

SENATE RULES OF ORDER



When reviewing this document, please keep in mind that a similar government simulation in our region has allowed us to use their documents and materials. Certain sections have been omitted since they are obsolete in our simulation.

DEBATE CHEAT SHEET

After you are recognized, thank the presiding officer (Mr. or Madame President) and then say your name and state. Then proceed to state your intent.

If you want to ask more than one question, you say, "Will the proponent yield to a series?"

If you want to ask one question, you say, "Will the proponent yield to a question?"

If you want to talk about the bill or Amendment without asking questions, you say, "I would like to speak in favor of this (bill/amendment) ..." or "I would like to speak out against this (bill/amendment) ..."

If you have changes you want to make to a bill, you say, "I would like to propose an amendment..." State your changes and be specific about what language you are striking or adding.

If you want to speak about another speaker's comments, you say, "In reference to a previous speaker..."

If you think that debate should end, you say, "Motion for previous question."

If someone forgets to say their name, state, or intent, you may interrupt them by calling out "Point of Order."

If you think a vote is close, before the Chair gives the verdict, you call out "Division!"

Amending a bill

During committee session (or in the 8th grade senate), you can propose an amendment on another person's bill. When proposing an amendment, be specific on what line the text is located in and the exact wording you want to use. Your proposed amendment must receive a second, then you get opening comments. There is debate on your amendment only, then closing comments then voting. If your amendment passes by a simple majority vote, the language you proposed is added to the bill and the original proponent of the bill resumes debate.

It shall be the general policy that time spent debating amendments shall be consumed from the debate time allotted to the bill in question - in the case of non-friendly amendments, it will be up to the discretion of the Chair.

Tabling a bill

If a bill needs to be debated later because the proponent isn't available, or the bill is missing, you can make the motion to "lay a bill on the table." This is a non-debatable motion and requires a majority vote.

Removing a bill from the table

This motion is valid only if a bill has been previously tabled and is seconded by a voting member of the body. This is a non-debatable motion and requires a majority vote.

To postpone indefinitely

A motion used to not hear a bill on the floor. This motion is only made prior to hearing a bill and requires a second. This motion is debatable and requires a majority vote. If this motion passes, the bill may not be heard at all.

To rescind

This motion is used to take back the passage of a bill adopted earlier by the body. This motion must be made by a member who originally voted in favor

of it and is not in order after the Governor has taken action. This motion is debatable and must have a majority vote.

To call for orders of the day

A motion made by a member of the body asking for the reading of the docket (or the order in which bills will be heard). This motion is not debatable, doesn't require a second and doesn't require a vote. This motion can be done at any time, even during debate.

To call for the previous question

A motion the body votes to end debate, and to proceed immediately to closing remarks, followed by a vote on the bill. This motion requires a 2/3 majority vote.

To raise a question of privilege

A motion made by a member of the body to correct any injustice that affects the proceedings of the body or its integrity. Similar to Point of Order, it is up to the presiding officer to rule on its validity. If the presiding officer deems it valid, all business stops until the issue is resolved.

To limit debate time

Any member of the body can shorten debate time. This motion is only valid in between debate of bills. Please be specific on the amount of time you are shortening debate to: opening/closing comments, personal debate and overall debate time. This motion does require a second and is debatable. This motion does require a 2/3 majority vote for passage. Once passed, debate time cannot be lengthened.

To ask for the reading of the paper

This is a motion to have the Reading Clerk read the bill currently being considered in its entirety to the body. This motion does require a second, is not debatable and requires a majority vote.

To appeal the decision of the chair

A motion made to overturn a ruling of a presiding officer. This motion must be made immediately following the decision of the Chair and applies only to points of order.

Spoken form: *"I appeal the decision of the Chair."*

Chair's response: *"Do one tenth of the members agree to the request for appeal? If so, please rise."*

If 10% rise, the maker of the motion is allowed three minutes to speak in favor of the appeal, followed by one spokesperson against also for three minutes.

