

The Louisiana House of Representatives



Quick Guide

to

Floor Procedure

March 2007

Baton Rouge, Louisiana

Dedicated To

*The leaders, members, and staff of the
Louisiana House of Representatives,
past, present, and future,
who dedicate themselves to improving
and strengthening the legislative institution.*

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INTRODUCTION

Procedure on the floor of the Louisiana House of Representatives includes many traditions, practices, and motions that are repeated time after time. During a session, the dialogue that occurs between the presiding officer and a member who is recognized by the presiding officer follows these customary practices and the House Rules.

This *Quick Guide to Floor Procedure in the Louisiana House of Representatives* is intended as a ready reference to floor procedure, including the actual usual and customary language employed by the presiding officer and members in some of the most common floor procedures in the House. Rules are cited for convenience in referring to the relevant provisions.

The *Quick Guide* is arranged so as first to provide examples of motions most often used and the procedures relating to them. These are organized into three main categories: Recognition of Members; Interrupting a Member Who Has the Floor; and Frequently Used Motions. The Frequently Used Motions are arranged generally according to when they may be used, that is, those relating to any order of business, followed by those used primarily on second reading, then those affecting the order of business, those used in debate, and those relating to voting.

Next, the *Quick Guide* provides examples of the procedures and the actual language used by the presiding officer and the members during particular orders of business. These are organized into two main groups: Morning Hour and Regular Order. Finally, the *Quick Guide* covers motions and procedures concerning the Committee of the Whole.

RECOGNITION OF MEMBERS

See House Rules 5.4 through 5.6

In the Louisiana House of Representatives, a member cannot speak without being recognized by the Speaker of the House or the member who is serving in the place of the Speaker as the presiding officer. In order to obtain recognition, the member presses his “floor” or “question” button at his desk to indicate whether he wishes to speak on the motion or matter before the House, or to ask a question. The presiding officer recognizes the members whose names are registered at his desk in this manner. (The presiding officer may differentiate between those who want to debate the main motion or a subsidiary motion, if a subsidiary motion is before the House.)

If a member is recognized for the floor, he proceeds immediately to the podium at the front of the House from which members address the House, referred to as the “well” of the House. If the member is recognized for a question, his microphone will be turned on by the House Clerk’s assistant seated immediately to the Speaker’s left and the member will rise at his seat to address his question to the member who has the floor in debate.

If the voting machine is out of order, a member who wishes to be recognized rises from his seat and addresses the presiding officer as “Mr. Speaker”, and indicates whether he seeks the floor or wishes to ask a question.

Recognition of Members for Floor or Question

The usual procedure is:

If member presses “floor” button:

Speaker: *“Representative X is recognized for the floor.”*

Member: *“Mr. Speaker, ladies and gentlemen of the House, ...”*
[Member addresses the Speaker and the House and speaks on the motion or matter before the House.]

Recognition of Members

If member presses “question” button:

Speaker: *“Representative X is recognized for a question.”*

Member: *“Representative Y, ...” [Member proceeds to ask a question of the member who has the floor.]*

Also see “Point of Order” and “Point of Information”, pages 5 and 6.)

Point of Personal Privilege

Used by members to comment on matters affecting their rights, reputation, or conduct in their representative capacity. Often used to recognize visitors. Not to be used to explain recusal from voting. House Rule 10.1 requires that explanation of recusal from voting shall be made in writing only and included in the *Journal*, if requested (must be given to the Clerk on the same legislative day). House Rule 5.1 requires House members to confine themselves to decorous language in addressing the House.

The usual procedure is:

Member: *“Mr. Speaker, point of personal privilege.”*

Speaker: *“State your point.”*

Member: *(Example) “For the record, I would like to apologize to my colleague for a statement I made on the floor in debate....” (The member referred to may request recognition to respond.)*

INTERRUPTING MEMBER WHO HAS THE FLOOR

A member may seek recognition or interrupt the member who has the floor by rising and addressing the Speaker. The Speaker determines who may speak first. The Speaker may inquire for what purpose the member rises in order to determine the precedence of the motions. The member who has the floor may be interrupted for the following purposes:

Point of Order

See House Rule 5.6

A point of order may be raised at any time by any member and requires an immediate ruling by the Chair. It is not a motion and is not debatable. The floor must be yielded.

A point of order is used to call the chair's attention to a breach of order or of the rules. It is a device used to require the body to observe its rules and to follow established parliamentary procedure. (See *Mason's Manual* §§240-246.)

The usual procedure is:

Speaker: *“Representative X, why do you rise?”*

Member: *“Point of order, Mr. Speaker.”*

Speaker: *“State your point.”*

Member: *(Example) “The amendment is not germane to the bill.”*

(Speaker then rules on the point of order and may state the reason for his decision.)

Speaker: *“The amendment is not germane (explains why) and is out of order.”*

Interrupting Member Who Has the Floor

Appealing the Ruling of the Chair

See House Rule 9.12

Any member may appeal the ruling of the Chair on a point of order, or any ruling of the Chair. Appeals are generally debatable questions. (*See House Rule 9.14(A)*)

The usual procedure is:

Member: *“Mr. Speaker, I appeal the ruling of the Chair.”*

Speaker: *“Representative X has appealed the ruling of the Chair. All those in favor of sustaining the Chair will vote yea, those opposed, nay. The Clerk will open the machine. Are you through voting? The Clerk will close the machine. _____ yeas, _____ nays, and the Chair is sustained.”*

Note: The vote on an appeal is always stated affirmatively to sustain the ruling of the Chair.

Point of Information

See House Rule 5.6

When a member desires information about the procedures or business before the House which requires immediate attention, he may raise a point of information. It is not a motion, but only a request for information, so it is not debatable or amendable. It does not result in a ruling of the Chair.

The usual procedure is:

Speaker: *“Representative X, why do you rise?”*

Member: *“Point of information, Mr. Speaker.”*

Speaker: *“State your point.”*

Interrupting Member Who Has the Floor

Member: *(Examples) “Mr. Speaker, what time do we plan to adjourn?”*

or

“Mr. Speaker, are any amendments pending at the desk?”

or

“Mr. Speaker, how many members have requested to speak on this matter?”

Speaker: *(Provides the requested information.)*

Interrupting Member Who Has the Floor

FREQUENTLY USED MOTIONS

Motions that may be offered in any order of business:

Substitute Motion

See House Rule 9.4

Any motion offered in place of or instead of a motion previously made and not disposed of. Not more than one substitute motion is in order at any time.

The usual procedure is:

Member: *(After a member has made a motion and before action is taken on that motion.) “Mr. Speaker, I would like to offer a substitute motion. I move _____. ” (Member states substitute motion.)*

Speaker: *“Representative X has moved _____. ” (Speaker states main motion.) “Representative X has offered a substitute motion. _____. ” (Speaker states substitute motion.) “To which substitute motion there is objection.” (If there is objection). “The vote will occur on the substitute motion. All those in favor of the motion _____ (Speaker repeats substitute motion) will vote yea, those opposed will vote nay. The Clerk will open the machine. Are you through voting? Clerk will close the machine. _____ yeas, _____ nays, and the _____ (Speaker restates motion) is adopted.”*

or

“_____ yeas, _____ nays, and the motion has failed to pass. The vote will now occur on the original motion _____”. (Speaker states original motion) All those in favor will vote yea, those opposed, nay. The Clerk will open the machine.”

Frequently Used Motions - Any Order

Recess

See House Rules 9.5, 9.7, 9.14(A)(26)

The usual procedure is:

Member: *“Mr. Speaker, I move that we recess until 6 p.m.”*

or

“Mr. Speaker, I move that we take a ten-minute recess.”

Speaker: *“Representative X has moved that the House recess for ten minutes. Without objection, so ordered.”*

Adjourn

See House Rules 9.5 through 9.7 and 9.14(A)(1)

The usual procedure is:

Member: *“Mr. Speaker, I move that the House adjourn until _____ o’clock.”*

Speaker: *“Representative X has offered a motion that the House adjourn until _____ o’clock. Without objection, so ordered.”*

or

“There is objection. Those in favor, vote yea, those opposed, nay. The Clerk will open the machine.”

Suspend the Rules

See House Rule 13.2

A motion to suspend the rules must specify the purpose of the suspension.

