

**House Rules of Procedure**

*Note: That this is a very condensed description of the actual rules of the House of Representatives. The objective is to provide a good sense of the principles behind the rules. Instead of attempting to strictly adhere to House rules, your session to should aspire to make decisions consistent with the practices and principles described here.*

**General process**

Members draft and introduce bills  
Other members cosponsor bills (if desired)  
Speaker refers bills to committees  
Committees hold hearings, markup and report (if desired)  
Reported bills are placed on Union Calendar  
Rules Committee proposes special rules (if desired)  
Speaker schedules floor action (if desired)  
Bill is debated and decided under agreed upon procedure  
Bill is sent to President (if passed)  
President signs or,  
President vetoes and legislature considers motion to sustain (if desired)  
Bill becomes law (or not)

**Who are the Decision-makers?**

Each Representative is popularly elected and has one vote in the legislature. The Resident Commissioner from the Commonwealth of Puerto Rico, and Delegates from the District of Columbia, American Samoa, Guam, and the Virgin Islands are also elected pursuant to federal law. The Resident Commissioner and Delegates have most of the prerogatives of Representatives including the right to vote in the committees to which they are elected. However, they do not have the right to vote on matters before the Legislature. A Commissioner or Delegate may take a position, but his or her vote cannot decide whether a motion passes or fails.

A Representative cannot be removed by anyone but his or her constituents. However, it is still important to recognize that your colleagues exercise a lot of influence over your success in the legislature. Will you be selected to serve on an important committee? Will your bill get a hearing? Will you have a chance to speak on issues before the chamber?

**Leaders and Parties**

The U.S. Constitution calls for a Speaker of the House of Representatives to be selected by the legislature in a manner of its choosing. The Speaker manages day to day proceedings and interprets and applies the rules of the legislature in consultation with the Parliamentarian.

The Speaker serves at the majority's discretion and is elected in the first days of the session. In Congress, the Speaker is formally chosen on the first day of the Congress. Informally, the decision is made in the majority party caucus, using a secret 'successive elimination' ballot. An initial vote is held among all of the nominated candidates. The candidate that receives the fewest votes is eliminated, and a second vote is held. This process continues until only one candidate is standing. Although time consuming, this process ensures that the winning candidate receives a majority (and also poses interesting strategic opportunities you might want to consider!). The party caucuses then vote as  blocs for their preferred candidates during the formal decision.

In addition to presiding over the legislature, the Speaker plays the central role in setting the agenda of the legislature, since s/he is the only one who officially represents the views of most members. Typically Speakers have extraordinary influence over decisions about committee assignments and leadership positions, because these are central to his or her ability to set the agenda.

Speakers serve with the consent of the majority. Any member can make a motion to declare the office of the Speaker vacant. This motion/resolution is offered as a matter of high constitutional privilege, which means that it has precedence over all other motions except the motion to adjourn. It need not be considered immediately, but it must be put to a vote within two days of being offered.

**Where's the Party?**

The U.S. Constitution does not provide for political parties. Nevertheless, parties are central to lawmaking today, especially in the House of Representatives. Your legislature must decide for itself whether members will create and join informal caucuses of similarly inclined legislators. A party caucus has advantages when its members have similar goals. Acting in concert, a party majority can decide the Speaker and structure the committee system. If you are a member of the minority party, your influence will be proportionately reduced. In the U.S. House, for example, far fewer bills sponsored by minority party members emerge from committee.

All procedural questions and disputes are decided by majority rule. Typically, party caucuses meet in advance to debate and plot strategy. Party leaders expect party members to support what the caucus has decided (e.g. who will be Speaker; a procedural ruling by the Speaker).  Defections do occur, however, and leaders need to exercise care to keep their coalitions together, particularly if their majority is slim.

**Types of Legislation**

Congress acts by passing legislation. There are two types of legislation, bills and resolutions. You will need to specify which type of legislation you are introducing. A member can introduce as many pieces of legislation as he or she chooses on any subject.

**Bills**

A bill is the form used for most legislation, whether permanent or temporary, general or special, public or private. In your Legislature, a bill has the prefix "PB" followed by an automatically assigned number that indicates the order in which it was introduced (in the U.S. House a bill is an H.R.). It retains this number through all of the stages of the legislative process.