Chair: *"Shall the decision of the Chair stand as the decision of the House/Senate?"*

The question is then voted upon. If there are a majority of "ayes" or the vote is a tie the decision of the Chair is sustained. If the "nays" hold a majority the Chair's decision is reversed. If the ruling of the chair applied to a motion that required a two-thirds majority, a motion to appeal the decision of the chair shall also require a two-thirds majority.

The following motions will not be entertained for any reason:

- The rules nor adopt any other parliamentary model to supersede the rules of order
- To reconsider
- To proceed under committee of the whole
- To do business under the call of the Senate/House
- To impeach

Only use these motions when necessary. Avoid being "that person" who thinks that it is funny to ask for the reading of the paper when every bill is introduced. Or to call for previous question once debate on a bill has begun.

Remember that debate is a privilege and not a right. The presiding officer does not need to call on you if you abuse your power.

OUTLINE OF PARLIAMENTARY MOTIONS

	Second?	Amendable?	Debatable?	Vote	Interrupt Speaker
<u>Privileged Motions (in order of precedence)</u>					
To call for the orders of the day	No	No	No	None	Yes
To adjourn	Yes	No	No	Maj.	No
To adjourn to a certain time	Yes	Yes	Limited	Maj.	No
To recess	Yes	Yes	No	Maj.	No
To demand a division	No	No	No	Maj.	Yes
To raise a question of privilege	No	No	No	*	Yes
<u>Subsidiary Motions (in order of precedence)</u>					
To object to consideration	No	No	No	2/3	Yes
To lay on the table	Yes	No	No	Maj.	No
To call for the previous question	Yes	No	No	2/3	No
To postpone indefinitely	Yes	No	Yes	Maj.	No
To postpone to a definite time	Yes	Yes	Yes	Maj.	No
To refer to committee	Yes	Yes	Yes	Maj.	No
To amend	Yes	Yes	**	Maj.	No
<u>Principal Motions (no precedence)</u>					
To consider a bill, memorial, or resolution	Yes	Yes	Yes	Maj.	No
To take from the table	Yes	No	No	Maj.	No
To rescind	Yes	Yes	Yes	2/3	No
To limit debate	Yes	Yes	No	2/3	No
<u>Incidental Motions (no precedence)</u>					
Points of order	No	No	No	*	Yes
To appeal the decision of the chair	No	No	**	2/3	Yes
To withdraw a motion	No	No	No	Maj.	No
To ask for the reading of a paper	Yes	No	No	Maj.	No

- Requires only the presiding officer's decision; majority vote if appealed from the chair
- Debatable only when the motion to which it was applied was debatable

The Parliamentary Motions above have been adapted from Reed's Parliamentary Rules to ensure a uniform understanding and practice in the Senate, House, and all legislative committees. If issues arise which are not specifically resolved above, consult the full Rules of Order.

COMMITTEE SESSIONS

1. The primary purpose of the committee sessions is to consider all bills. Each committee's assigned bills focus on a designated subject area.
2. Public Hearing
 - a. The Chair shall establish the order in which the bills will be heard in committee prior to the session convening, which order the committee shall approve as its first order of business.
 - b. The Committee may adopt a less formal method of debate in order to facilitate in-depth discussion of the bills. However, all amendments and motions must be moved and voted upon according to formal rules of order.
 - c. All amendments, except for amendments suggested by an Attorney General, will be made in committee. They will be written and submitted on the provided amendment forms. Minor amendments will be written in committee. Major amendments will be taken by the bill's proponent(s) to the Code Reviser's Office for official composition and revision. They must be signed by the sponsor, Chair or Vice Chair, and Committee Advisor.
 - d. Similar bills may be combined by amendment, and the cosponsors given equal credit.
 - e. After a bill has been given consideration, the committee shall vote upon it.