Frequently Used Motions - Any Order

The usual procedure is:

Member: *“Mr. Speaker, I ask that the rules be suspended for the purpose of _____ (states purpose).”*

Speaker: *“Representative X has asked for a suspension of the rules for the purpose of _____. Is there objection? Hearing none, the rules are suspended.”*

If there is an objection, the motion must be put to a vote. Approval of the motion requires the favorable vote of two-thirds of the members present and voting. See examples in "Morning Hour No. 6" through "Morning Hour No. 11" on pages 44 - 46.

Motions Usually on Second Reading:

Refer (to a Different Committee)

See House Rules 6.5 and 7.2(B) and (E)

Bills, joint resolutions, and resolutions (except perfunctory resolutions) are referred to the appropriate standing committee according to subject matter by the Speaker. A motion is not required for such referral. At the time of referral, a member may object and move for referral to another standing committee. Such a motion is a substitute motion to the original referral. A motion to refer to a different standing committee than that designated by the Speaker is not in order unless the author of the instrument and the chairman of the committee of original referral are present when the motion is made.

The usual procedure is:

Member: *"Mr. Speaker, I move that HB _____ be referred to the Committee on _____."*

Speaker: *"HB _____ has been referred to the Committee on _____. Representative X moves as a substitute that HB _____ be referred to the Committee on _____. Those in favor of the substitute vote yea, those opposed, nay. The Clerk will open the machine."*

Direct a Committee to Report

See House Rule 6.13

When a legislative instrument is referred to a committee it cannot be acted upon by the House until reported by the committee, unless the committee is discharged from considering it. The House may direct a committee to report an instrument and the committee must follow such directive. This can be done by motion or resolution.

Frequently Used Motions - Second Reading

The usual procedure is:

A motion to direct a committee to report requires the approval of a majority of the elected membership for adoption. (A minimum of 53 votes.)

The motion may not direct the manner of report, only that the instrument be reported and the date by which the report shall be made.

Member: *“Mr. Speaker, I move that the Committee on _____ (name of committee) be directed to report _____ (instrument) on or before _____.”*

Speaker: *“Representative X moves that the Committee on _____ be directed to report _____. Those in favor, vote yea, those opposed, nay. The Clerk will open the machine.”*

Discharge a Committee

See Const. Art. III, §15(D) and House Rule 6.13

A majority of the elected members of the House may, by motion or resolution, recall a legislative instrument from a committee and discharge the committee from further consideration. The motion to discharge a committee is not in order unless the author of the instrument and the chairman of the committee to which the instrument was referred are present when the motion is made. When this is done the instrument must be recommitted to another committee or heard in the Committee of the Whole. The motion is usually used to correct errors in the referral process; with agreement of the discharged committee chairman, usually is adopted without opposition and handled as a perfunctory matter.

The usual procedure is:

Member: *“Mr. Speaker, I move that the Committee on _____*

Frequently Used Motions - Second Reading

(name of committee) be discharged from further consideration of _____ (instrument), and that the _____ (bill or resolution) be referred to the Committee on _____.”

or

“Mr. Speaker, I move that the Committee on _____ (name of committee) be discharged from further consideration of _____ (instrument), and that the _____ (bill or resolution) be heard in the Committee of the Whole.”

Speaker: *“Representative X has offered a motion that the Committee on _____ (name of committee) be discharged from further consideration of _____ (instrument), and that the _____ (bill or resolution) be referred to the Committee on _____.”*

or

“... that the Committee on _____ (name of committee) be discharged from further consideration of _____ (instrument), and that the _____ (bill or resolution) be heard in the Committee of the Whole. Those in favor vote yea, those opposed, nay. The Clerk will open the machine.”

Override a Committee

See House Rule 6.11(D)

The term “override the committee” is an informal way of referring to a motion, made when an instrument is reported by committee, that is counter to the recommendation of the committee. Examples of motions to “override the committee” when a bill has been reported unfavorably include a motion to engross and pass to third reading (if a House bill) or to refer to the Legislative Bureau (if a Senate bill). Such motions would “override the committee” since they would advance the bill as if it had been reported favorably.

Frequently Used Motions - Second Reading

Adoption of either of these motions requires the favorable vote of a majority of the elected members of the House.

Another motion intended to prevent or postpone or “kill” the bill would be to recommit the bill to another committee (or rarely to the same committee). If a bill is reported favorably or with amendments, a motion to withdraw a House bill from the files of the House or to indefinitely postpone a Senate bill would, in effect, “override” the committee report. A motion to recommit a bill reported favorably or with amendments would also delay the ordinary advance of such a bill. House Rule 6.11(D) specifies that adoption of any motion, the effect of which is to reject the recommendation of a committee report, except a motion to recommit, postpone indefinitely, or withdraw an instrument from the files of the House, requires a favorable vote of a majority of the elected members of the House of Representatives.

The usual procedure is:

Member: *(Example) “Mr. Speaker, I move that _____ (instrument), just reported by the Committee on _____ (committee name), be engrossed and passed to third reading.”*

Speaker: *“Representative X has offered a motion that _____ (instrument), just reported by the _____ (committee name), be engrossed and passed to third reading. Is there objection? There is objection. Those in favor vote yea, those opposed, nay. The Clerk will open the machine.”*

Recommit

*See House Rules 6.11(A)(1)(d), 6.8, and 6.13**

The motion to recommit an instrument to another committee can be made when the report is read or in the appropriate order of business for action on instruments reported by committees

Frequently Used Motions - Second Reading

(Morning Hours 14 through 18).

* However, a motion to discharge a committee from consideration of an instrument and recommit such instrument to another committee is not in order unless the author and the chairman of the committee to be discharged are present.

The usual procedure is:

Member: *“Mr. Speaker, I move that _____ (instrument), just reported by the Committee on _____ (committee name), be recommitted to the Committee on _____ (name of committee).”*

Speaker: *“Representative X has offered a motion that _____ (instrument) be recommitted to the Committee on _____ (name of committee). Those in favor vote yea, those opposed, nay. The Clerk will open the machine.”*

Withdraw from the Files of the House

See House Rule 6.11(D)

If the motion is made when the committee report is read, a rules suspension would be required. The motion is more often made during Morning Hours 14 through 16.

The usual procedure is:

Speaker: *“Representative X (Committee Chair) moves that House Bill No. _____ be withdrawn from the files of the House. Without objection, so ordered.”*

Motions Related to Order of Business or Order of Consideration of Instruments:

Call from the Calendar

See House Rule 8.26

Only the author, the member handling a Senate bill, or a member authorized by them may move to call a bill from the calendar and then no sooner than the next legislative day following his notice to the House that he will call it from the calendar. (Notice is not required if the bill is returned to the calendar on the last day for final passage of bills.) Instruments with notice are listed on the Order of the Day in the order of notice. Members are recognized to move to call an instrument from the calendar in that order. A 2/3 vote is required to alter the order. The motion to call from the calendar requires concurrence of a majority of the members present and voting. The motion is debatable. (For "Return to the Calendar," see page 28.)

The usual procedure is:

Member: *"Mr. Speaker, I move to call _____ Bill No. _____ from the calendar."*

Speaker: *"Representative X has moved to call _____ Bill No. _____ from the calendar. Is there objection? Without objection, _____ Bill No. _____ is called from the calendar."*

or

"There is objection. Those in favor vote yea, those opposed, nay. The Clerk will open the machine. _____ yeas; _____ nays, and the House has refused to call _____ Bill No. _____ from the calendar."

Place in Special Order

See House Rules 6.11(A)(6) and 8.4 through 8.6

The rules provide that a legislative instrument may be placed in Special Order for consideration on a succeeding day by a majority of those present and voting if the standing committee which reported such legislative instrument has recommended such placement. The recommendation of the committee alone is not sufficient; a separate motion to place the bill in Special Order must be offered and adopted by the House. (Also see Morning Hour No. 20 on page 56.)

Any other change in the order of business as established by the rules requires approval of two-thirds of the members present and voting and suspension of the rules also requires a two-thirds vote. Placing an instrument in Special Order without a committee recommendation or without following the other requirements of House Rule 8.6 would require a suspension of the rules. The motion to suspend House Rule 8.6 is a debatable motion.

The usual procedure is:

Member: *“Mr. Speaker, I offer a motion to place House Bill No. _____ in Special Order for Monday, May 25th.”*

Speaker: *“Representative X has offered a motion that House Bill No. _____ be made Special Order for Monday, May 25th. The House Committee on _____ (name of committee) has recommended that the bill be placed in Special Order. Is there objection? Without objection, so ordered.”*

(If there is objection to the motion, a vote is taken. Approval of a majority of those present and voting is required for the motion to carry.)

