Reports and Record of Votes.

- (a) Standing committees shall take charge of and report in writing on all matters referred to them respectively.
- (b) When a standing committee has disposed of a bill by adoption of a motion to "do pass," "amend and do pass," "do not pass" or "no recommendation," the vote on final disposition shall be included in the committee report, indicating how each member voted, and the bill and the report shall be submitted to the chief clerk.

When a motion to "do pass" or "amend and do pass" fails, the chairman shall report the vote on the failed motion to the legislative service office including a record indicating how each member of the committee voted. The legislative service office will provide the report of the committee vote to the public.

- (c) For bills other than those reported under subsection (b) of this rule, the Committee shall return the bill together with a record of Committee consideration to the chief clerk on the day after the last day scheduled for consideration of house bills or senate files placed on general file but not later than the last day of the session. Upon receipt of the bill and the record of Committee consideration, the chief clerk shall ensure the required information contained within the record is entered into the journal but shall not be required to read the record to the House. The record of Committee consideration shall include the following information which shall be entered into the journal:

- (i) When any motion referenced under subsection (b) of this rule fails, the record of Committee consideration shall include the vote of each member on the failed motion;
- (ii) When a motion referenced under subsection (b) of this rule is not made on a bill, and a motion to

postpone the bill indefinitely or to a certain date has not been made by the Committee, the record of Committee consideration shall indicate the bill died in Committee;

(iii) When a Standing Committee adopts a motion to postpone consideration of the bill until after expiration of the established final date for regular consideration of the bill, the record of Committee consideration shall include the vote of each member on the adopted motion.

5-5 Overruling the Chairman. The chairman may be overruled only by a recorded majority vote of the committee membership. [Ref: Mason's §§ 611, 615 to 618, 663 to 678]

5-6 Recalling Bills from Committees. Any bill or other matter which has been referred to any committee may be recalled after a reasonable time by a motion duly made and seconded by five members and adopted by a majority of the elected members.

5-7 Refusal to Vote in Committee. Any Committee member present at a meeting of his assigned standing committee who refuses to vote when the ayes and noes are called and who does not declare a conflict or is not excused from voting on the questions shall be placed on record as an affirmative vote. [Ref; Mason's § 515(a)]

6.0 General File and Committee of the Whole Procedures

6-1 Placed on General File. After a bill has been reported back to the House by its assigned committee and the standing committee report read to the body and entered in the journal, it shall be placed on general file.

6-2 Order of General File. Bills on the general file shall be considered in the following order: first, "Do Pass" bills; second, "Without Recommendation" bills; and third, "Do Not Pass" bills.

6-3 General Appropriations Bill - 24 Hour Rule. The general appropriations bill shall not be considered in committee of the whole until printed copies of the bill shall have been distributed to the members at least 24 hours prior to consideration. [Ref: Mason's §§ 1 to 29]

6-4 Motions in Committee of the Whole. After a bill has been read, it shall be in order for the standing committee chairman, or in his absence, a member of the standing committee:

(a) To move the committee recommendations on the bill and any standing committee amendments. He shall move for the adoption of these amendments and give an explanation of them. After that motion has been disposed of, the sponsor of the bill or any other member asked to do so, shall be given an opportunity to explain the measure. He may yield the floor to others who may offer further explanations, questions, or

(b) To move: (listed here in the order of descending precedence)

(i) To lay back on the general file without prejudice;

(ii) To re-refer or recommit;

(iii) To amend.

[Ref: Mason's §§ 155 to 161, 175 to 187, 683 to 691]

6-5 Motion to Rise and Report. A motion to rise and report by the Majority Floor Leader or his designee shall always be in order and shall take precedence over any other motion.

6-6 House Rules Apply, Exceptions. The rules of the House shall be observed in the committee of the whole, except that:

(a) There shall be no limit to the number of times that a member may speak on the same question.

(b) The ayes and noes shall not be taken unless the original motion made for passage of a given bill, following a vote by division, has failed in the committee of the whole. At that time, the ayes and noes shall be taken and entered in the committee of the whole report. The result of the roll call vote shall determine the action of the committee of the whole. If, after a roll call vote, the bill fails to pass Committee of the Whole, the bill is deemed to be indefinitely postponed. Except as provided in this

subsection, the motion to indefinitely postpone shall not be in order during Committee of the Whole.