FLOOR SESSIONS AND PARLIAMENTARY RULES

1. Order of Business
 - a. Call to order by the Presiding Officer
 - b. Roll call and announcement of the presence of a quorum by the Reading Clerk
 - c. Presentation of colors and flag salute by the Sergeant-At Arms
 - d. Invocation by the Chaplain
 - e. Consideration of bills in chamber of origin:
 - i. Announcement of bill number by Reading Clerk
 - ii. Reading of amendments - Reading Clerk, questions to Chair or Vice Chair
 - iii. Request for a proponent(s) for the bill by Presiding Officer
 - iv. Debate on final passage of the bill - 20 minutes includes opening and closing remarks by proponent(s) and all debate
 - v. Vote on final passage of the bill

2. Decorum

- a. When a member wishes to speak, he or she shall so indicate and wait for recognition from the presiding officer. The member shall then address the presiding officer as Mr./Madame/Honorable President in the Senate or Mr./Madame/Honorable Speaker in the House.
- b. Members shall speak only to the issues, avoiding personal attacks and not mentioning the proceedings of the other chamber.
- c. Members will respectfully listen to all debate and avoid private conversations with other members on the floor.
- d. No members, officers, pages or other persons shall cross between the member having the floor and the presiding officer.
- e. No member may leave the chamber for longer than 15 minutes except when excused by the presiding officer.

3. Rules of Debate

- a. Once the calendar has been set, it cannot be changed except by a majority vote to consider a vetoed bill, or to consider a bill that has been erroneously omitted from the docket (this consideration occurs only by a motion from the Chair or Vice Chair from the omitted bill's committee). All bills from the opposite house will be considered in the order received. By a majority vote, a house may take up the calendar of bills from the other house temporarily, in a manner specified by the motion's proponent (example: 1 Senate bill for every 2 House). After an arranged time, only bills from the opposite house may be considered.
- b. The first reading of a bill shall be considered publication of the bill in the bill book.
- c. The presiding officer shall have the Reading Clerk read the bill number, sponsors, and the first and last line of the bill to be considered. The presiding officer shall then announce that the bill is on second reading and ask the Reading Clerk to read any amendments. The presiding officer shall then ask the committee Chair or Vice chair to explain the amendments. Reading the amendments shall constitute passage of the committee amendments. The presiding officer shall then announce that the bill is on Third Reading and request a proponent for the bill. The clerk in charge of the lower rostrum shall ensure that debate does not proceed unless the rostrum is in possession of the official bill copy with an accurate cover sheet attached.
- d. The proponent shall have the right to open and close the debate on the third reading and final passage of the bill. The bill's sponsor or designee shall be the proponent of the bill.
- e. No member other than the proponent may speak longer than the following time limits:
 - i. Opening remarks - three minutes
 - ii. Individual speakers - three minutes
 - iii. Closing remarks - three minutes
- f. The proponent may yield to a question or a series of questions, however the questioning and answering shall be considered part of the questioner's three-minute debate time. The questioner shall maintain

the floor until the three-minute debate time limit is reached. When the member is finished asking questions the same member may maintain the floor and speak for or against the issue until the three-minute debate time expires.

- g. Debate time limits may be shortened by the body by a two-thirds majority vote. If the body deems additional debate on a particular piece of legislation is warranted and necessary, and the time allotted for debate has expired with at least one fourth of the chamber's delegates still requesting recognition from the presiding officer, a motion may be made by a member of the body, only after total debate time has elapsed and prior to closing remarks. If the body passes this motion by a two-thirds majority vote, additional debate time for said legislation would be increased only once, not to exceed one-minute personal debate time and five minutes total debate time.
 - i. **Principal motions** are the new business considered by the body. All bills, memorials and resolutions must be introduced by principal motions, which have no precedence. All principal motions require the support of a second member, and while these motions cannot be amended, the bill they relate to can be amended in committee and under limited circumstances on the floor specified under I.C.6 and I.C.7.
 - 1. **To consider**- The introduction of legislation is accompanied by a motion to consider it. Bills placed on the calendar by the Rules Committee are considered automatically.
 - 2. **To take from the table**- Motion used to consider a previously tabled bill. This is the sole principal motion which is not subject to debate.
 - 3. **To rescind**- Motion used to revoke passage of a bill adopted earlier by the body. This motion must be made by a member who originally voted for the bill and is not in order after the Governor has taken action.
 - 4. **To limit debate**- Motion used to limit debate time on all subsequent bills (consistent with IV.E.3.g.)
 - ii. **Subsidiary motions** modify or advance the business of the body, and as a consequence relate solely to the individual bill in question. Subsidiary motions must be resolved before the motion to which they refer can be considered.
 - 1. **To object to consideration**- Motion to deny consideration of a bill. This is not in order once debate has started. Bills stricken from the docket in this manner must be reintroduced under a "motion to consider" in order to be heard.
 - 2. **To lay on the table**- Motion to remove a bill from the calendar by postponing debate indefinitely on the measure. The bill can be reconsidered by moving to take the bill from the table.