Place on Local and Consent Calendar

See House Rules 6.11(A)(3) and 8.21

The author or member authorized to handle the bill may make the motion to place it on the Local and Consent Calendar. The motion is made during Morning Hour 16 or 17, the final stage of 2nd reading. The objection of 21 members prevents such placement. A bill can also be placed on this calendar by motion adopted by the committee that reports the bill. For the committee to adopt such a motion, the bill must either be advertised as required by the constitution for local bills, or it must have been unanimously reported by the committee. However, the bill will not be placed on the Local and Consent Calendar pursuant to the committee motion if the author objects when the bill is engrossed and passed to third reading.

The usual procedure is:

Member: *“Mr. Speaker, I move that _____ Bill No. _____ be placed on the Local and Consent Calendar.”*

Speaker: *“Does any member object to _____ Bill No. _____ being placed on the Local and Consent Calendar?”*

Representative X objects. Will 20 members join him? Objection of 21 members is not evident, and the bill is placed on the Local and Consent Calendar.”

or

“Twenty-one members object to placing _____ Bill No. _____ on the Local and Consent Calendar. The bill is placed on the Regular Calendar.”

Removal from the Major State Calendar or the Local and Consent Calendar

See House Rule 8.25

Removing a bill from either the Major State Calendar or the Local and Consent Calendar is not actually by motion. The procedure is to object to consideration of the measure on such calendar. For the Major State Calendar, such an objection must be filed with the Clerk not later than the Tuesday before the bill is heard on third reading and final passage on Wednesday. If an objecting member is joined in such objection by 20 other members, the matter of the placement is considered by the House and Governmental Affairs Committee.

In the case of the Local and Consent Calendar, the speaker inquires when the bill is taken up on such calendar if anyone objects to its being considered on the Local and Consent Calendar. If a member objects and 20 other members join in the objection, the instrument is removed from such calendar and placed on the Regular Calendar.

The usual procedure is:

Speaker: *(Example) “Is there any objection to the consideration of _____ Bill No. _____ on the Local and Consent Calendar?”*

Member: *“Mr. Speaker, I object.”*

Speaker: *“Representative X objects. Will 20 members join him? The objection of 21 members is not evident and the bill will be considered.”*

Proceed Out of Usual Order

See House Rule 8.6

Approval of two-thirds of the members of the House present and voting is necessary to change or postpone the order of business, the same requirement as for a rules suspension. The usual procedure is:

Frequently Used Motions - Affecting Order of Business

Speaker: *“Representative X moves we revert to _____ (specifies order – Morning Hour No. _____ or Regular Order No. _____). Without objection, so ordered.”*

or

Member: *“Mr. Speaker, I move we take out of its regular order _____ Bill No. _____.”*

Speaker: *“Is there objection? There is objection. Those in favor of taking _____ Bill No. _____ out of its regular order vote yea, those opposed, nay. The Clerk will open the machine.”*

Frequently Used Motions - In Debate

Motions Used in Debate or to End Debate:

Some of these motions may be used in other situations, but are most often used in debate on Third Reading and Final Passage.

Limit Debate

See House Rule 5.7

No member may speak more than 15 minutes on one occasion. The House often agrees to a shorter limit.

The usual procedure is:

Speaker: *“Representative X, why do you rise?”*

Member: (Example) *“Five minute rule.”*

(Or, a member may move that some other time limit on debate be adopted.)

Speaker: *“Without objection, so ordered.”*

(The effect of the “five-minute rule” is that the member offering the bill/amendment is granted 10 minutes to open and answer questions; each subsequent speaker is limited to five minutes. This “rule” is a custom or practice of the House.)

A member may be granted additional time for debate in excess of the 15/10/5 of House rules and practice. The request for additional time is a motion to suspend the rules, requiring a two-thirds vote of the members present to be adopted.

The usual procedure is:

Speaker: *“Do you wish to grant Representative X, additional time?”*

Member: *“Two minutes, Mr. Speaker.”*

Speaker: *“Without objection, so ordered.”*

Amend

See House Rules 11.1 through 11.5

Any member may submit proposed floor amendments to any instrument on Third Reading and Final Passage by filing a copy of the proposed amendments with the Clerk.

The usual procedure is:

Speaker: *“Next set of amendments. Representative X sends up amendments. Representative X, explain your amendment.”*

Member: *(Author of amendment explains amendment, answers questions, and members debate amendment. Author of amendment moves adoption of the amendment.) “I move adoption of my amendment.”*

Speaker: *“Is there any objection to the adoption of the amendments? Representative X has offered amendments to which objection has been heard. When the machine is opened, all those in favor of adoption of the amendments will vote yea, those opposed will vote nay. The Clerk will open the machine. _____ yeas, _____ nays, and the amendment is adopted (or rejected).”*

Note: The House may consider only one set of proposed amendments at a time. Thus, amendments may not be amended. However, a subsequent amendment may remove an earlier amendment and propose different language. (*See House Rule 11.2*)

Note: House Rule 8.13 additionally provides that amendment is in order at the second reading of an instrument, but the usual practice is to amend on Third Reading and Final Passage.

Frequently Used Motions - In Debate

Previous Question

See House Rule 9.10

This motion is used to close debate on the motion pending and no other. The motion is not in order when offered by a member who has made a motion subject to debate nor by a member at the conclusion of speaking on the motion under debate.

The usual procedure is:

Member: *“Mr. Speaker, I move the previous question.”*

Speaker: *“Representative X has moved the previous question. Those in favor of the previous question vote yea, those opposed, nay. The Clerk will open the machine. _____ yeas, _____ nays, and the previous question is ordered. Representative X is recognized to close the debate.”*

End Consideration of Amendments

See House Rule 9.13

The motion is not in order when another member has the floor, is not debatable, and requires approval of a majority present and voting for adoption. If adopted, no further amendments except the amendment pending at the time (and technical amendments) may be adopted. (Adoption of this motion precludes offering additional non-technical amendments. If an amendment is under debate and the motion is adopted, debate continues on that amendment.) In normal practice, the motion for the previous question on the entire subject matter is made as a precursor to a substitute motion to end consideration of amendments. This practice has developed because without this previous motion, the motion for the previous question on the entire subject matter is subject to a substitute motion for the previous question (limited to the motion under debate only). Thus, an attempt to cut off debate may require the stacking of these motions.

Frequently Used Motions - In Debate

The usual procedure is:

Member: *“I move to end consideration of amendments on this measure.”*

Speaker: *“Representative X has offered a motion to end consideration of amendments. Mr. Clerk, are there amendments pending at the desk?”*

Clerk: *(Advises the House of the amendments pending at the desk.)*

Speaker: *Is there objection to the motion to end consideration of amendments? There is objection. Those in favor vote yea, those opposed, nay. The Clerk will open the machine. _____ yeas, _____ nays, and the motion is adopted. The House will now consider the amendment.”*

Previous Question on the Entire Subject Matter

See House Rule 9.10

The usual procedure is:

Member: *“Mr. Speaker, I move the previous question on the entire subject matter.”*

Speaker: *“Representative X has moved the previous question on the entire subject matter. Mr. Clerk, are there amendments pending at the desk?”*

Clerk: *(Advises the House of the amendments pending at the desk.)*

Speaker: *“Those in favor of the previous question on the entire subject matter vote yea, those opposed, nay. The Clerk will open the machine. _____ yeas, _____ nays, and the previous question on the entire subject matter is ordered. Representative X is recognized to close.”*

alternative

Frequently Used Motions - In Debate

Member: *(Another member may offer a substitute motion.)*
“Mr. Speaker, I offer as a substitute the previous question on the amendment only.”

Speaker: *“Representative X has moved the previous question on the entire subject matter, to which motion Representative Y has offered a substitute motion for the previous question on the amendment only. There is an objection; therefore, the vote will occur on the substitute motion. All those in favor of the previous question on the amendment will vote yea, those opposed, nay. The Clerk will open the machine. Are you through voting? The Clerk will close the machine. _____ yeas, _____ nays, and the previous question on the amendment is ordered.”*

or

“_____ yeas, _____ nays, and the motion has failed. The vote will now occur on the original motion, the previous question on the entire subject matter. All those in favor of the previous question on the entire subject matter will vote yea, those opposed, nay. The Clerk will open the machine. Are you through voting? The Clerk will close the machine. _____ yeas, _____ nays, and the previous question on the entire subject matter is ordered.”

Postpone Indefinitely

See House Rule 9.14(A)(13)

Used to kill a bill. Usually used when a Senate Bill is reported unfavorably (the report is rare), but can also be used on Third Reading and Final Passage. Requires favorable vote of a majority of those present to adopt.

