## TABLE OF CONTENTS

FOREWORD .................................................................................... xxix

DEDICATIONS .................................................................................. xxxi

NCSL, ASLCS AND THE COMMISSION ............................................. xxxiii

LIST OF MOTIONS ........................................................................... xxxv

INTRODUCTION .................................................................................. 1

### PART I

**PARLIAMENTARY LAW AND RULES**

**Chapter 1—Rules Governing Procedure**

Sec.

1. Necessity for Rules of Procedure ........................................... 9
2. Right to Regulate Procedure ................................................. 11
3. Each House Determines the Rules of Its Own Proceedings ........................................... 12
4. Sources of Rules of Procedure .............................................. 14

**Chapter 2—Constitutional Provisions Governing Procedure**

Sec.

6. Legislative Procedure Is Controlled by Constitutional Provisions ........................................... 17
7. Constitutional Requirements Concerning Procedure Must Be Complied With ............... 17

**Chapter 3—Adopted Rules Governing Procedure**

Sec.

10. Right to Adopt Rules ........................................................... 19
11. Joint Rules ............................................................................. 20
12. Rules Must Conform to Constitutional Provisions ........................................... 21
13. Right to Change Rules ........................................................... 21
Sec.
14. Rules Can Be Suspended ..................................................23
15. Failure of a House of the Legislature to Conform
to Its Rules Does Not Invalidate Its Acts .....................24
16. Fraud Will Invalidate Acts ................................................25

Chapter 4—Statutory Provisions Governing Procedure
Sec.
20. Statutory Provisions ..........................................................26

Chapter 5—Adopted Parliamentary Authority
Sec.
30. Parliamentary Authority Is Usually Adopted .....................27
31. What Parliamentary Authority Contains .........................27
32. Effect of Adoption of Parliamentary Authority .................28

Chapter 6—Parliamentary Law
Sec.
35. Parliamentary Law Defined ..............................................29
36. Parliamentary Law Not Determined
    by Any One Legislative Body ...........................................30
37. Parliamentary Law Governs When Other Rules
    Are Not in Effect ................................................................30
38. Source of Parliamentary Law .............................................32
39. Precedents and Usages ......................................................33

Chapter 7—Principles of Parliamentary Law
Sec.
42. There Are Indispensable Requirements
    for Making Valid Group Decisions ..............................36
43. Indispensable Requirements for Making
    Valid Group Decisions ....................................................36
44. Parliamentary Law Is a Branch
    of the Common Law .......................................................39
45. Parliamentary Law Is Based on Principles .........................40
46. Differences Between Public Bodies
    and Private Organizations .............................................41
Table Of Contents

Sec.
47. Parliamentary Law Is Applied Differently in Public Bodies and in Private Associations ..........42
48. Limitations on Powers .................................................................43
49. Right to Act for a Body—Quorum ...........................................44
50. Majority Control ........................................................................45
51. Delegation of Powers ...............................................................46
52. Equality of Members .................................................................48
53. There Should Be a Definite Rule ..............................................48
54. Use of Technical Rules .............................................................48
55. Most Direct and Simple Procedure Should Be Followed ...............49
56. One Proposition at a Time .......................................................49
57. The Immediately Pending Question .........................................49
58. Precedence of Motions .............................................................50
59. Application of One Motion to Another .......................................51
60. Right to Debate ........................................................................51
61. Interruption of Members Speaking ..........................................52
62. Seconds Not Required ...............................................................53
63. Debatability of Motions ............................................................54
64. Amendability of Motions ..........................................................55
65. Finality of Actions ....................................................................55
66. Changing Actions Already Taken .............................................56
67. Renewal of Motions .................................................................57

Chapter 8—Powers of Courts with Reference to Legislative Procedure

Sec.
71. Courts Cannot Interfere with Rule-Making Powers of Legislative Bodies ...........................................59
72. Legislative Policy Is Not Within Control of the Courts ..........60
73. Powers of Courts over Legislative Bodies Generally ..............62
PART II
DEBATE