3. **To call for the previous question**- Motion to end debate, and to proceed immediately to closing remarks, followed by a vote on the bill.
 4. **To postpone**- Motion to delay debate on a bill for any specified period of time. If the initial motion is to postpone debate indefinitely, the motion cannot be amended.
 5. **To amend**- Motion to change the content of a bill. On the floor of the Senate, House, and Freshman Chamber(s), this motion can only be made after its content has been formally suggested by an Attorney General. (See I.C.7 and I.C.8.).
- iii. **Incidental motions** arise out of questions that already exist. These motions take precedence over principal and subsidiary motions.
1. **Points of order**- General motion to challenge the actions of the presiding officer in relation to the rules of order. In practice, this motion is a reminder to the chair to adhere to the rules. Should the presiding officer rule against the motion, a motion to appeal the decision of the chair requires a majority vote to pass.
 2. **To appeal the decision of the Chair**- Motion to overturn any ruling made by the presiding officer.
 3. **To withdraw a motion**- Motion to end consideration of a pending motion made by the same member. While this motion can be applied to any motion, in practice it is only used by proponents as a mechanism to end consideration of their own bill, particularly in cases when bills are combined in committee.
 4. **To ask for the reading of a paper**- Motion to have the Reading Clerk read aloud the whole text of the bill currently being considered by the body, including any amendments.
- iv. **Privileged motions** are of the highest rank and priority.
1. **To call for the orders of the day**- Motion to have the Reading Clerk read aloud the calendar of bills about to come before the body.
 2. **To adjourn Sine Die**- Motion to conclude the legislative session for the year.
 3. **To adjourn to a certain time**- Motion to end the session for a finite period of time, generally for the day.
 4. **To recess**- Motion calling for an intermission in the session, usually for lunch. A roll call is not required after a recess but may be taken at the presiding officer's discretion.
 5. **To call a division**- Motion calling for a thorough accounting of a vote. On the floor of the House and Senate this necessitates that members stand and count off.

6. **To raise a question of privilege-** This motion is raised as a device to correct any injustice that affects the proceedings of the body, its integrity collectively as well as the rights, reputation and conduct of individual members. Similar to the point of order motion, it is up to the presiding officer to rule on its validity, subject to majority vote if appealed. Once recognized as valid by the chair, the body sets aside ending business until the question of privilege is resolved. Actions by the body vary in accordance to the seriousness of the question. For example, disorder in the gallery would generally revoke a recess until the Sergeant-at-Arms has restored order. Likewise, disclosure that a member has been bribed would typically be resolved by the member being censured or expelled.
- h. Special provisions on debate
- i. The rules of order cannot be suspended. As a consequence, no action contrary to these rules may be undertaken without the unanimous consent of the body. The House and Senate shall never do business on the floor as the committee of the whole, nor adopt any other parliamentary model to supersede the rules of order.
 - ii. Between considerations of items on the calendar, all non-subsidiary motions are in order. During consideration of bills and other calendar items, all non-principal motions are in order.
 - iii. No amendments to bills shall be accepted from the floor, with the exception of amendments formally suggested by an Attorney General (see I.C.6 and I.C.7.)
 - iv. If a motion is amended, the amendment must be considered and resolved prior to resolution of the original motion. Should the amendment be agreed to, the motion, as amended, will then be considered. If the amendment fails, the motion will be considered in its original form. It shall be the general policy that time spent debating amendments shall be consumed from the debate time allotted to the bill in question - in the case of non-friendly amendments, it will be up to the discretion of the Chair.
- i. The following motions will not be entertained for any reason:
- i. To suspend the rules
 - ii. To reconsider
 - iii. To proceed under committee of the whole
 - iv. To do business under the call of the senate/house
 - v. To impeach
- j. When a question is under debate, no principal motions shall be received.
- k. The motion to postpone indefinitely shall not be heard twice on the same issue.