(c) The following motions are not allowed:

- (i) The previous question;
- (ii) Call of the house;
- (iii) Lay on the table;
- (iv) Adjourn;
- (v) Reconsideration.

6-7 Chair May Vote. The chairman of the committee of the whole shall be entitled to vote on any matter under consideration before the committee. [Ref: Mason's § 582]

7.0 Floor Action on Bills

7-1 Three Readings. Every bill shall receive three separate readings, previous to its being passed, and the Speaker shall give notice whether it be the first, second or third, which readings shall be on three separate days, unless the House otherwise directs by a two-thirds vote. [Ref: Mason's §§ 720 to 722]

7-2 First Reading by Title. First reading shall be by title and sponsors' names only. [Ref: Mason's § 733]

7-3 Laying Back a Bill. Absent objection sustained by a majority of those present, a bill scheduled for second or third reading may be laid back for an additional day.

7-4 Second Reading. After the committee of the whole consideration and "Do Pass" recommendation has been adopted by the House, the bill shall be read a second time on the next legislative day unless laid back under House Rule 7-3. [Ref: Mason's § 734]

7-5 Reading of Title Only. Second reading shall be by catch title only.

7-6 Question on Second Reading. The final question on the second reading of every bill shall be: "Shall the bill be read a third time?" Unless objections are made, the Speaker shall so order. [Ref: Mason's § 734]

7-7 Acceleration to Third Reading (One Day Saving).

- (a) The majority floor leader in consultation with the minority floor leader may endorse a list of bills which have passed the Committee of the Whole, are unlikely to be further amended and are likely to pass the House, to be accelerated to Third Reading on the day the bills are considered on Second Reading. The Chief Clerk shall show those bills on the Second Reading calendar with an "X" before the bill number or other designator determined by the Chief Clerk.
- (b) At the conclusion of Second Reading, the majority floor leader shall move that the rules be suspended with respect to those bills designated under paragraph (a) of this rule and that those bills be immediately considered on Third Reading and final passage.
- (c) If any legislator objects to the inclusion of a bill on the list for acceleration to Third Reading prior to the vote on a motion under paragraph (b) of this rule, it shall be removed.
- (d) A motion made under paragraph (b) of this rule requires the same affirmative vote as is necessary to suspend the rules. If the motion passes, the House shall immediately proceed to Third Reading and final passage on each bill on the list with a separate roll call vote for each bill. If the motion fails, the bills shall be placed on Third Reading on the next legislative day.

7-8 Uncontested Bills.

- (a) An uncontested bill is any bill passed by the committee of the whole and endorsed as such by the floor leaders of both majority and minority parties.
- (b) The chief clerk shall show such bills on the third reading calendar "Consent List".
- (c) Any member may request at any time prior to the question on third reading that a bill be removed from the consent list and placed on regular third reading.

(d) At that order of business "Third Reading", the majority floor leader shall move for consideration of all consent list bills. A roll call vote shall be taken and the results applied to each bill on the list except that opportunity shall be made for any member to request a redesignation of his vote on any bill on the list according to procedures shown in the Manual.

[Ref: Mason's §§ 1 to 25, 257 to 269, 537]

7-9 Third Reading. The bill shall be read a third time on the next legislative working day after passing the second reading unless laid back under House Rule 7-3. It shall be read by bill number, catch title, sponsor and enacting clause only.

7-10 Question on Third Reading. Upon the conclusion of the third reading, the Speaker shall put the question "The bill (naming it by number) having been read three separate times, the question is shall the bill pass? Please call the roll." The ayes and noes shall be taken. After the question has been put no motion shall be in order until the roll call is completed and the vote announced. [Ref: Mason's §§ 130 to 133, 523, 530]

7-11 Engrossing After Third Reading. When a bill has passed third reading in the House of Representatives with amendments, it shall first be delivered to the Legislative Service Office to be engrossed with all adopted amendments before the bill is forwarded to the Senate for action. A bill delivered to and in the possession of the Legislative Service Office for engrossing shall not be recalled for further action by the House without the consent of the Senate.