A bill becomes law only after --

* The Chamber passes the bill;
* The President approves of the bill, or
* The President fails to return it with objections within 10 days, or
* The Chamber overrides the presidential veto by a two-thirds vote.

To override a President's veto, the chamber must vote on a privileged motion to "sustain the President's veto." This motion fails if 2/3rds of the legislature votes against it. A bill can also be "pocket vetoed" if the Legislature adjourns without giving the President a full 10 days to veto it.

**Resolutions**

Resolutions carry the prefix "PR" and do not have the force of law, nor do they require the support of the President (in the House a resolution is an H.Res. or an H.J. Res.). Resolutions are typically used to express symbolic support (e.g. declare July 22nd 2005 'Lance Armstrong Day'), to propose Constitutional amendments to the states, and to propose changes to internal procedures (e.g. special rules).

**Bill Introduction and Referral to Committee**

Any Member may introduce a bill on any subject at any time while the Legislature is in session. The Member who submits the bill is its sponsor. Members sponsor bills for many different reasons. Because the default expectation is a that a bill will fail (Only about 10 percent of the bills introduced in the U.S. House become law) it may be a good strategy to have lots of balls in the air. Even if they go nowhere, bills give members something to point to when constituents ask "what have you done for me lately?"

Additional members may sign on as co-sponsors. Members who co-sponsor on the day that it is introduced are "original" co-sponsors. Members who co-sponsor after this time are "additional" co-sponsors. Changes in co-sponsorship are only permitted up until the time that a bill has been reported from all of the committees to which it was referred.

Every member tends to be concerned about his or her own bills first. Thus, it is incumbent on members to make others aware of their policy proposals, and to frame those proposals in ways that attract sufficient support to "keep the ball rolling." Entrepreneurs should consider "talking their ideas around" before actually introducing a bill to avoid including provisions that guarantee defeat. After introducing a bill, the sponsor should increase awareness and solicit support in person or via Dear Colleague letters.

A member can request that a bill be withdrawn by unanimous consent. A member who desires to modify his or her own bill can seek amendments at later stages in the process, or may choose to introduce and announce a new bill incorporating the desired changes.

Congress divides its workload by subject (jurisdiction). All bills and resolutions pertaining to a particular issue area are referred to the committee with responsibility or jurisdiction over that issue. (Rule X of House procedure specifies the jurisdictions of its committees.) It is the Speaker's responsibility to refer bills and resolutions to the appropriate committee(s) with the Parliamentarian's guidance. If a proposed bill cuts across jurisdictions, the Speaker may decide to refer it to multiple committees. (In Congress, 8 out of 10 bills are referred to just one committee.) Multiple referral has its advantages and disadvantages. The main advantage is better information about a bill's effects. The main disadvantage is inefficiency. The bill cannot progress until every committee has reported (and some may choose not to). In referring a bill to multiple committees, the Speaker may instruct a committee to report a bill by a date certain, although such time limits are almost never placed on the first (primary) committee to which a bill is referred.

**Committee Consideration**

This is perhaps the most important phase of the legislative process. Committees are smaller groups of legislators who provide the most intensive review of proposed measures within an issue jurisdiction. In addition, committees are often important sources of policy ideas, due to their members' exceptional interest and knowledge of the subject area. The committee chair sets the committee's agenda under ordinary circumstances. Committees have negative and positive agenda setting powers. They can effectively prevent bills from being considered by the legislature (negative), and they can shape the terms of the proposals that the legislature does consider (positive). Committees do much more of the former. Only 1 out of 9 bills introduced in the US House makes it past this stage.

A quorum (majority) of committee members must be present for it to do business. The absence of a quorum is subject to a point of order - an objection that the proceedings violate a rule of the committee. A member makes this objection by seeking recognition from the chair, and asking (for example) "Madame Chairwoman, I move that a quorum is not present to do business." If a majority is not present, the committee meeting is adjourned.

**Committee Assignment**

The legislature decides the procedures for assigning members to committees and for choosing committee chairs. (This is another instance of where the equality implied by one legislator/one vote breaks down.) In the U.S. House, the majority party caucus decides how many members serve on each committee, and how many of those seats will will be held by party members. The party caucuses then decide how to allocate the positions available to their party's members.