Chapter 9—What Is Debatable
Sec.
80. Purpose of Debate ............................................................67
81. What Motions Are Debatable...........................................68
82. What Motions Are Not Debatable....................................69
83. Motions That Permit Limited Debate ..............................70
84. Motions That Open the Main Question to Debate ..........71
85. Questions or Suggestions Are Not Considered Debate ....72

Chapter 10—Right to the Floor
Sec.
90. Right to Debate Questions ...............................................73
91. Recognition of Members ..................................................74
92. Interruption of a Member Who Is Speaking .....................76
93. Place of Speaking..............................................................77
94. Right of Member to Hold the Floor .................................78
95. Yielding the Floor in Debate ............................................78
96. Right of Presiding Officer to the Floor .............................79

Chapter 11—Debate on Question
Sec.
100. There Must Be a Question Before the House to Permit Debate .......................................................80
101. Debate Is Limited to the Question Before the House .............................................................81
102. A Member Has a Right to Speak Only Once on a Question .........................................................83
103. Member Sponsoring a Question Closing Debate ....84

Chapter 12—Conduct of Debate
Sec.
110. Addressing Members or Presiding Officer .................86
111. Reference to Executive, to Other House, or Questions Before the Courts .............................................87
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec.</td>
<td>Reading Papers</td>
<td>87</td>
</tr>
<tr>
<td></td>
<td>Consideration by Paragraph</td>
<td>89</td>
</tr>
<tr>
<td></td>
<td>Asking Questions of Members</td>
<td>91</td>
</tr>
<tr>
<td></td>
<td><strong>Chapter 13—Decorum in Debate</strong></td>
<td></td>
</tr>
<tr>
<td>Sec.</td>
<td>Equality of Members in Debate</td>
<td>94</td>
</tr>
<tr>
<td></td>
<td>Breaches of the Order of the House</td>
<td>94</td>
</tr>
<tr>
<td></td>
<td>Procedure Under Call to Order</td>
<td>96</td>
</tr>
<tr>
<td></td>
<td>Use of Disorderly Words in Debate</td>
<td>97</td>
</tr>
<tr>
<td></td>
<td>Personalities Not Permitted in Debate</td>
<td>99</td>
</tr>
<tr>
<td></td>
<td>Personal Disputes Between Members</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Complaints Against the Presiding Officer</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td><strong>Chapter 14—Closing Debate</strong></td>
<td></td>
</tr>
<tr>
<td>Sec.</td>
<td>Bringing Question to Vote</td>
<td>102</td>
</tr>
<tr>
<td></td>
<td>Cutting Off Debate</td>
<td>103</td>
</tr>
<tr>
<td></td>
<td>Preventing Debate by Putting Questions to Vote Prematurely</td>
<td>104</td>
</tr>
<tr>
<td></td>
<td>Debate Is Closed by Putting Question to Vote</td>
<td>105</td>
</tr>
<tr>
<td></td>
<td><strong>PART III</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>RULES GOVERNING MOTIONS</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Chapter 15—Proposals for Action</strong></td>
<td></td>
</tr>
<tr>
<td>Sec.</td>
<td>Must Be a Definite Proposal for Consideration</td>
<td>109</td>
</tr>
<tr>
<td></td>
<td>The Moving Element in Proposals</td>
<td>109</td>
</tr>
<tr>
<td></td>
<td>Form of Proposals</td>
<td>110</td>
</tr>
<tr>
<td></td>
<td>How Questions May Come Before the Body</td>
<td>110</td>
</tr>
<tr>
<td></td>
<td>Motions as Presenting Questions</td>
<td>111</td>
</tr>
<tr>
<td></td>
<td>Resolutions, Memorials and Orders</td>
<td>112</td>
</tr>
<tr>
<td></td>
<td>Bills</td>
<td>113</td>
</tr>
<tr>
<td></td>
<td>Committee Reports on Presenting Questions</td>
<td>114</td>
</tr>
<tr>
<td></td>
<td>Communications and Petitions</td>
<td>115</td>
</tr>
<tr>
<td></td>
<td>Appeals, Points of Order, Inquiries</td>
<td>117</td>
</tr>
<tr>
<td></td>
<td>Scope of Terms—“Motions” and “Questions”</td>
<td>117</td>
</tr>
</tbody>
</table>
Chapter 16—Presentation of Motions