Frequently Used Motions - In Debate

The usual procedure is:

Member: *“Mr. Speaker, I move that Senate Bill No. _____ be indefinitely postponed.”*

Speaker: *“Representative X has offered a motion that Senate Bill No. _____ be indefinitely postponed. Those in favor vote yea, those opposed, nay. The Clerk will open the machine.”*

Table or Lay on the Table

See House Rules 9.8 and 9.14(A)(12)

The usual procedure is:

Member: *“Mr. Speaker, I move to table the bill (or amendment).”*

Speaker: *“Representative X has offered a motion that _____ Bill No. _____ be tabled. Is there objection? Those in favor vote yea, those opposed, nay. The Clerk will open the machine.”*

Call from the Table

See House Rules 9.9 and 9.14(A)(5)

The motion requires the favorable vote of two-thirds of the members present and voting for adoption. The motion is debatable only if the motion to be called is debatable.

The usual procedure is:

Member: *(Example - Can be used relative to any motion that has been tabled.) “Mr. Speaker, I move to call from the table _____ Bill No. _____.”*

Speaker: *“Representative X has offered a motion to call _____ Bill No. _____ from the table. Those in favor vote yea, those opposed, nay. The Clerk will open the machine.”*

Return to the Calendar

See House Rule 8.26

This motion returns the measure to the same order of business for possible later consideration. In practice, if the author or member handling the bill moves to return his or her bill to the calendar, the Chair recognizes no objections, thus allowing the author to place the bill in limbo without interference. If a vote is taken, a majority of those present and voting is required to return a bill to a calendar. (For "Call from the Calendar", see page 17.)

The usual procedure is:

Member: *“Mr. Speaker, I move to return the bill to the calendar.”*

Speaker: *“Representative X has moved to return the bill to the calendar. Is there objection? There is objection. Those in favor of returning the bill to the calendar vote yea, those opposed, nay. The Clerk will open the machine. _____ yeas, _____ nays, and the bill is returned to the calendar. Next bill.”*

or

“_____ yeas, _____ nays, and the House has refused to return the bill to the calendar. Representative X for the floor on the bill.”

Motions Related to Voting:

Record Vote

See House Rules 10.9 and 4.5

The constitution requires that the vote on final passage of a bill must be a record vote and that a record vote shall be taken on any matter upon request of one-fifth (21) of the elected members. (Const. Art. III, §15(G))

The usual procedure is:

Member: *“Mr. Speaker, I request a record vote on final consideration of the resolution.”*

Speaker: *“Representative X has requested a record vote. Will 20 members join him? (Clerk opens the machine to record members wishing to join in request for record vote.) A record vote is evident.”*

Lockout

See House Rule 4.5

No other member (or other person) may cast a vote for a member who is not in the Chamber. (See House Rule 10.3.) “Lockout” refers to the procedure of a quorum call prior to a record vote and the locking of the voting machines of all absent members before the record vote is taken. The Clerk locks the voting machines of all members who fail to respond to the quorum call. After a lockout is ordered, all votes are record votes until the matter is disposed of.

The usual procedure is:

Member: *“Mr. Speaker, I request a lockout.”*

Speaker: *“A lockout has been called for. Will 20 members join in the request for a lockout? A lockout is ordered. Quorum call. The Clerk will open the machine for roll call. Are you through voting? The Clerk will close the machine.”*

Frequently Used Motions - Voting

Reconsider *and* Table the Motion to Reconsider

See House Rule 9.11

See discussion of Order of Business “Morning Hour No. 19- Reconsideration” on page 55, and also see “Regular Orders Nos. 5 and 6” on page 61.

The usual procedure is:

Giving Notice to Reconsider

Speaker: *(Announcing vote on final passage of a bill that failed to be adopted though it received more yeas than nays)*
“Does the member desire to give notice of reconsideration?”

Member: *(Author indicates assent)*

Speaker: *“The member does desire to give notice of reconsideration. Before the notice was given, the vote was _____ yeas, _____ nays, and the bill failed to pass.”*

Tabling the Motion to Reconsider

See House Rule 9.11

This motion is referred to as “the clincher.” The purpose of the motion is to prevent further reconsideration. Whenever a bill passes, the Speaker states that the member “moves to reconsider the vote and lay that motion on the table”, thus “clinching” final passage. Tabling a motion to reconsider a bill which received a plurality vote, but not a majority vote, effectively kills the bill. Calling the motion to reconsider from the table would require a two-thirds vote of the members present. Once a motion has been reconsidered, it may not be reconsidered again without suspending the rules.

Frequently Used Motions - Voting

Member: *(Must be member who voted on prevailing side – side that received plurality of vote) “Mr. Speaker, I move that the vote by which the amendment (or bill) was adopted (or finally passed) be reconsidered.”*

Other Member: *“I move that the motion be tabled.”*

Speaker: *“Representative X moves that the vote by which the amendment to _____ Bill No. _____ was adopted be reconsidered. Representative X moves that the motion be tabled, to which Representative Y(author) objects. The vote will occur on the motion to table the motion to reconsider. Those in favor of tabling the motion to reconsider will vote yea, those opposed, nay. The Clerk will open the machine.”*

Change of Member’s Vote

See House Rule 10.8

A member may change his vote before the Speaker announces the vote. In practice, a member may tell the Clerk that he wishes the Journal to record him as voting differently. As long as the result of the vote will not be changed, the House generally permits such changes. Once a vote has been announced by the presiding officer, a vote may be changed only by rules suspension.

The usual procedure is:

Clerk: *“Mr. Speaker, Representative X wishes to have his/her vote properly recorded on the vote to finally pass House Bill No. _____ as being in favor of that motion. It will not change the outcome.”*

Speaker: *“Without objection, so ordered.”*

* Motions in Brief

* This table is based on the motion table in House Rule 9.14(A)

Motion	Debatable	Opens Main Question to Debate	Can be Amended by a Substitute Motion (1)	Can be Reconsidered (14)	Vote Required (2)	In Order When Another Has Floor
(1) Adjourn, fixing day and time	No	No	Yes	No	M	No
(2) Appeal a call to order or reprimand	No (3)	No	No	Yes (4)	M (5)	Yes
(3) Appeal, all other cases	Yes (3, 6)	No	No	Yes (4)	M (5)	Yes
(4) Call from the calendar (24)	No (24)	No	No	No	M	No
(5) Call from the table	(15)	(15)	No	No	2/3	No
(6) Call to order	No	No	No	Yes	(7)	Yes
(7) Call up a bill or resolution without regard to its numerical order	No (24)	No	Yes	Yes	M	No

Motions in Brief - Table

Motion	Debatable	Opens Main Question to Debate	Can be Amended by a Substitute Motion (1)	Can be Reconsidered (14)	Vote Required (2)	In Order When Another Has Floor
(8) Commit (16)	Yes	Yes	Yes	Yes (9)	M	No
(9) Direct committee to report	Yes (22)	No	Yes	Yes	ME	No
(10) End consideration of amendments	No	No	No	Yes	M	No
(11) Leave to explain actions after indecorum	No	No	No	Yes	M	No
(12) Lay on Table	No	No	No	(8)	M	No
(13) Postpone indefinitely	Yes	Yes	No	Yes	M	No
(14) Previous question (18)	No	No	No	No	M	No
(15) Previous question on entire subject matter (11)	No	No	No	No	M	No
(16) Reading papers	No	No	No	Yes	M	No

Motions in Brief - Table

Motion	Debatable	Opens Main Question to Debate	Can be Amended by a Substitute Motion (1)	Can be Reconsidered (14)	Vote Required (2)	In Order When Another Has Floor
(17) Recall instrument from committee & recommit to another committee (16)	Yes (22)	No	(17) No	Yes	ME	No
(18) Reconsider a debatable motion	Yes	Yes	No	No (13)	M	No
(19) Reconsider an undebatable question	No	No	No	No (13)	M	No
(20) Refer (16)	Yes	Yes	Yes	Yes (9)	M	No
(21) Reject recommendation of a committee report - motion which effect is to	Yes	No	Yes	Yes	ME (21)	No
(22) Return to the calendar subject to call	No	No	No	No	M	No

Motions in Brief - Table

Motion	Debatable	Opens Main Question to Debate	Can be Amended by a Substitute Motion (1)	Can be Reconsidered (14)	Vote Required (2)	In Order When Another Has Floor
(23) Rise (in committee equals adjournment)	No	No	No	No	M	No
(24) Special order - motion to place a matter in (10)	Yes (10)	No	Yes	Yes	M (23)	No
(25) Suspend the rules (19,20,24)	No (10,19,24)	No	No	No	2/3 (20,24)	No
(26) Take a recess	No	No	Yes	No	M	No
(27) Take up order of the day	No (10)	No	No	Yes	(10)	Yes
(28) Withdrawal of a motion	No	No	No	Yes	(12)	No

* This table is based on the motion table in House Rule 9.14(A), but includes additional motions and information not included in that rule.