Newly elected members request committee assignments. Incumbents (reelected members) retain their committee seats, leaving freshmen to battle for the less than prime vacancies that remain. Committee chairs and ranking minority members are also chosen by the party caucuses. Ordinarily, these are the most senior (not oldest) members of the committee, but party caucuses have demonstrated an increased willingness to break this norm, especially for important committees. In addition, House Republicans have term limited some committee positions, further undermining the "seniority rule."

The seniority rule is, of course, not very relevant to these decisions as they apply to your Legislature! So what guides freshmen assignment decisions? Research suggests that leaders try to balance the shared goal of getting a member reelected with the needs of the caucus and chamber. Reelection is often the primary concern, so most members will win appointment to one committee that has an electoral connection (e.g. agriculture or transportation). The second committee assignment, if one is available, is less predictable. It might be a committee that needs to be staffed (such as the committee overseeing the District of Columbia), or it might be a more prestigious (appropriations) or policy oriented committee (judiciary) depending on a member's prior expertise or skill at playing politics.

**Scheduling a Committee Meeting**

The rules of your legislature require that committees meet at least once per month. [Your instructor may choose to revise these requirements.] The chairman may convene additional meetings at his or her discretion, or two committees may formally request (e.g. via a Dear Colleague letter) that the chairman call a special meeting on a specific measure or measures. If the chairman does not call for the requested special meeting within three days (to be held within seven days), then a majority of the committee may call the meeting without the chairman's consent by accepting the terms of a formal statement of the date, hour, location, and the measure(s) to be considered.

**Committee Actions**

Committees meet to review and make recommendations regarding proposed bills or to hold hearings to investigate a topic without considering specific legislation. A "non-legislative hearing of this kind may be designed to draw public attention to an issue, hoping to spur congressional action, or may even lead to a committee-drafted bill to be introduced at a later date.

**Hearings**

All committee meetings are open to the public, unless a majority of committee members votes publicly to close it. A committee is not required to hold a hearing on a bill but may choose to do so if the bill is considered to be of sufficient importance. Each committee, except for the Committee on Rules, is required to publicly announce at least 1 day in advance any hearing to be conducted by the committee, unless the committee chairman with the concurrence of the ranking minority member or a majority of the committee determines that there is good cause to begin the hearing earlier (in which case the chairman must publicly announce the hearing as soon as possible). These announcements are made via Dear Colleague letters.

A majority of committee members may vote to subpoena witnesses. The power to authorize and issue subpoenas may also be delegated to the chairman. A subpoena may require both testimonial and documentary evidence to be furnished to the committee. An official reporter is present to record the testimony. After brief introductory statements by committee members, the first witness is called and questioned. Each committee member is entitled to call at least one witness of their own to testify.

**Markup**

After hearings are completed, the committee usually will consider the bill or bills in a session that is popularly known as the "markup" session. The views of members and witnesses are considered, revisions to the legislation proposed and voted on, and a vote is taken to determine the action of the committee. Proxy voting (voting without being present) is not permitted. The Committee may decide collectively to report a bill favorably (with or without amendment), unfavorably, or without recommendation. The committee may also "table" a bill, postponing action indefinitely. Bills are rarely reported unfavorably. More commonly, committees choose to exercise negative agenda control over bills that they do not favor. This is much more efficient.

Committee amendments are only proposals (by a few members) to alter the language of the bill as introduced. Members may only offer germane amendments (amendments that do not introduce new subjects to the bill). The proposed changes must be fully described in the committee report (see the 'sample bill' link under the 'Instruction' link of the LegSim website).

If the committee approves extensive changes to the bill, it may decide to report a single amendment "in the nature of a substitute" consisting of a complete bill text. Less frequently (for example when multiple bills on the same subject are introduced), a committee may decide to draft its own "clean" bill during a markup. The drafted language is approved by the committee and (typically) the chairman heads off to write both the report and the bill. The bill is then introduced according to normal procedure. When it has been referred to the committee, it is immediately reported along with the pre-drafted report.

**The Substance of Committee Reports**

Committee reports are used by legislators, courts, executive departments, and the public to interpret the purpose and meaning of a law. For example, the original committee reports regarding the establishment of the food and drug commission were reviewed by the Supreme Court when the FDA's authority to regulate tobacco advertising was challenged (the court decided that Congress did not "intend" for the FDA to have this power). Reports describe the purpose and scope of the bill and the reasons for its recommended approval by the chamber.