Sec.
155. Time and Manner of Presenting Motions .......................119
156. Acceptance of Motions .............................................119
157. Seconds to Motions ...............................................122
158. Only Motions Having Higher Precedence May Be
    Received During Consideration of a Question ..........123
159. Main Question May Be Considered Only Once
    at a Session ................................................................124
160. Procedural Motions May Be Renewed .........................125
161. Main Motions May Not Be Renewed ..........................127
162. Demands by Members .............................................129
163. Submission of Double Motions .................................130
164. Consideration of Motions at a Future Time .............131
165. Motions Not Always Required for Routine Business ...131

Chapter 17—Classification of Motions

Sec.
175. Classification of Motions Generally ..........................133
176. Privileged Questions ..............................................134
177. Incidental Questions ..............................................136
178. Subsidiary Questions .............................................138
179. Main Questions ....................................................141
180. Dilatory Motions ..................................................142
181. There Are an Unlimited Number of Motions .............143
182. Use of Classification of Motions ...............................143
183. Precedence with Reference to Main Motions .............144
184. Motions Change Precedence According to Use ..........145

Chapter 18—List of Motions

Sec.
187. List of Motions ..................................................146
PART IV
RULES GOVERNING PARTICULAR MOTIONS

DIVISION 1. PRIVILEGED MOTIONS

Chapter 19—Call of the House
Sec.
190. Right to Compel Attendance of Members ...............155
191. Right of Less Than a Quorum to Compel Attendance .................................................156
192. Precedence of Call of the House .................................................................157
193. Who May Order a Call of the House ..........................157
194. Motion or Demand for Call of the House ................158
195. Bringing in Members Under a Call of the House.........159
196. Proceedings During a Call of the House ..................160
197. Terminating a Call of the House ..........................161

Chapter 20—Motion to Adjourn
Sec.
200. Precedence of Motion to Adjourn ..........................162
201. Adjournment When There Is No Provision for Future Meetings .................................................162
202. When Motion to Adjourn Is in Order ....................163
203. Adjournment When Time for Future Meetings Is Not Fixed .................................................164
204. Right to Adjourn ..........................................................165
205. Form of Motion to Adjourn ..............................................165
206. Motion to Adjourn Is Not Debatable ....................166
207. Amendment to Motion to Adjourn ......................166
208. Adjournment by Less Than a Quorum ..................167
209. Renewal of Motion to Adjourn ..............................168
210. Absence of Quorum Does Not Adjourn Body ........169

Chapter 21—Motion to Recess
Sec.
214. Distinction Between Adjournment and Recess .................................................170
215. Precedence of Motion to Recess ..............................................170
Sec.
216. Rules Governing Motion to Recess...............................170

Chapter 22—Questions of Privilege
Sec.
220. What Is a Question of Privilege....................................173
221. Privilege of the House ..................................................174
222. Questions of Personal Privilege .....................................174
223. Questions Not Constituting Personal Privilege .............175
224. Personal Explanation ....................................................176
225. Precedence of Questions of Privilege ............................176
226. Manner of Raising a Question of Privilege ...................177

DIVISION 2. INCIDENTAL MOTIONS

Chapter 23—Appeals
Sec.
230. When an Appeal Is in Order.........................................178
231. Form of Question on Appeal ........................................180
232. Debate on Appeals .......................................................181
233. Amendment—Laying an Appeal
    on the Table ....................................................................182
234. Vote on Appeal .............................................................182
235. Reconsideration of Appeals ...........................................183