8.0 Debate

8-1 Speaking Limit. Except as provided by House Rule 6-6(a), no member shall speak more than once to the exclusion of other members who have not spoken, nor more than twice to the same question on the same day without leave of the House. [Ref: Mason's § 102]

8-2 Obtaining the Floor. Any member about to speak shall rise and respectfully address the presiding officer. When recognized, the member shall confine his comments to the

question under consideration and avoid personalities. When finished, the member shall be seated. [Ref: Mason's §§ 90 to 96, 114]

- 8-3 Point of Order, Time Limit. Any member raising a point of order may be allowed five minutes in which to state his opinion. [Ref: Mason's §§ 240 to 246]
- 8-4 Appeals. A vote of the majority of the members present shall be sufficient to sustain an appeal from the decision of the presiding officer. [Ref: Mason's §§ 230 to 235]
- 8-5 Protest Against Action of House. It is in order for any member or members to protest against the action of the House and have the protest entered briefly in the journal. [Ref: Mason's §§ 293 to 300]
- 8-6 Distribution of Printed Matter. No outside printed material shall be distributed on the floor of the House unless it is identified as to its source and authorized by a member of the house or by the chief clerk.
- 8-7 Use of Props During Debate. No chart, display, projected image, sample substance, prop or other demonstration aid or device shall be employed during debate in committee of the whole, second or third reading without the express approval of the Speaker of the House obtained in advance of the commencement of committee of the whole or the applicable reading. This provision shall not prevent reference during debate to printed materials distributed in accordance with house rule 8-6.
- 8-8 May Call for Reading of Papers. When the reading of a paper is called for, it shall be read, unless the same is objected to by some member, in which case the question shall be determined by a majority vote of the House and without debate or amendment. [Ref: Mason's § 112]

9.0 Decorum of Members

- 9-1 Call to Order While Speaking. When a member is interrupted and called to order by the presiding officer for digressing from the question, exceeding a time limit, using improper language, speaking without recognition by the chair or wrongfully excluding others who wish to speak, he shall cease speaking and be seated at once until it is determined whether he is in order, except he may be permitted to

explain his position when asked to do so. [Ref: Mason's §§ 120 to 126]

- 9-2 Explain Personal Matter. Any member may rise and be recognized to explain a personal matter but shall not discuss a question in such explanation nor speak more than five minutes on the matter. [Ref: Mason's §§ 222 to 226]

10.0 Motions

- 10-1 Seconding Motions. Unless otherwise required in these rules, no motion shall require a second. [Ref: Mason's §§ 157, 162]

- 10-2 Withdrawal of Motion. If no member objects, any motion under consideration may be withdrawn by the mover at any time before a decision, amendment or ordering of the ayes and noes. [Ref: Mason's §§ 272 to 276]

- 10-3 Precedence of Motions. When a question is being debated, no motion shall be received, except the following, which shall have precedence as listed:

Undebatable

- (a) To adjourn
- (b) To lay on the table
- (c) To call for previous question

Debatable

- (d) To postpone to a certain date
- (e) To commit or refer
- (f) To amend
- (g) To postpone indefinitely
- (h) The question, or main motion

[Ref: Mason's §§ 155 to 165, 175 to 187, 578]

- 10-4 The Main Motion. The main motion is debatable, can be amended and usually takes precedence over nothing. The usual form is to adopt, to pass, to approve, to concur, to elect or, in the negative of the above, which then takes lower precedence. [Ref: Mason's §§ 440 to 443]

- 10-5 Motion to Adjourn. The motion to adjourn is not debatable, cannot be amended and is always in order except:

- (a) When another has the floor;
- (b) During a roll call;

- (c) During a call of the House;
- (d) During the committee of the whole.