4. Voting

- a. All members present must vote. An abstention will be counted as a no vote. No member may leave the chamber while a vote is being taken.
- b. A quorum is fifty percent plus one member of the specified body. A quorum is assumed to be present unless challenged before the announcement of the result of the vote.
- c. No motion is in order while a vote is in progress.
- d. All votes shall be by raising a name card. If a division is demanded or the presiding officer is in doubt, a standing vote shall be taken.
- e. A majority is defined as any number over fifty percent of the members listed as present by the Reading Clerk or Assistant at the time that the motion being voted upon was made, provided that a quorum is present. For all bills, the time that the motion is made is the moment when the presiding officer places the bill on Third Reading and asks for the bill's proponent.
- f. There shall be no oral roll call votes.
- g. Legislators are prohibited from voting if they were not present for the entire debate on the bill in question. No legislator may enter the chamber once closing remarks have commenced until the conclusion of voting on final passage of that bill.
- h. Acts and Memorials require a simple majority vote to pass. Resolutions require a 2/3 majority vote to pass.

5. Spoken Forms for Some Motions, Questions, and Rulings

- a. Proper form for speaking on the floor at any time includes first being recognized, then to address the presiding officer
"Mr./Madam/Honorable President or Mr./Madam/Honorable Speaker". This is followed by any of the following forms (each addressed to the rostrum):
 - i. **To ask a question of the proponent:** *"Will the proponent yield to a question?"*
 - ii. **To ask more than one question:** *"Will the proponent yield to a series of questions?"*
 - iii. **To speak in support:** *"I wish to speak in favor of this bill."*
 - iv. **To speak negatively about a bill:** *"I wish to speak against this bill."*
 - v. **To yield the floor:** *"I wish to yield the floor to..."*
 - vi. **To refer to a comment made by another member:** *"In reference to the statement of Senator/Representative name, I wish to state... [follow with your point]"*
 - vii. **To make a motion:** *"I would like to move..." or "I move that..."*
 - viii. **To make an amendment:** *"I move to amend as follows..."*
 - ix. **To call for the previous question (end debate):** *"I call for the previous question." or "Previous question".*
- b. When calling for the vote, the presiding officer shall use these forms:
 - i. **For the affirmative vote:** *"Those in favor, please raise your name card."*
 - ii. **For the opposing vote:** *"Those opposed."*

- iii. If the presiding officer is in doubt, or if a division is called, the body shall divide as above, rising to represent the vote of either affirmative or opposed.
- c. Process for Appealing the Decision of the Chair: Appeal must be made immediately following the decision of the Chair and applies only to points of order.
 - i. **Spoken form:** *"I appeal the decision of the Chair."*
 - ii. **Chair's response:** *"Do one tenth of the members agree to the request for appeal? If so, please rise."*
 - iii. If 10% rise the maker of the motion is allowed three minutes to speak in favor of the appeal, followed by one spokesperson against also for three minutes.
 - iv. **Chair:** *"Shall the decision of the Chair stand as the decision of the House/Senate?"*
 - v. The question is then voted upon. If there are a majority of "ayes" or the vote is a tie the decision of the Chair is sustained. If the "nays" hold a majority the Chair's decision is reversed. If the ruling of the chair applied to a motion that required a two-thirds majority, a motion to appeal the decision of the chair shall also require a two-thirds majority.