Chapter 24—Points of Order
Sec.
240. Purpose of Points of Order ...........................................184
241. When Point of Order May Be Raised ...........................185
242. Limitations on Use of Points of Order .........................186
243. Form of Point of Order ................................................187
244. Consideration of a Point of Order .................................188
245. Submission of Point of Order to the House .................188
246. Precedence, Subsidiary Motions
    and Debate of Point of Order ........................................190
# Table Of Contents

## Chapter 25—Parliamentary Inquiries and Other Requests for Information

<table>
<thead>
<tr>
<th>Sec.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>250.</td>
<td>Purpose of Parliamentary Inquiry</td>
<td>191</td>
</tr>
<tr>
<td>251.</td>
<td>Form of Parliamentary Inquiry</td>
<td>192</td>
</tr>
<tr>
<td>252.</td>
<td>Rules Governing Parliamentary Inquiries</td>
<td>192</td>
</tr>
<tr>
<td>253.</td>
<td>Request for Information from Members</td>
<td>193</td>
</tr>
<tr>
<td>254.</td>
<td>Requests Other Than Parliamentary Inquiries</td>
<td>194</td>
</tr>
</tbody>
</table>

## Chapter 26—Orders of the Day and Calendar

<table>
<thead>
<tr>
<th>Sec.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>257.</td>
<td>Nature of the Call for Orders of the Day</td>
<td>196</td>
</tr>
<tr>
<td>258.</td>
<td>Precedence of Call for the Regular Order</td>
<td>197</td>
</tr>
<tr>
<td></td>
<td>or for Orders of the Day</td>
<td></td>
</tr>
<tr>
<td>259.</td>
<td>Debate and Application of Other Motions</td>
<td>198</td>
</tr>
<tr>
<td>260.</td>
<td>Effect of Call or Demand</td>
<td>198</td>
</tr>
<tr>
<td>261.</td>
<td>Consideration of Calendar or File</td>
<td>199</td>
</tr>
<tr>
<td>262.</td>
<td>Preparation of the Calendar</td>
<td>200</td>
</tr>
<tr>
<td>263.</td>
<td>General and Special Orders</td>
<td>200</td>
</tr>
<tr>
<td>264.</td>
<td>Motions to Set Special Orders</td>
<td>201</td>
</tr>
<tr>
<td>265.</td>
<td>Special Orders Set for Same Day or Same Hour</td>
<td>203</td>
</tr>
<tr>
<td>266.</td>
<td>Conflict Between Special Orders Made</td>
<td>203</td>
</tr>
<tr>
<td></td>
<td>at Different Times</td>
<td></td>
</tr>
<tr>
<td>267.</td>
<td>Postponement of Special Order</td>
<td>204</td>
</tr>
<tr>
<td>268.</td>
<td>Special Calendar</td>
<td>204</td>
</tr>
<tr>
<td>269.</td>
<td>Legislative Day</td>
<td>205</td>
</tr>
</tbody>
</table>

## Chapter 27—Withdrawal of Motions

<table>
<thead>
<tr>
<th>Sec.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>272.</td>
<td>Right to Withdraw Motions</td>
<td>206</td>
</tr>
<tr>
<td>273.</td>
<td>When Consent to Withdraw Is Required</td>
<td>206</td>
</tr>
<tr>
<td>274.</td>
<td>Request for Leave to Withdraw a Question</td>
<td>207</td>
</tr>
<tr>
<td>275.</td>
<td>Motion for Leave to Withdraw a Question</td>
<td>208</td>
</tr>
<tr>
<td>276.</td>
<td>Effect of Withdrawal of Motions</td>
<td>208</td>
</tr>
</tbody>
</table>
Chapter 28—Suspension of the Rules
Sec.
279. Purpose of Suspension of the Rules ..............................210
280. Suspension of General Parliamentary Rules
       and Adopted Rules....................................................211
281. Right of Legislative Bodies to Suspend Rules.................211
282. Motion to Suspend the Rules .......................................212
283. Suspension of the Rules by Unanimous Consent ...........213
284. Suspension of the Rules by Implication ........................214
285. Vote Required to Suspend the Rules ............................214
286. Business in Order Immediately After Suspension
       of the Rules...................................................................215