The report on a bill that has been reported favorably must include (1) the committee's findings and recommendations including proposed amendments, and (2) an estimate of any new budget authority and an estimate of any increase or decrease in revenues or tax expenditures for the next fiscal year and the next five fiscal years (or the duration of the program if less than five years). Budget authority refers to the amount of new spending obligations (e.g. "The committee estimates that the new national ID card will cost $12 billion (not $10 billion) in the first year, and $36 billion over the next five years."). Proposals with tax and revenue implications are considered differently. Tax related bills must also be referred to Ways and Means. In addition, reports on bills that contain federal unfunded mandates (policies that obligate state or local governments to spend money to implement federal requirements) must also include an estimate of the cost of those mandates. Bills that raise taxes or include unfunded mandates require 3/5ths support in the House instead of a simple majority.

Each committee member's vote on the question of whether to favorably report the bill must be specified in the report. Members of the committee may submit supplemental, minority, or additional views, which will be included in the report if they are provided in a timely manner.

**Filing of Reports**

Reports must be filed within 7 days of the approval of a bill by the committee. A bill or resolution reported by a committee must then layover for 3 calendar days before it can be brought up for consideration in the full chamber.

**From the Committee to the Floor**

The House of Representatives has well defined procedures for bringing bills to the floor. But there are procedures and then there are practices. Most bills are not considered according to the ordinary procedures of the House but are instead considered under a variety of special procedures.

A bill that is favorably reported from committee is moved to the Union Calendar. (The U.S. House has multiple calendars of which the Union Calendar is the most important). Under ordinary procedure, bills are then scheduled for floor consideration in the order in which they were placed on that calendar. Thus, the most recently reported is the last to be taken up. Because time is limited, the legislature typically employs other procedures that enable it to give priority to bills that are more important or urgent, and to quickly dispense with non-controversial legislation.

The Speaker is primarily responsible for managing the floor schedule. As such the use of special procedures such as those described below is carefully guarded. A member who hopes to see his bill brought to the floor will probably want to consult in advance with the leadership, as unscheduled motions are likely to be defeated as a threat to the leader's prerogative in this area.

**Unanimous Consent Motion**

One option for circumventing the Union Calendar is to pass a reported or even unreported bill or resolution by unanimous consent. On the floor, a member would seek recognition from the chair (Speaker), and then move (for example) that "PB11, raising the federal speed limit to 90 miles per hour in rural area be approved by unanimous consent." The Speaker would then ask "Is there objection? There being no objection, the measure is adopted." Of course, the chances of such a motion passing are very slim for legislation that is even slightly controversial.

**Motion to Suspend the Rules**

Every Friday (or a date chosen by your legislature - in the U.S. House it is Wednesday), the Speaker MAY choose to entertain a motion to suspend the rules and immediately pass a bill or resolution by two-thirds of those present. Members must arrange in advance to be recognized to offer such a motion. The Speaker usually recognizes only a member of the committee that reported or has primary jurisdiction over the bill. The motion to suspend the rules and pass the bill is debatable for 10 minutes (equally divided between supporters and opponents). No amendments are permitted, with the exception of a manager's amendment (e.g. a version of the bill that includes the committee's recommended changes) included in the motion itself. Most bills in the U.S. House of Representatives pass under this procedure. The motion to suspend the rules may NOT be used to temporarily suspend any other rule.

**Calendar Friday**

On the second Friday of each month (or a date chosen by your legislature in advance of the session), and unless dispensed with by an affirmative vote of two-thirds present, the committees are called in alphabetical order. The committee that is called then brings up for consideration one bill it has reported at least three days earlier. Debate proceeds under ordinary procedure (see below). No committee is permitted to bring up a second bill under this procedure until all standing committees have been called.

**Special Resolution or "Rule"**

Bills can also be taken up out of their order on the calendar if the legislature adopts a special resolution or "rule" proposed by the Committee on Rules. The Committee may draft a rule on any bill or resolution regardless of where it is in the process. The committee chairmen will typically ask the Rules Committee to introduce and report a special resolution (PR) that proposes to circumvent the Union Calendar procedure (see draft language below). This "special rule" can propose almost anything because it is meaningless if a majority of legislators does not approve it.