Explanation of Table

"Yes" shows that the rule heading the column in which it stands applies to the motion opposite to which it is placed. "No" shows that the rule does not apply. A figure shows that the rule only partially applies--the figure referring to the note showing the limitation. Take, for example, "Lay on the Table." The table shows that it is undebatable, does not open main question, cannot be amended, an affirmative vote as shows by note No. 8 cannot be reconsidered, requires a majority vote, and is not in order when another has the floor.

Notes to Table Relating to Motions

The following notes are applicable to the motions table in Paragraph A above:

- (1) Since motions are never amended in the House, this heading is somewhat misleading. What is meant is that the motion can be altered in some respect by a substitute motion – for example, the motion to lay on the table cannot be altered by a substitute motion, but the motion to fix the time and day to which to adjourn can be altered by a substitute motion by naming another day and/or time.
- (2) Vote required: M – Majority of those present; ME – Majority of elected members; 2/3 –two-thirds of those present.
- (3) An appeal is undebatable only when relating to indecorum or to transgressions of the rules of speaking or to the priority of business or made while the previous question is pending.
- (4) An appeal may be reconsidered, but when the subject matter upon which the appeal was taken has been disposed of, and it is impossible for the House to reverse its action,

it is too late to move to reconsider the appeal.

- (5) A tie vote sustains the ruling of the Chair, regardless of whether the question is put to sustain or overrule the Chair, since a majority is required to overrule. Any sustained ruling of the chair may not be appealed on the same legislative day on the same point of order, except by a 2/3rds vote.
- (6) No member shall speak more than once on an appeal unless by leave of the House (House Rule 9.12). See also Note 3, supra.
- (7) If any member, in speaking or otherwise, transgresses the rules of the House, the presiding officer shall, or any member may, call him to order (House Rule 5.2).
- (8) An affirmative vote on this motion cannot be reconsidered.
- (9) Cannot be reconsidered when in committee (House Rule 6.13). House Rule 6.13 sets forth procedures to effect a mandatory report by committee or discharge and recommittal.
- (10) A matter of right; it would require a vote equivalent to a suspension of the rules to proceed otherwise. Generally questions regarding the priority of business are not debatable, however, a motion to suspend House Rule 8.6 regarding the order of business and the placement of a legislative instrument on special order for the succeeding day is debatable.
- (11) The previous question on the entire subject matter, if adopted, cuts off debate and brings the House to a vote on the pending questions in their order until the main question is reached, which shall be at once disposed of.

Motions in Brief - Table

But its only effect, if a motion "to postpone" is pending, is to bring the House to a vote upon such motion. Motion for previous question on the entire subject matter is not applicable in the Committee of the Whole.

- (12) A matter of right, except in the case of the motion to reconsider (See House Rule 9.2).
- (13) A motion which has been reconsidered cannot be reconsidered a second time (House Rule 9.11).
- (14) A rejected motion, although it be of a class that cannot be reconsidered, can nonetheless be renewed, after progress in debate or the transaction of any business, provided the renewal is not dilatory.
- (15) See House Rule 9.9(B).
- (16) Motion to refer to another committee is not in order unless the author and chair of committee of original referral are in the chamber (See House Rule 6.5 and, for prefiled bills, House Rule 7.2).
- (17) Motion to recall or discharge an instrument from committee can not be amended; however, the motion to recommit an instrument to another committee can be amended.
- (18) Motion for previous question is not in order when offered by a member who has made a motion subject to debate or by a member at the conclusion of speaking on the motion under debate, nor, if members in opposition to the main motion have requested to speak and at least one member in opposition to the main motion has not been recognized to speak (See House Rule 9.10(H)).
- (19) Motion to suspend House Rule 6.10(B) regarding

Motions in Brief - Table

rescheduling deferred legislation in committee is a debatable motion.

- (20) House Rule 8.15(C) allows certain time limitations and procedural requirements relative to a conference committee report on the General Appropriation Bill contained in House Rule 8.15(B) to be waived with a majority vote of the elected members (ME).
- (21) Motion the effect of which is to reject the recommendation of a committee report on a legislative instrument requires a majority of the elected members, except for a motion to recommit, postpone indefinitely, or withdraw from the files of the House which requires a majority of those present and voting. (See House Rule 6.11(D))
- (22) It is not in order to debate the merits of the legislation; debate must be confined strictly to the motion.
- (23) Additionally requires the recommendation of placement of the legislative instrument on Special Order by the standing committee which reported the instrument. Changing the order of precedence of legislative instruments on Special Order requires vote of 2/3rds of those present.
- (24) House Rule 8.27 generally requires question of the consideration a conference committee report to lie over until the next legislative day after the receipt of the conference committee report with certain exceptions and provides that a motion to suspend such requirement on the last legislative day of a session requires the favorable vote of a majority of the elected members (ME). A motion to suspend the provisions of House Rule 8.27(A), which includes the requirements that the question of the consideration of a conference committee report lie over until the next legislative day after the receipt of the conference committee report and that the Clerk place each

Motions in Brief - Table

conference committee report on the calender in the order in which it is received, is a debatable motion.

Other Less Commonly Used Motions and Vote Requirements:

- (1) Elect/Remove Speaker, Pro Tempore, Clerk (ME)
- (2) Readmittance to chamber after chamber is cleared (M)
(Note: After the chamber has been entirely or partially cleared by the presiding officer or at the request of one-third of the members present and voting, any person, persons, or groups may be readmitted to the chamber either upon approval of the Speaker or a majority of the members present and voting.)
- (3) Recommit a bill which has already been recommitted by motion once (2/3)
- (4) Placement on 2nd reading on Local and Consent calendar (Unless 21 members object)
- (5) Take up a Conference Committee Report (privileged incidental motion) (M) See also page 62.
- (6) Take up consideration of a vetoed bill (privileged incidental motion) (M)
- (7) Dispense with reading of Journal (M)
- (8) Return to rules when Suspension of rules is beyond one action (M)

MORNING HOUR

See House Rules 8.1, 8.7 through 8.14 generally

Morning Hour refers to the orders of business in which the House primarily attends to housekeeping matters and advances instruments in the legislative process. These orders of business are:

- (1) Roll Call
- (2) Prayer
- (3) Pledge of Allegiance
- (4) Reading of the Journal
- (5) Petitions, Memorials, and Communications
- (6) Introduction of Resolutions
- (7) Introduction of Bills
- (8) Senate Bills on First Reading
- (9) Reports of Committees
- (10) House and House Concurrent Resolutions Lying Over
- (11) Senate Concurrent Resolutions Lying Over
- (12) House Bills on Second Reading to be Referred to Committee
- (13) Senate Bills on Second Reading to be Referred to Committee
- (14) House and House Concurrent Resolutions Reported by Committee
- (15) Senate Concurrent Resolutions Reported by Committee
- (16) House Bills on Second Reading Reported by Committee
- (17) Senate Instruments on Second Reading Returned from the Legislative Bureau
- (18) Senate Bills on Second Reading Reported by Committee
- (19) Reconsideration
- (20) Special Order
- (21) Reconsideration of Vetoed Bills

Morning Hour

Morning Hour No. 1 - Roll Call

The usual procedure is:

Speaker: *“The House will come to order. The Clerk will open the machine for roll call. Members vote your machines. Are you through voting? The Clerk will close the machine. _____ members present and a quorum.”*

Members indicate their presence by voting their machines. A quorum (a majority of the elected members or 53 members) must be present for the House to transact business.

Leaves of Absence

See House Rules 4.1 through 4.6 relative to attendance and quorum

The usual procedure is:

Speaker: *“For what purpose does the member rise?” (Speaker must recognize member who wishes to speak before the member’s microphone will be turned on.)*

Member: *“Mr. Speaker, I request a leave of absence of one day for Representative X.”*

Speaker: *“The Journal will so reflect.”*

The request for leave is made for an absent colleague. It can be made at any point during the floor proceedings when another member does not have the floor. The journal lists leaves of absence for the day at the end of the proceedings for that day.