Chapter 29—Objection to the Consideration of Questions
Sec.
293. Purpose of Objection to Consideration ........................216
294. To What Can Objection to Consideration
       Be Made ...................................................................216
295. Who May Raise Objection to Consideration ...............217
296. When Objection May Be Made ....................................217
297. Form of Question on Objection
       to Consideration ......................................................218
298. Debate and Application of Subsidiary Motions
       to Objection to Consideration ..................................218
299. Vote Required to Sustain Objection
       to Consideration ......................................................218
300. Effect of Objection to Consideration ............................219

Chapter 30—Order and Manner of Considering Questions
Sec.
302. Order of Considering Questions .................................220
303. Manner of Considering Questions .................................220
304. Debate and Application of Other Motions
       to Questions of Order or Manner
       of Considering Questions ........................................221
Table Of Contents

Chapter 31—Voting, Nominations and Elections
Sec.
306. Motions Relating to Voting .........................................223
307. Procedure Relating to Nominations and Elections ..............223
308. Motions Relating to Voting, Nominations or Elections ..........224

Chapter 32—Division of Question
Demand for Division, When Right Is Given
Sec.
310. Single Subject, When Mandatory ..................................225
311. When Division of Question Can Be Required ....................226
312. When Right of Division Can Be Suspended .......................226
313. What Questions Can Be Divided ....................................226
314. Precedence and Rules Governing Demand for a Division .........228

Division of Questions Where Single Subject or Separate Vote Rule Does Not Exist
Sec.
315. When Questions May Be Divided on Motion ....................228
316. The Motion to Divide a Question ...................................229

Division 3. Subsidiary Motions

Chapter 33—Motion to Lay on the Table (Postpone Temporarily)
Sec.
330. Purpose of Motion to Lay on the Table ..........................231
331. Application of Motion to Lay on the Table .......................231
332. When Motion to Lay on the Table Is in Order .....................232
333. Precedence of Motion to Lay on the Table .........................233
334. Form of Motion to Lay on the Table ...............................233
335. Debate on Motion to Lay on the Table and Application of Subsidiary Motions ........................................233
336. Vote Required to Lay Question on the Table .................234
Sec.
337. Effect of Laying a Question on the Table......................234
338. Matters Adhering to Main Question
   When Laid on the Table ............................................235
339. Renewal of Motion to Lay on the Table......................237
340. The Motion to Lay on the Table May
   Not Be Reconsidered................................................237
341. Taking Question from the Table .................................237
342. Postpone Temporarily..................................................238

Chapter 34—The Previous Question (Vote Immediately)
Sec.
345. Use of the Previous Question .......................................239
346. Motion or Demand for the Previous Question .............240
347. Form of the Previous Question .....................................241
348. Precedence of the Previous Question ............................242
349. Previous Question—Debate and Subsidiary
   Motions .....................................................................242
350. Vote on the Previous Question .....................................243
351. Effect of the Previous Question ....................................243
352. Renewal of the Previous Question
   and Reconsideration .................................................244

Chapter 35—Motions Closing, Limiting or Extending Limits
   on Debate
Sec.
355. Nature of Motions Limiting Debate..............................245
356. Application of Motions Limiting Debate......................245
357. Form of Motions Limiting or Extending Debate ..........246
358. Motions to Close, Limit or Extend Limits
   on Debate......................................................................247
359. Effect of Closing or Limiting Debate..............................248
360. Renewal and Reconsideration of Motions
   Limiting Debate ........................................................249
361. Other Means of Preventing or Limiting Debate............249
## Table Of Contents