A special rule might do nothing more than move a bill up the calendar, or it might prohibit any debate or amendments to a bill. The sky's the limit! The only restrictions are that the recorded votes are still required if requested and that a member of the losing side is always entitled to offer a motion to recommit the bill to committee (see below) before the final passage vote.

Rules Committee meetings need not be open to the public, and the Speaker can bring up a resolution from the Committee on Rules immediately. If the Speaker does not bring it up immediately, any member of the Committee on Rules may call it up as a privileged matter after seven days have elapsed, as long as he or she gives one day's notice. The Speaker must then recognize any member of the committee for that purpose.

**Draft Special Rule**  
  
Resolved, that upon the adoption of this resolution the Speaker declares pursuant to rule XVIII that the House consider the bill (H.R.\_\_) entitled, etc., and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed \_\_ minutes (or hours), to be equally divided and controlled by \_\_, the bill shall be read for amendment under the (xx) minute rule. At the conclusion of the consideration of the bill for amendment, the previous question shall be considered as ordered on the bill shall be brought to a final vote without intervening motion except one motion to recommit with or without instructions.

**Motion to Discharge a Committee**

Finally, any Member may petition to discharge any committee (including Rules) from considering a bill or resolution if that committee has not reported the measure within 14 days of receiving it. When a majority of the legislature has signed the member's discharge petition, any signing Member may seek recognition on the floor for the purpose of calling up the motion. The motion is then debated for 20 minutes (equally divided between supporters and opponents) before it is voted on. If the motion to discharge passes, the bill or resolution is immediately considered under ordinary floor procedures. If the motion is defeated, it is referred to the calendar as if it had been reported favorably by a standing committee.

The Rules committee also has at least one other important power in this regard. Under unusual circumstances, it may also draft a resolution providing for the "discharge" and consideration of a measure that has not yet been reported by a standing committee, thus circumventing the petition process. This is typically reserved for instances where a multiply referred bill is being delayed by the inaction of one (secondary) committee.

**Floor Consideration and Debate**

As mentioned, the U.S. House debates the preliminaries of bills, including amendments in the Committee of the Whole. This enables the legislature to act with just 100 members present instead of a simple majority of 218. At the conclusion of debate, this "committee" rises and the full House convenes to consider only those amendments that passed in the Committee of the Whole, before deciding the final fate of the bill. Your Legislature has a single floor process where a majority of members must be present in order to do business.

There is a logic to parliamentary debate. Certain motions take precedence because they often affect whether debate proceeds fairly or expeditiously. As a legislator, it is essential that you know how and when to offer such motions. The Parliamentarian (ideally an objective observer such as your instructor) assists the Speaker in making the correct ruling on questions of procedure. Knowledgeable members will also want to assist, often to their own benefit, if they know the rules in advance!

P[ocket guide to debate for the House can be found here](http://www.rules.house.gov/archives/floor_pocket.htm)

A member cannot make a motion before he or she has been formally recognized. Because rules can be abused, the Speaker is expected to ensure that the rules are applied as intended by the legislature. For example, a member or members may offer multiple motions to adjourn (below) with the goal of disrupting or delaying the completion of a debate. In this case, the Speaker might want to rule that the motion is "dilatory and therefore out of order." In extreme circumstances the Speaker might choose not to recognize a member, or in truly extreme circumstances another member might offer a motion to censure the member thereby prohibiting his or her participation in the debate.

**Motion to Adjourn**

When the House is in session, the motion to adjourn takes precedence over all other action. If adopted by majority, the legislature suspends debate until it reconvenes at a later date. It then picks up where it left off, unless a motion is proposed and adopted that does not violate the terms of the current proceedings. For example, if debate on a bill was occurring according to the terms of a special rule, then other business must wait until that debate has been completed. The only exceptions involve privileged motions.

**Questions of Privilege**

A question of privilege takes precedence over all questions except the motion to adjourn. Questions of privilege are questions 1) affecting the rights of the legislature collectively, such as its safety, dignity, and integrity, and 2) affecting the rights, reputations, and conduct of Members individually or in their representative capacity. Questions of Privilege concerning the legislature at large are introduced as resolutions (PR) and can be called up by any Member after proper notice.