Morning Hour No. 2 - Prayer

The usual procedure is:

Speaker: *“The House will be opened with a prayer by _____ of the _____ church. Please rise.”*

Members rise and bow their heads for the prayer.

Morning Hour No. 3 - Pledge of Allegiance

The usual procedure is:

Speaker: *“Representative X will lead the House in reciting the Pledge of Allegiance.”*

Any member may be called to do this. The member called leads the pledge from his own seat. All members and guests recite the pledge of allegiance.

Morning Hour No. 4 - Reading of the Journal

See House Rules 12.1 through 12.5, particularly House Rule 12.5

The usual procedure is:

Speaker: *“Morning Hour No. 4 - Reading of the Journal.”*

Clerk: *“Baton Rouge, Louisiana ...(continues to read from the journal)”*

Speaker: *“Representative X moves to dispense with the reading of the journal. (Speaker selects the name of a member to make this motion.) Without objection, so ordered. The same member moves to adopt the journal, without objection, so ordered.”*

A member may ask that the journal of the previous day be corrected. He should consult with the Clerk in advance so that the Clerk may advise the Speaker that the member wishes to do so and

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the journal will be corrected prior to its adoption, unless the House denies the member's request.

Morning Hour No. 5 - Petitions, Memorials, and Communications

The usual procedure is:

Speaker: *"Petitions, memorials, and communications."*

Clerk: *(Clerk reads, in full or in part, any petitions, resolutions, or other communications sent to the House - such as those from other legislatures. Often there is no need to go to this order of business.)*

Morning Hour No. 6 - Introduction of Resolutions

The Clerk reads the resolutions by title; no further action is taken on the resolution that day.

For the House to refer a resolution just introduced to committee or to consider the adoption of the resolution upon introduction, a suspension of the rules is necessary. Since this order of business is generally handled very quickly, the member usually makes the presiding officer (or the Clerk) aware in advance that he wishes to make such a motion. Then, though the member does not actually make the motion, the Clerk and Speaker state that the member has made the motion. Of course, the member may rise and actually make the motion when he is recognized by the Speaker.

The usual procedure is:

If the member wishes to refer the resolution to committee at this time:

Clerk: *"Mr. Speaker, Representative X moves the rules be suspended for the purpose of referring the resolution to committee at this time."*

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Speaker: *“Representative X moves for a suspension of the rules to refer the resolution at this time. Is there any objection? Without objection, so ordered. Under the rules, referred to the Committee on _____. ”*

If the member wishes to consider the adoption of the resolution at this time:

Clerk: *“Mr. Speaker, Representative X moves the rules be suspended for the purpose of considering the adoption of the resolution at this time.”*

Speaker: *“Representative X moves for a suspension of the rules for the purpose of considering the adoption of the resolution at this time. Is there any objection? Without objection, the resolution stands adopted.”*

Morning Hour No. 7 - Introduction of Bills

The Clerk reads the bills by title and each is given a number and no further action is taken that day. (This is first reading.)

A member may move for a suspension of the rules for the purpose of referring one, some, or all of the bills introduced.

The usual procedure is:

Member: *“Mr. Speaker, I move that the rules be suspended for the purpose of referring House Bill No. _____ to committee at this time.”*

Speaker: *“Representative X moves for a suspension of the rules for the purpose of referring House Bill No. _____ to committee at this time. Without objection, so ordered. Under the rules, referred to Committee on _____. ”*

Morning Hour

Morning Hour No. 8 - Senate Bills on First Reading

The same procedure applies as for introduction of House bills. However, in practice, upon receipt and reading of the Senate Message informing the House that the Senate has passed the listed bills, the rules are suspended and the bills are read for the first time by title. Thus, this order of business is seldom used. The bills are then referred the next day, without the necessity to suspend the rules.

Morning Hour No. 9 - Reports of Committees

The Clerk merely reads the committee reports and no further action is taken. Rarely, the rules may be suspended to consider one or more of the instruments contained in one or more of the reports just read.

Note: It is at this point that Senate bills (not joint resolutions) reported favorably or with amendments by committee are automatically referred to the Legislative Bureau. When reported by the Legislative Bureau, Committee and Legislative Bureau amendments, if any, are adopted and the bills are passed to third reading (or other action taken) in Morning Hour No. 17.

Morning Hour No. 10 - House and House Concurrent Resolutions Lying Over and Morning Hour No. 11 - Senate Concurrent Resolutions Lying Over

The usual procedure is:

Clerk: *[Reads the resolution]*

Speaker: *“Under the rules, referred to the Committee on (A).”*

If a member objects to the referral by the Chair and wishes to move that the resolution be referred to another committee:

Member: *“Mr. Speaker, I object and move that the resolution be referred to the Committee on (B).”*

Speaker: *“Representative X objects to the referral of House [Concurrent] Resolution No. _____ to the Committee on (A) and moves that the resolution be otherwise referred to the Committee on (B), to which motion there is objection. Therefore, when the machine is open, as many of you as are in favor of referring the resolution to the Committee on (B) vote yea, those opposed, nay. The Clerk will open the machine.”*

If motion carries:

Speaker: *“_____ yeas, _____ nays, and the resolution is referred to the Committee on (B).”*

(A majority of those present and voting is required to adopt this motion. See House Rule 6.5(A))

If motion fails:

Speaker: *“_____ yeas, _____ nays, and the House has refused to refer the resolution to the Committee on (B). Therefore, under the rules, the resolution is referred to the Committee on (A).”*

A member may ask for a suspension of the rules to consider the adoption of a resolution in this order, rather than following the rules and referring it to committee. This is usually done for noncontroversial matters; i.e., resolutions to commend or to express condolences. A member may request the reading of such a resolution in full, particularly if the person(s) being commended are present in the Chamber. (See discussion and example of this under “Morning Hour No. 6 - Introduction of Resolutions” on page 44.)

Morning Hour

Morning Hour No. 12 - House Bills on Second Reading to be referred to Committee

and

Morning Hour No. 13 - Senate Bills on Second Reading to be referred to Committee

The usual procedure is:

Same as for House and House Concurrent Resolutions Lying Over as described above, EXCEPT that it is not possible to suspend the rules to consider final passage of a bill since three readings on three separate days and a committee hearing are required. (See Const. Art. III, §15(D))

Morning Hour No. 14 - House and House Concurrent Resolutions Reported by Committee

The Clerk reads the resolutions by title together with the committee's recommendations. After each, the Speaker moves them on to their next order by saying the following:

The usual procedure is:

If reported favorably:

Speaker: *“Representative X (Committee Chair) moves the resolution be engrossed and passed to its third reading. Without objection, so ordered.”*

If reported with amendments:

Speaker: *“Representative X (Committee Chair) moves to adopt the amendments, and moves the resolution be ordered engrossed and passed to its third reading. Without objection, so ordered.”*

If reported with amendments with recommendation to be

recommitted:

Speaker: *“Representative X (Committee Chair) moves to adopt the amendments and moves the resolution be ordered engrossed and be recommitted to the Committee on _____. Without objection, so ordered.”*

If reported favorably or without action with recommendation to be recommitted:

Speaker: *“Representative X (Committee Chair) moves the resolution be recommitted to the Committee on _____. Without objection, so ordered.”*

If reported unfavorably:

(Vote occurs only if there is an objection.)

Speaker: *“Representative X (Committee Chair) moves the resolution be withdrawn from the files of the House. Without objection, so ordered.”*

or

“There is objection. When the Clerk opens the machine, as many of you as are in favor of withdrawing the resolution from the files will vote yea, all opposed vote nay. The Clerk will open the machine. The Clerk will close the machine. _____ yeas, _____ nays, and the resolution is withdrawn from the files of the House.”

***Morning Hour No. 15 - Senate Concurrent Resolutions
Reported by Committee***

The Clerk reads the resolutions by title together with the Committee’s recommendations. After each, the Speaker moves them on to their next order by saying the following:

The usual procedure is:

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If reported favorably:

Speaker: *“Representative X (Committee Chair) moves the resolution be passed to its third reading. Without objection, so ordered.”*

If reported with amendments:

Speaker: *“Representative X (Committee Chair) moves to adopt the amendment and moves the resolution be passed to its third reading. Without objection, so ordered.”*

If reported with amendments with recommendation to be recommitted:

Speaker: *“Representative X (Committee Chair) moves to adopt the amendments and moves the resolution be recommitted to the Committee on _____. Without objection, so ordered.”*

If reported favorably or without action with recommendation to be recommitted:

Speaker: *“Representative X (Committee Chair) moves the resolution be recommitted to the Committee on _____. Without objection, so ordered.”*

If reported unfavorably or without action:

(Vote occurs only if there is an objection.)