### Chapter 36—Motion to Postpone to a Certain Time or Definitely

<table>
<thead>
<tr>
<th>Sec.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>365.</td>
<td>Application of Motion to Postpone Definitely</td>
<td>251</td>
</tr>
<tr>
<td>366.</td>
<td>Precedence of Motion to Postpone Definitely</td>
<td>251</td>
</tr>
<tr>
<td>367.</td>
<td>Only Pending Question May Be Postponed</td>
<td>251</td>
</tr>
<tr>
<td>368.</td>
<td>Form of the Motion to Postpone Definitely</td>
<td>252</td>
</tr>
<tr>
<td>369.</td>
<td>Limited Debate Permitted on Motion to Postpone Definitely</td>
<td>253</td>
</tr>
<tr>
<td>370.</td>
<td>Application of Subsidiary Motions to Motion to Postpone Definitely</td>
<td>253</td>
</tr>
<tr>
<td>371.</td>
<td>Vote Required on Motion to Postpone Definitely</td>
<td>254</td>
</tr>
<tr>
<td>372.</td>
<td>Reconsideration and Renewal of Motion to Postpone Definitely</td>
<td>255</td>
</tr>
<tr>
<td>373.</td>
<td>Postponed Question May Become an Order of the Day</td>
<td>255</td>
</tr>
<tr>
<td>374.</td>
<td>Definite Distinguished from Indefinite Postponement</td>
<td>256</td>
</tr>
</tbody>
</table>

### Chapter 37—Motion to Refer or Commit

<table>
<thead>
<tr>
<th>Sec.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>378.</td>
<td>Purpose of Reference to Committee</td>
<td>257</td>
</tr>
<tr>
<td>379.</td>
<td>Precedence of Motion to Refer</td>
<td>258</td>
</tr>
<tr>
<td>380.</td>
<td>Application of Motion to Refer</td>
<td>258</td>
</tr>
<tr>
<td>381.</td>
<td>Reference of Bills to Committee</td>
<td>259</td>
</tr>
<tr>
<td>382.</td>
<td>Correction of Errors in Reference of Bills</td>
<td>259</td>
</tr>
<tr>
<td>383.</td>
<td>Variation from Rule Regarding Reference of Bills</td>
<td>259</td>
</tr>
<tr>
<td>384.</td>
<td>Re-Reference of Bills</td>
<td>260</td>
</tr>
<tr>
<td>385.</td>
<td>Motions to Take from Calendar and Refer</td>
<td>260</td>
</tr>
<tr>
<td>386.</td>
<td>Form of Motion to Refer</td>
<td>261</td>
</tr>
<tr>
<td>387.</td>
<td>Debate and Application of Subsidiary Motions to Motion to Refer</td>
<td>262</td>
</tr>
<tr>
<td>388.</td>
<td>Vote Required to Refer Question to Committee</td>
<td>263</td>
</tr>
</tbody>
</table>
Sec.
389. Reconsideration and Renewal of Motion
to Refer ................................................................. 263
390. Withdrawing Questions from Committee ........ 264

Chapter 38—Motion to Amend
Sec.
395. Test of Amendability of Question ....................... 265
396. What Motions May Be Amended ......................... 265
397. Precedence of Motion to Amend
and of Amendments .............................................. 268
398. Decision on Amendment Is Final ......................... 269
399. Laying Motion to Amend on the Table .................. 270
400. Form of Amendments ......................................... 270
401. Frivolous and Improper Amendments .................. 271
402. Amendments Must Be germane ......................... 272
403. Withdrawing Amendments and Accepting
Modifications ......................................................... 273
404. Amendment of Bills by Committees ...................... 274
405. Correction of Clerical Errors ............................... 274
406. Amendment of Titles of Bills ............................... 274
407. Amendment of Rules .......................................... 275
408. Amendment of Amendments ............................... 275
409. Transposition of Provisions by Amendment .......... 276
410. Amendment by Inserting Words ......................... 276
411. Amendment by Striking Out Words ...................... 277
412. Amendment by Striking Out
and Inserting Words ............................................. 278
413. Amendment by Striking Out
or Inserting Paragraphs ......................................... 279
414. Substitution of Paragraphs ................................. 280
415. Consolidation and Substitution of Measures .......... 281
416. Alternative Propositions—Filling Blanks ............... 282
417. Debate on Amendments ...................................... 285
418. Vote Required on Amendments ......................... 285
419. Amendment After Governor’s Certificate ............. 285
420. Equivalent Amendments ................................. 286
Chapter 39—Motion to Postpone Indefinitely
Sec.
430. Use of Motion to Postpone Indefinitely ......................... 287
431. Precedence of Motion to Postpone
Indefinitely ........................................................................ 288
432. Form of Motion to Postpone Indefinitely ....................... 288
433. Motion to Postpone Indefinitely Opens
Main Question to Debate ............................................. 288
434. Application of Subsidiary Motions
Indefinitely Postponement ............................................. 288
435. Vote Required to Postpone Indefinitely ....................... 289
436. Renewal and Reconsideration of Motion
Indefinitely Postpone ................................................... 290