[Ref: Mason's §§ 200 to 210]

10-6 Motion to Lay on the Table. The motion to lay on the table is not debatable, cannot be amended and is adopted by a majority vote of the members present. A motion to table takes the question and everything subsidiary to it to the table. A motion to table an amendment does not take the bill. The motion to reconsider and the previous question shall not be subject to a motion to lay on the table. [Ref: Mason's §§ 330 to 341]

10-7 Motion to Postpone to a Certain Date. The motion to postpone to a certain date or time is debatable, can be amended and is adopted by a majority of the members present. The motion can be applied only to main motions. [Ref: Mason's §§ 365 to 374]

10-8 Motion to Postpone Indefinitely. The motion to postpone indefinitely is debatable, cannot be amended, takes precedence over nothing but the main question which is then open to debate, and is adopted by a majority of the elected members. Adoption of the motion prevents further session. [Ref: Mason's §§ 430 to 436]

10-9 Motion to Commit or Refer. The motion to commit or refer is debatable, can be amended and is adopted by a majority of the members present. The motion can be applied to main motions only. [Ref: Mason's §§ 378 to 390]

10-10 Motion to Concur. With respect to consideration of requests by the Senate for House concurrence with Senate amendments to House Bills and of joint conference committee reports, only the motion to concur shall be in order.

11.0 Amendments

11-1 When Bill May be Amended. No bill shall be amended until after it has been considered in a standing committee or committee of the whole.

11-2 Amendment to be in Writing. Except for technical corrections to an amendment offered during floor debate, the House shall take no action on any proposed amendment until the amendment has been reduced to writing, approved

by the House attorney and distributed to the members of the House.

11-3 Amendment to Budget Bill. Except as provided by House Rule 6-6(b), only after a voice vote in which the ayes have prevailed, the ayes and noes shall be taken on the motion to adopt any amendment to a mirror budget bill which directly increases or decreases an appropriation by a specific dollar amount.

11-4 Amendments in General.

(a) The motion to amend is debatable, can be amended and is adopted by a majority of the members present. [Ref: Mason's §§ 395 to 420]

(b) The motion can be applied to any motion that could be stated in a different form.

(c) "Amendment to an amendment" cannot be amended. [Ref: Mason's § 408]

(d) An amendment which is defeated shall not again be in order on the same day. [Ref: Mason's § 161]

(e) Amendments shall be in written form when submitted. [Ref: Mason's § 400]

(f) Amendments shall be filed with the chief clerk who arranges them in order for consideration by the chair at the proper time.

(g) Amendments must be germane to the subject of the main motion. [Ref: Mason's § 402]

11-5 Division of the Question. Any member may call for a division of the question if a motion relating to a certain subject contains several parts, each of which is capable of standing as a complete proposition if the others are removed. It can be divided into two or more propositions to be voted on as distinct questions. The member calling for a division of the question shall clearly state how the question is to be divided. A motion to strike out and insert is indivisible. [Ref: Mason's §§ 310 to 316]

11-6 Distribution of Amendments. Upon approval of the text of an amendment by the sponsor, the amendment will be

numbered, distributed to the members of the House and released to the public as soon as reasonably practicable.

12.0 Voting

12-1 Voting Requirements. Every member within the bar of the House shall vote when the question is put, unless he is excused according to House Rule 3-2 or House Rule 12-3. [Ref: Mason's §§ 521, 522]

12-2 Present Within the Bar. Any member present within the bar of the House who refuses to vote when the ayes and noes are called for entry in the journal and who is not excused from voting on the question shall be placed on record as an affirmative vote. [Ref: Mason's § 515]

12-3 Time of Declaring Personal or Private Interest.

- (a) A member who has a personal or private interest in any bill proposed or pending before the legislature shall disclose the fact to the house members at the time of initial consideration during committee of the whole or at the first time the conflict becomes apparent to the declarer, or at the time of introduction during the budget session and shall not vote thereon.
- (b) On general appropriation and recodification bills a member who has declared a conflict of interest on a section or an amendment to a section shall not vote on that section, but may vote on the entire bill.
- (c) Disclosure of a conflict of interest shall be entered in the journal at the time it is made. If the member later makes a declaration of no conflict of interest in the matter, prompt entry of that declaration shall be made in the journal.
- (d) As used in this section "personal or private interest" means the member shall receive or incur a direct financial gain or loss if the measure or bill is enacted. "Personal or private interest" does not include a financial gain or loss which shall be received or incurred by a member if the gain or loss shall also be received or incurred by a substantial class of persons.

- (e) If a member is uncertain whether his interest in a bill is such as to require him to abstain from voting, he may request a ruling from the rules committee. When a request for a ruling is made, the rules committee shall make such inquiry as it deems necessary and shall recommend by majority vote whether the member should or should not vote on the bill in question.