Speaker: *“Representative X (Committee Chair) moves the resolution be indefinitely postponed. Is there any objection? Without objection, so ordered.”*

or

“There is objection. When the Clerk opens the

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machine, as many of you as are in favor of indefinitely postponing this resolution will vote yea, all opposed vote nay. The Clerk will open the machine. The Clerk will close the machine. _____ yeas, _____ nays, and the resolution is indefinitely postponed.”

***Morning Hour No. 16 - House Bills on Second Reading
Reported by Committee***

The Clerk reads the bill by title with the recommendation of the committee.

The usual procedure is:

If reported favorably:

Speaker: *“Representative X (Committee Chair) moves the bill be ordered engrossed and passed to its third reading. Without objection, so ordered.”*

Clerk: *“Placed on the _____ Calendar.”*

If reported with amendments:

Speaker: *“Representative X (Committee Chair) moves to adopt the amendments and moves the bill be ordered engrossed and passed to its third reading. Without objection, so ordered.”*

Clerk: *“Placed on the _____ Calendar.”*

If reported with amendments with recommendation to be recommitted:

Speaker: *“Representative X (Committee Chair) moves to adopt the amendments and moves the bill be engrossed and recommitted to the Committee on _____. Without*

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objection, so ordered.”

If reported favorably or without action with recommendation to be recommitted:

Speaker: *“Representative X (Committee Chair) moves the bill be recommitted to the Committee on _____. Without objection, so ordered.”*

If reported unfavorably:

(Vote occurs only if there is an objection.)

Speaker: *“Representative X (Committee Chair) moves the bill be withdrawn from the files of the House. Without objection, so ordered.”*

or

“Representative X objects and offers a substitute motion that the bill be engrossed and passed to its third reading. Is there objection to the substitute motion? There is objection. When the Clerk opens the machine, as many of you as are in favor of the substitute motion to engross the bill and pass it to third reading will vote yea, all opposed vote nay. The Clerk will open the machine. The Clerk will close the machine. _____ yeas, _____ nays, and the bill is ordered engrossed and passed to its third reading.”

If reported by substitute:

Speaker: *“Representative X (Committee Chair) moves to adopt the title of the substitute. The Clerk will read the substitute title.”*

Clerk: *[Reads title]*

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Speaker: *“Lies over under the rules, in this order of business.”*

Substitute bills on second reading:

Speaker: *“Representative X (Committee Chair) moves the bill be ordered engrossed and passed to its third reading. Without objection, so ordered.”*

Clerk: *“Placed on the _____ Calendar.”*

Morning Hour No. 17 - Senate Instruments on Second Reading Returned from the Legislative Bureau

The Clerk reads the instrument by title along with the Committee recommendations and the Bureau recommendations.

The usual procedure is:

If reported favorably and without amendments from the Bureau:

Speaker: *“Representative X (Committee Chair) moves the bill be passed to its third reading. Without objection, so ordered.”*

Clerk: *“Placed on the _____ Calendar.”*

If reported with Committee and/or Bureau amendments:

Speaker: *“Representative X (Committee Chair) moves to adopt the amendments and moves to pass the bill to its third reading. Without objection, so ordered.”*

Clerk: *“Placed on the _____ Calendar.”*

Morning Hour

Morning Hour No. 18 - Senate Bills on Second Reading Reported by Committee

Only Senate bills reported unfavorably, with recommendation to be recommitted, or joint resolutions (proposed constitutional amendment) will appear in this Order of Business.

The usual procedure is:

If reported favorably (joint resolutions only):

Speaker: *“Representative X(Committee Chair) moves to refer the bill to the Committee on Civil Law and Procedure.”*

If reported with amendments (joint resolutions only):

Speaker: *“Representative X (Committee Chair) moves to adopt the amendments and refer the bill to the Committee on Civil Law and Procedure.”*

If reported unfavorably:

Speaker: *“Representative X (Committee Chair) moves the bill be indefinitely postponed. As many of you are in favor of indefinitely postponing the bill vote yea, those opposed vote nay. The Clerk will open the machine. Are you through voting? The Clerk will close the machine. _____ yeas, _____ nays, and the bill is indefinitely postponed.”*

If reported favorably or without action with recommendation that it be recommitted to the Committee on _____:

Speaker: *“Representative X (Committee Chair) moves the bill be recommitted to the Committee on _____. Without objection, so ordered.”*

If reported with amendments with recommendation that it be recommitted to the Committee on _____:

Speaker: *“Representative X (Committee Chair) moves the amendments be adopted and the bill be recommitted to the Committee on _____. Without objection, so ordered.”*

Morning Hour No. 19 - Reconsideration

See House Rule 9.11

The Clerk reads the bill or resolution (or other motion) and the vote by which it failed to pass. (The motion to reconsider the vote would have been made and not have been tabled, and notice would have been given on the previous legislative day that the member would insist on the motion to reconsider.) It is also possible to reconsider a vote by which an instrument or motion passed, though that is uncommon. Only a member voting on the side which received the plurality of the vote may make the motion to reconsider. (Also see discussion on page 30, and see “Regular Order No. 6 on page 61.)

The usual procedure is:

Clerk: *“Representative X moves to reconsider the vote by which _____ failed to pass on yesterday.”*

Speaker: *“Without objection, so ordered. Returned to the Calendar under the Rules.”*

A motion to table the motion is also in order at this time, to kill the bill.

Member: *“I move that the motion to reconsider be tabled.”*

Morning Hour

If the motion to reconsider is adopted, the instrument is returned to the calendar in the appropriate order, usually final passage. A motion to suspend the rules for the purpose of considering the instrument at this time must be adopted in order to vote on the instrument in this order of business.

Morning Hour No. 20 - Special Order

See House Rules 8.4 through 8.6

Instruments placed in Special Order are considered on final passage in this order of business. If not acted upon in this order of business, any such instrument is returned to the calendar in the order to which it was otherwise last advanced. (Also see page 18.)

Morning Hour No. 21 - Reconsideration of Vetoed Bills

See House Rule 8.28

In this order, the Clerk reads the title of bills vetoed by the governor for which the veto message has been read (on a prior legislative day, except on the last calendar or legislative day of a session or under a suspension of the rules when reconsideration of vetoed bills may occur on the same day the message is received). A motion to sustain the governor's veto or to pass the bill subsequent to the governor's veto is a debatable motion. The usual procedure is for the Speaker to recognize the governor's floor leader who, after debate, will close on a motion to sustain the governor's veto. Of course, it is possible for the author or another member to offer a substitute motion "to pass subsequent to the governor's veto."

The usual procedure is:

Speaker: *"As many of you as are in favor of sustaining the veto of the governor will vote yea, those opposed vote nay. The Clerk will open the machine. Are you finished voting? The Clerk will close the machine. _____ yeas, _____ nays, and the veto of the governor is sustained.*

or

Speaker: *“As many of you as are in favor of passing _____ Bill No. _____ subsequent to the veto of the governor will vote yea, those opposed vote nay. The Clerk will open the machine. Are you finished voting? The Clerk will close the machine. _____ yeas, _____ nays, and the veto of the governor is sustained.” (A vetoed bill must be subsequently approved by two-thirds of the elected members of each house to become law.) [Const. Art. III, §18(C)]*

REGULAR ORDER OF THE DAY

See House Rules 8.2, 8.3, 8.6, 8.8, 8.9, 8.10, 8.16 through 8.20, 8.23, 8.24, and 8.27

In general the orders of business included in the Regular Order of the Day are those in which final disposition of instruments takes place. Most debate on final passage occurs in these orders. The orders of business in the Regular Order are:

- (1) House and House Concurrent Resolutions on Third Reading for Final Consideration
- (2) Senate Concurrent Resolutions on Third Reading for Final Consideration
- (3) House Concurrent Resolutions Returned from the Senate with Amendments
- (4) House Bills Amended by the Senate to be Concurred in by the House
- (5) House Bills on Third Reading and Final Passage
- (6) Senate Bills on Third Reading and Final Passage
- (7) Conference Committee Reports for Consideration

Regular Order No. 1 - House and House Concurrent Resolutions on Third Reading for Final Consideration

and

Regular Order No. 2 - Senate Concurrent Resolutions on Third Reading for Final Consideration

The Clerk reads the title of the resolution. The author explains the measure and it is debated.