A question of personal privilege, affecting the rights, reputation, and conduct of individual Members (e.g. a motion to censure), may be raised from the floor without formal notice. A member seeks recognition ("Madame Speaker, a question of privilege") and poses the question. Debate is limited to 20 minutes equally divided and no amendments or other motions (other than the motion to adjourn) are in order.

**Privileged Matters**

Certain matters, such as a motion to sustain the President's veto or consideration of a special rule may interrupt the normal order of business. The Member in charge of such a matter can call it up at any time for immediate consideration as long as no other business is pending. This means that it can only be brought up if no other bill or resolution is currently being debated.

Questions of privilege affect the rights of the House collectively, or the rights, reputation or conduct of its members. Privileged motions have precedence over all other motions except the motion to adjourn. Privileged matters are usually brought up after consultation with the leadership but they must be considered within two days of being offered.

**General Debate**

The conduct of the debate is governed principally by the rules adopted at the opening of each House and by precedents that have been established and applied over many years.

The House has a long-standing rule that the provisions of Thomas Jefferson's Manual should govern the House in all applicable cases and where they are not inconsistent with the rules of the House. The House also relies on an 11-volume compilation of parliamentary precedents, entitled Hinds' Precedents and Cannon's Precedents of the House of Representatives, dating from 1789 to 1935. A later compilation, Deschler-Brown Precedents of the House of Representatives, spans 15 volumes and covers 1936 to date. In addition, a summary of the House precedents prior to 1959 can be found in a single volume entitled Cannon's Procedure in the House of Representatives. Procedure in the U.S. House of Representatives, fourth edition, as supplemented, and House Practice, published in 1996, are recent compilations of the precedents of the House, in summary form, together with other useful related material. Also, various rulings of the Chair are set out as notes in the current House Rules and Manual. Just thought you'd like to know in case you have questions about procedure that are not answered here!

**Points of Order**

The members of the legislature are solely responsible for enforcing the proper application of its rules. A member who believes that the rules are not being followed must first gain recognition from the chair (e.g. "Madam Speaker, I rise to make a point of order"). The chair responds, "For what purpose does the member rise?" The member then states his or her objection as it pertains to the rules (e.g. "Madame Speaker, the amendment is not germane to the bill."). Points of order are not debatable. It is up to the Speaker to decide to sustain the point of order. If it is denied, any member can seek recognition and "appeal the Speaker's decision to the floor." The appeal is put to an immediate vote. In the U.S. House, such appeals rarely if ever succeed because the party caucus invariable supports the Speaker's ruling and because the Speaker usually adheres to precedent.

**Ordinary Debate**

Someone must manage bills that are brought to the floor to ensure that the strongest arguments are heard, to ensure efficient use of limited time, and to avoid surprises at this late and critical stage in a bill's progress. Often the managers are the chair and ranking minority member of the reporting committee, although this need not be the case. Certainly, the managers need to be among those who are very familiar with the issue and are prepared to defend their side. But the other important function of the manager is to manage available time to make the best case that 1) the bill is a good idea and is well conceived, and 2) that it has widespread support. Few members will have studied the bill (sad but true even in the real Congress!) and will be deciding based on less than complete information.

The manager needs to come prepared to respond to the concerns of key legislators (no need to waste time on committed opponents and supporters). What are the wafflers concerns? Obviously, during floor debate is not the best time to learn such things! The manager wants to come to the floor prepared with answers and with other legislators prepared to anticipate and respond to concerns about the bill. The same is true for opponents, who can reasonably expect that this is their last opportunity to kill the beast, whatever its proper title.

The Speaker equally allocates the available minutes for debate to the floor managers. It is then their responsibility to determine who will have an opportunity to speak, for how long, and in what order. Thus, a member who wishes to speak on a bill (or offer an amendment) will contact the manager in advance of the debate.

**Quorum**

Article 1, Section 5, of the Constitution states that a majority is required to do business and permits a smaller number of legislators to compel the attendance of absent Members. Once again, the quorum only applies when it is enforced and the legislature may conduct much of its business with fewer members present. In the absence of a quorum (a majority of members), 4 members may initiate a roll call of members to compel their attendance: "Mr. Speaker, I demand a call of the roll." The Speaker then directs those in favor of the motion to stand and be counted. If the request is supported by at least 1/5th of a quorum, the clerk is ordered to call the roll. The quorum call may be suspended once a majority has recorded its presence, or if no one objects to a motion to suspend it.