[Ref: Mason's § 522]

12-4 Call for Ayes and Noes.

- (a) When a question is about to be taken, it shall be in order for any two members to call for the recording of the ayes and noes for entry in the journal and the names of the members shall be called in alphabetical order.
- (b) Except as provided by House Rule 6-6(b), only after a voice vote in which the ayes have prevailed, the ayes and noes shall be taken on the motion to adopt any amendment to a mirror budget bill which directly increases or decreases an appropriation by a specific dollar amount.

12-5 Interruption of Voting Prohibited. When the ayes and noes are being taken, the call shall not be interrupted for any purpose whatsoever and members shall answer the call from their seats, if possible. [Ref: Mason's § 121.3]

12-6 Vote Changing. Any member may change his vote on a roll call of ayes and noes only after the call is completed and only before the announcement that the vote is closed. [Ref: Mason's § 535.6]

12-7 Vote Explanation. Immediately after the vote on any question has been announced and at no other time, any member may explain his vote. [Ref: Mason's §528]

12-8 Presiding Officer May Vote. The presiding officer shall be entitled to vote on any matter under consideration.

12-9 The Previous Question. Any member may move the previous question, and if it is seconded by three other members, the previous question shall be put in this form: "The previous question is demanded". The object of this motion is to

bring the House to a vote on the pending question without further discussion. (The motion is carried with an affirmative vote by two-thirds of the elected membership.) If the motion fails, the discussion may proceed the same as if the motion had not been made; if carried, all debate on the main question or on the amendment to the main question as may be specified by the member offering the motion shall cease and the presiding officer shall immediately put the question to vote without debate or further amendment. A motion to adjourn and a call of the House shall each be in order after the "previous question" has been sustained, and before the main question is put. No other motion or call shall be in order, except to receive the report of the Sergeant-at-Arms, or to dispense with the proceedings under the call and all motions and proceedings authorized by this rule shall be decided without debate whether on appeal or otherwise. [Ref: Mason's §§ 345 to 361]

12-10 Call for Division. It shall be in order for any member or the presiding officer to order a vote by division to verify a voice vote. Should there be doubt about the voice vote, the motion from the floor is simply to call "Division" immediately before or after the announcement of the vote. When the call is made, the presiding officer orders a standing vote, first the ayes and then the noes. [Ref: Mason's § 533]

12-11 Reconsideration of the Vote.

- (a) When a roll call vote on an action (other than on procedural motions and on introduction of other than budget bills during budget sessions) has been taken, any member who voted on the prevailing side may give notice of the intention to move for reconsideration of the vote. Procedural motions include: to adjourn, lay on the table, previous question, postpone to a certain date, refer, suspend the rules, reconsider the vote, recess and withdraw.
- (b) The motion or the notice may be made only when the subject of the vote is in the control of the House.
- (c) Notice of intention to move for reconsideration of the vote shall specify a time on the next legislative day for making the motion. During the last 10 legislative working days of the session, votes on motions to reconsider shall be taken no later than the last item

of business on the day of the original vote. When such notice is made, the bill shall not be taken from the House. Once notice is given, a motion for earlier reconsideration is out of order. The notice shall be entered in the journal and shown on the calendar and action sheet.

- (d) The motion to reconsider shall take precedence over all motions except to adjourn.
- (e) The motion cannot be debated or amended and when disposed of, cannot be renewed. It is adopted or rejected by a simple majority vote regardless of the vote required to pass the original question.
- (f) On adoption of the motion, the original question is in exactly the same condition as it was when the vote being reconsidered was originally ordered which means no discussion, debate or amendment is allowed on the question and the presiding officer shall put the original question exactly as was done for the original vote.
- (g) The motion shall not be made in committee of the whole.