The usual procedure is:

Speaker: *“Are you ready for the question? The previous question is ordered.”*

Regular Order of the Day

(The author closes. A vote occurs only if there is objection, if the resolution has the effect of law, or if the resolution is a significant expression of legislative intent.)

Speaker: *“Representative X has moved final adoption of House Resolution No. _____ (or House Concurrent Resolution No. _____ or Senate Concurrent Resolution No. _____). As many of you as are in favor of the final adoption of the resolution vote yea, those opposed vote nay. The Clerk will open the machine. Are you through voting? The Clerk will close the machine. _____ yeas, _____ nays, and the resolution has been adopted (or rejected).”*

Regular Order No. 3 - House Concurrent Resolutions Returned from the Senate with Amendments

and

Regular Order No. 4 - House Bills Amended by the Senate to be Concurred in by the House

All Senate amendments on an instrument are adopted or rejected; there is no procedure for adopting some and rejecting some. The constitution (Art. III, §15) requires a record vote on concurrence in amendments to Bills (though not to resolutions - except those having the effect of law). If the amendments are rejected, a conference committee is appointed on the instrument.

The usual procedure is:

Clerk: *(Reads the title of the resolution or bill with the type of amendments proposed by the Senate.)*

(Author begins and closes debate.)

Speaker: *“As many of you as are in favor of concurring in the Senate amendments will vote yes, those opposed, no.*

Regular Order of the Day

The Clerk will open the machine. Are you through voting? The Clerk will close the machine. _____ yeas, _____ nays, and the amendments stand concurred in (or rejected).”

Regular Order No. 5 - House Bills on Third Reading and Final Passage

and

Regular Order No. 6 - Senate Bills on Third Reading and Final Passage

The Clerk reads the title. The author explains the measure and it is debated.

The usual procedure is:

Speaker: *“Representative X (author or member handling bill) has moved final passage of the bill. When the machine is opened, all those in favor of the final passage will vote yea, those opposed vote nay. The Clerk will open the machine. Are you through voting? The Clerk will close the machine. _____ yeas, _____ nays, and the bill has finally passed. Representative X moves to reconsider the vote by which the bill finally passed and lay that motion on the table. Without objection, so ordered.”*

(If the bill failed to pass, but received more yeas than nays:)

Speaker: *“Does the member desire to give notice of reconsideration? (Only the author who certainly voted on the prevailing side - yeas in this case - can move to reconsider) The member does desire to give notice of reconsideration. Before the notice was given, the vote was _____ yeas and _____ nays, and the bill failed to pass. Lies over.”*

Regular Order of the Day

(If the bill failed to pass and received fewer yeas than nays:)

Speaker: “_____ yeas, _____ nays, and the bill has failed to pass. Representative X moves to reconsider the vote by which the bill failed to pass and lay that motion on the table. Without objection, so ordered.”

(For more on reconsideration, see page 30, and “Morning Hour No. 19 on page 55.)

Regular Order No. 7 - Conference Committee Reports for Consideration

See House Rules 8.27, 7.11, 8.15, and 8.2(A)(7)

When a conference committee report is received, the Clerk gives notice of receipt of the report as soon as he can without interrupting business. It lies over until Regular Order No. 7 the next day. On the last day of the session, a conference committee report which is confined to resolving the differences between the two houses and technical amendments or which is on a legislative judicial or supplemental appropriation bill, the Capital Outlay Bill, or the omnibus bond authorization may be considered upon adoption of a motion by any member. The motion can be made at any time unless another motion or instrument is then pending.

For every other conference committee report received on the last day, in order to be considered, the requirement that such report lie over must be suspended. A motion to suspend the requirement is a debatable motion and requires the favorable vote of a majority of the elected members (53).

The usual procedure is:

Clerk: *(Reads the conference committee report.)*

(Author is recognized to begin debate. Author closes.)

Regular Order of the Day

Speaker: *“Representative X moves the adoption of the conference committee report. As many of you as favor the adoption of the report will vote yea, those opposed vote nay. The Clerk will open the machine. Are you through voting? The Clerk will close the machine. _____ yeas, _____ nays, and the conference committee report is adopted (or rejected). (This is a record vote.)*

or

The usual procedure for conference committee reports received on last day :

Clerk: *Members we are in receipt of a conference committee report on House Bill No. _____ by Representative X relative to _____ to provide for _____ signed by five conferees which report is limited to the disagreement between the two houses.”*

(Speaker recognizes Representative X for the floor on the conference committee report.)

or, for conference committee reports which are not limited

Clerk: *Members we are in receipt of a conference committee report on House Bill No. _____ by Representative X relative to _____ to provide for _____ signed by six conferees which report contains new matter and Representative X moves to suspend the rules in order to take up consideration of the conference committee report on House Bill No. _____ at this time.”*

(Speaker recognizes Representative X for the floor on his motion to suspend the rules. Discussion by Representative X in support of his motion. If there is objection to the motion, Speaker recognizes Representative Y for the floor to speak in opposition to the motion

Regular Order of the Day

and may recognize any other member who has requested the floor on the motion. Speaker recognizes Representative X to close on his motion to suspend the rules.)

Speaker: *"Representative X moves to suspend the rules to allow the consideration of the conference committee report on House Bill No. _____. As many of you in favor of suspending the rules to allow the consideration of the conference committee report will vote yea, those opposed vote nay. The Clerk will open the machine. Are you through voting? The Clerk will close the machine. 56 yeas and 47 nays and the rules are suspended."*

(Speaker recognizes Representative X for the floor on the conference committee report.)

or

Speaker: *"Representative X moves to suspend the rules to allow the consideration of the conference committee report on House Bill No. _____ to which there is objection. As many of you in favor of suspending the rules to allow the consideration of the conference committee report will vote yea, those opposed vote nay. The Clerk will open the machine. Are you through voting? The Clerk will close the machine. 49 yeas and 53 nays and the rules are not suspended. Next matter Mr. Clerk."*

It has been established that the right of reconsideration exists with respect to a conference committee report which receives insufficient votes for adoption. However, the Senate traditionally does not reconsider the vote on a conference committee report. It is possible to recommit a bill to a conference committee, but only if both houses agree to recommit. Recommittal by only one house effectively kills the bill.

COMMITTEE OF THE WHOLE

See House Rules 6.18 through 6.25 and 8.15

The Committee of the Whole is the entire membership of the House of Representatives acting in the capacity of committee to consider the General Appropriation Bill or other matters. A member named by the Speaker serves as chairman. Debate on the General Appropriation Bill proceeds seriatim, that is, clause by clause or item by item, in the order of the bill.

The Committee of the Whole permits less formal discussion of any question that the entire House could consider acting under its ordinary rules of procedure, and it also allows the House to hear testimony from persons who are not members of the House.

The usual procedure is:

Member: *“Mr. Speaker, I move that the House do now resolve itself into the Committee of the Whole for the purpose of considering _____ (subject).”*

Speaker: *“Representative _____ (names Chairman).”*

Amendments in Committee

The usual procedure is:

Chairman: *“Representative X sends up amendments. The Clerk will read the amendments. Is there any discussion on the amendments? Is there any objection to the amendments? Hearing none, the amendments stand adopted. Are there any further amendments?”*

Rising of Committee

The usual procedure is:

Member: *“Mr. Chairman, I move that the Committee of the Whole do now rise.”*

Chairman: *“Representative X moves that the committee rise and report progress. Without objection, so ordered.” (A committee report is optional.)*

Speaker: *“The House, as a committee of the whole House, has reported House Bill No. _____ with amendments. What is the pleasure of the House? Representative X moves to adopt the committee amendments. Without objection, so ordered. The same member moves the House take up on final passage House Bill No. _____ Representative _____(author of the bill).” (It is not necessary to adopt any report which might be made.)*

If there are no amendments, or if the amendments are rejected:

Chairman: *“Representative X moves that the committee rise and report progress. Without objection, so ordered.”*

Committee report is optional. A report is unnecessary and should be avoided unless used in lieu of a standing committee report when a bill has been recalled from a committee and has not been recommitted to a standing committee. (See Discharge a Committee on page 13.)

If a report is made by the Committee of the Whole during Third Reading and Final Passage, it is unnecessary for the House to adopt it. (Any amendments, however, must be adopted.) If a report is made by the Committee of the Whole functioning in lieu of a standing committee during second reading, it will be necessary for the Committee to report as would a standing committee. The report would be treated like any other committee report (i.e., engross and pass to third reading, if favorable).