**The Reading of the Bill**

Formally, a bill is read in its entirety by the clerk prior to debate. This reading can be dispensed with at the request of a member: "Mr. Speaker, I ask that the reading be dispensed with." "Is there objection? There being no objection, so ordered." If there is objection, a majority of members must vote to dispense with the reading. Amendments are also read before they are debated.

**General Debate**

The debate on a bill is divided into consideration of the bill ("general debate") and consideration of proposed amendments.

In the absence of a special rule, 20 minutes of general debate are allowed, equally divided between proponents and opponents. (In the U.S. House, it is one hour.) At the conclusion of general debate, each section of the bill is read for amendment. Amendments written and submitted 24 hours in advance have priority, and in some instances are the only ones allowed. This means that amendments are offered in order of the placement of the relevant language in the bill. An amendment to revise an early section of the bill is out of order if debate has moved to a later section. You snooze, you lose! Under ordinary procedure, amendment debate is limited to 2 minutes equally divided. (It is 5 minutes in the US House.)

Here's a neat little trick to inject a comment or two into an amendment debate. The rules permit members to offer an amendment to the amendment, including pro forma amendments--"to strike the last word." By offering this motion, a member gets an minute or so to add her 2 cents worth. And if a member has already been recognized to speak but has run out of time, she can "request unanimous consent for an additional 30 seconds" (for example).

**Amendment Procedures**

Congressional amendment procedures are not conducive to on-line voting because considering all of the alternatives can be time consuming. Nevertheless, LegSim does offer opportunities to consider amendments on line, and in-class amending is completely feasible.

Congress employs amendment procedures that ensure that the original bill and the existing law will be among that last proposals to be considered. This "backwards moving agenda" advantages these proposals by ensuring that they are not eliminated early in the process. Whatever is produced from the amendment process must ultimately pass the smell test when compared to both the original bill and existing law.

**First**: Amend the Committee Substitute?  
(Repeat until all Amendments are dispensed with)  
**Next**: Amend the Bill to incorporate The Committee Substitute, as Amended?  
**Last**: Pass the Bill?

The actual procedures allow for additional amendment opportunities (such as amendments to amendments - consult Oleszek). This is a very interesting lecture topic but this simpler process is probably sufficient for your Legislature. LegSim allows members to offer amendments to bills on line as soon as the bill has been placed on the Union Calendar. On-line votes are then scheduled by the Speaker, who inserts the text of the amendment into a floor motion, that he or she then puts up for a vote.

**Germaneness**

Amendments are in order if they address the subject of the bill and section under consideration. The purpose of this rule is to keep debate focused. Germaneness only applies when it is enforced ("Mr. Speaker, I move that the amendment is non-germane and therefore out of order"). Appeals of the chair's ruling are in order as usual.

**Motion to End Debate**

At any time after debate has begun on proposed amendments to a specific section of a bill, the legislature may consider a procedural motion to close debate on that section: "Mr. Speaker, I move to close debate." If the motion passes, no additional amendments are allowed except for those that have been submitted 24 hours in advance (on-line). These amendments must be considered.

**Previous Question**

A procedural motion to order "the previous question," in contrast, ends ALL debate on a bill and brings it up for a final vote: "Mr. Speaker, I move the Previous Question." If the previous question carries, the Speaker then brings the bill to a final vote by asking: "Shall the bill be engrossed and read a third time?" If this motion passes by a simple majority, the bill as currently amended is then brought up for a final vote.

Special rules drafted by the Rules Committee sometimes state that the "previous question is considered as ordered on a bill." This means that no actions are allowed other than those provided in the rule (e.g. no additional amendments). At the same time, the amendments provided for in the special rule are guaranteed. The House cannot later move the previous question and expect to end debate on these amendments.

**Motion to Recommit**

Just prior to the vote on final passage, it is in order for a member to offer one motion to recommit the bill to committee: "Mr. Speaker, I move to recommit the bill to committee (with instructions)." This is the last chance to defeat a bill that is bound for passage. It is a significant procedural right for the minority because it guarantees at least one opportunity to propose an alternative in a majority dominated process.