[Ref: Mason's §§ 450 to 473]

12-12 Call of the House. A call of the House shall be ordered only upon demand of five members, one making the motion and four others seconding the same by rising. The motion shall state the purpose of the call and the proceedings to be considered under the call. Upon a call of the House, the names of the members shall be called and the absentees noted and the names of the absentees shall again be called. The doors shall then be shut and those not excused under the provisions of Rule 3-2 or not excused by the member making the motion may, by order of those present, be taken into custody as they appear, or may be sent for and taken into custody by the sergeant-at-arms wherever to be found, or by a special messenger, to be appointed for that purpose. A call shall not be made in a committee. A call of the House is terminated by completion of the proceedings under the call as listed in the original motion or the motion to terminate a call of the House which shall be made by the person who demanded the call. The motion to adjourn

shall not be in order during a call of the House. [Ref: Mason's §§ 190 to 197]

13.0 Rules for the Budget Session

13-1 In General. For the introduction of any bill (other than the budget bill or a bill to apportion the legislature), the following procedure will be followed:

- (a) All bills shall be printed and distributed to all members, or posted on the legislative website with written notice of posting distributed to all members, at least 12 hours prior to consideration, except that bills sponsored by the joint interim committees may be considered on the opening day of the session;
- (b) The prime sponsor, or his designee, will be granted two minutes to address the body as to the need and timeliness of his (or her) particular bill;
- (c) A one minute rebuttal is allowed to a member who is in opposition to introduction of the bill. No more than two minutes will be granted for rebuttals. The prime sponsor, or his designee, will have thirty seconds to give the final response to the rebuttal;
- (d) Upon approval of two-thirds of the elected members by a roll call vote a bill will be accepted by the body and assigned by the Speaker to the appropriate committee.

13-2 Introduction Deadline. For the introduction of any bill, other than the budget bill, the following will apply:

- (a) No bill will be accepted for consideration except by consent of two-thirds of the house membership after twelve o'clock noon of the third legislative day of the session. (Bills that have been signed, submitted and accepted by the Legislative Service Office prior to the twelve noon cutoff date for consideration of bills but are still at the printer's office will be considered as being within the cutoff deadline. Such a list of bills will be delivered by the Legislative Service Office to the Speaker at the cutoff hour.)
- (b) No bill shall be considered for introduction after six o'clock p.m. (6:00 p.m.) the fifth legislative day of

the session except by consent of two-thirds of the membership.

13-3 Limit on Sponsorship. No member shall sponsor more than five (5) bills in any Budget Session. This limitation shall not apply to joint interim committees, the Management Audit Committee, the Management Council, the Select Water committee and any other Committee designated by the Management Council.

13-4 Administering Bill Sponsorship Limit. For the purpose of administering House Rule 13-3 which limits the number of bills which a member may sponsor, the following shall apply:

- (a) There shall be no limit on the number of bill drafts which a member may request be drafted by the Legislative Service Office;
- (b) The Legislative Service Office shall assign a bill number and jacket for introduction bill drafts in the order that the sponsor approves and submits the drafts for final processing;
- (c) The Legislative Service Office shall immediately advise the member when that member has approved and submitted bill drafts for introduction in an amount equal to the limit prescribed by the applicable rule. If the member thereafter submits an approval for an additional bill draft for final processing so as to be assigned a bill number and jacketed, the Legislative Service Office shall not process the bill further unless the member withdraws a bill that the member previously approved and submitted for sponsorship. For the purpose of this paragraph, a member withdraws a bill previously approved and submitted for sponsorship by:
 - (i) If the session has not convened, directing the Legislative Service Office to cancel the previously approved bill;
 - (ii) If the session has convened, submitting the jacket of the bill to be cancelled to the Chief Clerk with a written and signed notation on the jacket to cancel the bill.
- (d) If the legislator wishes to request that the rule on limits be suspended for the purpose of introducing a bill in excess of the number authorized, the member

shall have the bill draft as prepared by the Legislative Service Office distributed to the membership and then make the motion to suspend the rules. If the motion passes, the Legislative Service Office shall immediately jacket the bill, assign it a number and submit it to the Chief Clerk.

13-5 Budget Session Consent List. Notwithstanding Rule 13-1, the Speaker in consultation with the minority floor leader may propose a Consent List of bills to be voted upon for introduction under the following procedure:

(a) The Speaker shall distribute the proposed Consent List to all members at least 24 hours prior to consideration. No bill shall be included on the Consent List unless the bill has been printed and distributed to all members before the proposed Consent List is distributed. No bill shall be added to the Consent List without the approval of the Speaker.

(b) Subject to subsection (a) of this rule, and at the appropriate order of business, the majority floor leader shall move the Consent List. No debate shall be had on the Consent List, but any member may remove any bill from the Consent List upon request before the vote. A roll call vote shall be taken and the results applied to each bill on the list except that opportunity shall be made for any member to request a redesignation of his vote on any bill on the list before the Chief Clerk announces the vote.

13-6 Schedule of Bills for Introduction Vote. To the extent practicable, a tentative list of bills to be considered for introduction vote will be posted on the Legislative website or otherwise made available to the public at the time the list is provided to members of the House. The list will clearly note that the list is tentative only and is subject to last minute additions, deletions and changes in the order of bill consideration.

14.0 House Journal and Records

14-1 Journal Committee Duties. The journal committee shall meet each day prior to the opening of the session for the purpose of examining the House journal and making recommendations thereto in the form of a written report to the House. [Ref: Mason's §§ 694 to 703]

14-2 Reading of Journal. The journal shall be read in full or in specific parts if so moved by one member and approved by a majority of members present. [Ref: Mason's § 696]

14-3 Journal Entries. Journal entries shall show:

- (a) Each successive step relative to every bill, shown by number and title only, from introduction into the House up to and including final disposition including all proposed amendments and action on them except in the committee of the whole.
- (b) The full bill title shall be shown in the journal at time of bill introduction and when the bill is next shown in the journal after the title has been amended. All other reference to the bill shall be shown by number and catch line title only.
- (c) Messages from the Governor and the Senate.
- (d) A true and accurate account of the proceedings and roll calls of the House.

[Ref: Mason's §§ 694 to 697]

14-4 Expunge from the Journal. In the rare instance when it is desirable to express strong disapproval of matter in the journal, a member may move that it be expunged. The motion must be carried by the affirmative vote of two-thirds of the elected membership. When matter is ordered expunged from the record, the clerk shall have a line drawn through the matter and writing across each line "Expunged by order of the House membership". Each line must be dated. The expunged matter must not be blotted as to be unreadable as otherwise it would be impossible to determine whether more was expunged than was ordered. If the matter to be expunged relates to a bill or file, it must be ordered while the bill or file is in the possession of the House and must relate to action previously taken by the House on the bill or file. [Ref: Mason's § 444]

14-5 Proceedings to be Recorded.

- (a) The proceedings of the House shall be electronically recorded to the extent practicable. The legislative service office shall retain all recordings made during

the session and then transfer them to the secretary of state not later than the beginning of the second business day for the office of the secretary of state following the date on which the session adjourned. Upon transfer to the secretary of state, the recordings shall become a public record; however, the contents of any recording made under this rule shall not be construed to supersede the Journal.

- (b) To the extent practicable, the proceedings of the House shall be broadcast over the internet via RealAudio or similar capability. Contents of any audio broadcast of proceedings under this rule shall not be construed to supercede the Journal. Failure of audio broadcast capability under this rule shall not delay the proceedings of the House.

15.0 Maintaining Public Order in the House

15-1 Persons Admitted Within Bar of House.

- (a) No person shall be admitted within the bar of the House except members or ex-members of the House, members of the Senate, employees of the House and Senate, state officers, those specifically invited by House members individually and those authorized by a majority of the members elected to the House. Members of the news media shall be allowed at a table or area designated for them and shall obtain access thereto through the nearest door. The Speaker shall have the House cleared of all persons except members and employees when requested by a majority of the members of the House. Except for members, no other person shall engage in influencing the passage or defeat of legislation in the House chambers. [Ref: Mason's § 705]
- (b) No ex-member of the House who is currently registered as a lobbyist with the secretary of state shall be granted privilege of the floor while the House is in session to address members of the House on any issue.

15-2 Disturbances. The presiding officer shall direct any force needed to remove any and all persons who are in the galleries, rooms, hallways, stairways, entrances or grounds near the House chambers who in any way hinder the orderly progress of the House of Representatives.

- 15-3 Smoking Prohibited. Smoking shall not be permitted in the House chamber or in the seating area on the floor of the House while the House is in session. However, cuspidors shall be provided for those members desiring same.
- 15-4 House Lounge. The House legislative lounge room is for legislators, legislative staff and legislators' guests only.
- 15-5 Cell Phone Usage. Members shall not conduct a verbal conversation on a cellular telephone or similar device on the floor of the House chamber while the House is in session.