Once again, preparation is essential. A bill that has made it this far is bound for passage in the absence of a really attractive alternative and a carefully constructed game plan. The motion is offered with an alternative bill (these are the "instructions"). The motion is debatable for 10 minutes (divided equally) and cannot be amended. If it passes, the immediate question is whether to pass the language it contains in lieu of the bill. Motions to recommit rarely pass. A famous example occurred in 1980. Although the Democrats controlled the House, Ronald Reagan was able to persuade southern Democrats to support his version of the budget, which was contained in a motion to recommit offered by the minority leader. Scandalous!

**Final Passage**

If your bill has made it this far, you are one of the lucky few!

The Speaker may postpone a recorded vote on final passage for up to two legislative days. As is true with every motion considered by the Legislature, it is the Speaker's responsibility to ensure that the chamber understands the question under consideration.

A 3/5 vote is required to pass a bill that contains a tax increase or unfunded mandate.

**Motion to Reconsider**

Last, and probably least important of all is the motion to reconsider. After the final vote, there is one last opportunity to revisit a bill. Since the minority has already had its chance, the motion to reconsider is little more than a formality. A member moves to reconsider the bill, another member moves to table that motion (delay it indefinitely). The motion to table is adopted by voice vote - end of story.

**Voting**

There are three methods of voting that occur in sequence; voice, division, and recorded vote. Typically, a motion is first considered by voice vote. After time has expired (or no one wishes to speak), a member moves to vote on the motion. The Chair asks if there is a sufficient second. "There being so, as any as are in favor say `Aye.' (Wait) ?As many as are opposed, say No." The Chair then judges the result based on volume ("In the opinion of the chair, the Ayes have it"). Immediately, any member may demand a division vote: "Mr. Speaker, I demand a division. The Chair then states: "As many as are in favor will rise and stand until counted." After counting those standing in favor, he or she then calls on those opposed to stand. The chair announces the result. Immediately, any member may request a recorded vote. The Speaker asks if there is a sufficient second. If at least one-fifth of a quorum indicates their support for the motion, the vote is recorded. How is up to your Legislature. The clerk can call the roll, members can submit slips of paper, or they can head off to vote on line. In any case, members' positions must be posted on the LegSim website (in clear view of their colleagues and constituents!).

**Beware the gavel!**

The Speaker's gavel is a powerful device in the right circumstances. The sound of the gavel indicates the resolution of an action or motion. It signals that no additional debate or amendments are in order, and it signals the end of a vote. A wily Speaker knows how to use her gavel! For example, a Speaker can bang the gavel to conclude consideration of the bill following a voice vote if no member moves quickly enough to demand a division or voice vote. (Remember that the Speaker decides the outcome of a voice vote based on volume, perhaps at a time when less than a quorum of members is present - gotcha!). Speakers have also been known to use the gavel to shape the outcome of recorded votes. The rules require that a recorded vote be open for 20 minutes - but when does it end? Here the rules are vague. If the Speaker's side is losing, she may hold the gavel long enough to round up needed additional votes. If you are an undecided member, this is a fine time to bring out that wish list!

**Motion to Adjourn, Sine Die**

The last action taken by the House is to adjourn, permanently. Each Congress spans two years, but the actual date of final adjournment is decided by the membership, as it is in your case as well. If past courses are any guide, this will not be an easy decision since the Legislature is unlikely to have dispensed with all of the legislation under consideration (and especially the most important - yours!). Time marches on however, and you've got a reelection campaign to run!

**Applying these procedures to on-line activities**

LegSim advances convenience at some cost to realism. One convenience is that much of the activity takes place on-line. How much depends on your class and your instructor. Most of the activities described above can occur on line. Some activities, such as legislative debate, will proceed differently, with members having the opportunity to post their views and respond to the views of others on-line (over days instead of minutes). While it would be possible to construct a complete set of rules to govern on-line debates, those rules would not reflect the rules of the real House.

Nevertheless, we do suggest some guidelines that your class may choose to modify. Under ordinary procedure, bills and resolutions are scheduled for floor consideration according to the Union Calendar. A bill can be brought up out of order if the legislature passes a motion (on-line or in class) proposing a different set of procedures. Under ordinary procedure, members have 48 hours to cast their votes on on-line motions, and no more than three motions can be scheduled for votes at any time.

If you have additional questions about procedure that have not been answered here, there may not be an answer. In such cases, it is up to the legislature (in consultation with the parliamentarian) to decide how to proceed.