DIVISION 4. MAIN MOTIONS

Chapter 40—The Main Motion
Sec.
440. What Are Main Motions .............................................. 291
441. Form of Presenting Main Motions ................................. 291
442. Precedence of Main Motions ........................................ 294
443. Motion to Ratify .......................................................... 294
444. Motion to Expunge ...................................................... 295
445. Motion to Adjourn Sine Die ......................................... 295

Chapter 41—Motion to Reconsider
Sec.
450. Right to Reconsider .................................................. 297
451. What Actions Cannot Be Reconsidered ................. 299
452. Vested Rights Cannot Be Affected
by Reconsideration—Contracts .................................... 300
453. Election or Confirmation of Officers ......................... 300
454. Subject of Reconsideration Must Be
Within Control of Body .............................................. 302
455. Reconsideration Cannot Be Used
Defeat Requirement of Notice ................................. 303
Sec.
456. Procedural Motions Generally Are Not Subject to
  Reconsideration but May Be Renewed.......................303
457. Substantive Propositions Are Subject to
  Reconsideration but May Not Be Renewed.................304
458. Consideration of Measures Returned
  by Executive Veto....................................................305
459. Reconsideration in Relation to Actions
  of the Other House..................................................305
460. Regulation of Motion to Reconsideration by Rules.....306
461. When the Motion to Reconsider May Not Be Made....307
462. Precedence of Motion to Reconsider .....................308
463. When the Motion to Reconsider May Be Considered...309
464. Who May Move to Reconsider ...............................310
465. Form of Motion to Reconsider ..............................311
466. Withdrawing and Renewing Motion to Reconsider.....312
467. Effect of Making Motion to Reconsider ..................313
468. Effect of Reconsideration ....................................314
469. Precedence of Consideration of Motion
  to Reconsider..........................................................314
470. Reconsideration of Amendments After
  Adoption of Measure ................................................315
471. Debate on Motion to Reconsider ............................316
472. Application of Subsidiary Motions to Motion
  to Reconsider..........................................................317
473. Vote Required for Reconsideration ........................317

Chapter 42—Motion to Rescind
Sec.
480. Use of the Motion to Rescind.............................318
481. What Actions Can Be Rescinded.........................319
482. Motion to Rescind .............................................319
483. Vote Required to Rescind ....................................320

Chapter 43—Procedural Main Motions
Sec.
488. Procedural Main Motions....................................321
Table Of Contents

Sec.
489. Motions Relating to Future Procedure .........................321
490. Procedural Motions with Precedence
      of Main Motions ...................................................322
491. Withdrawing Bills from Committee ............................323
492. Motion to Take from the Table ..................................325
493. Motion to Take from Desk .........................................327
494. Motion to Pass on Calendar, Informally Pass
      or Temporarily Pass .............................................327
495. Motion to Dispense with Constitutional Readings ..........328

PART V
QUORUM, VOTING, ELECTIONS

Chapter 44—Quorum
Sec.
500. Quorum Must Be Present ............................................331
501. Computing a Quorum ...............................................332
502. Who May Be Counted in Determining a Quorum ...........334
503. Members Present Constitute the Quorum ....................336
504. Question of No Quorum ...........................................337
505. Procedure on Absence of a Quorum ............................338
506. Less Than Quorum Can Adjourn .................................340

Chapter 45—Vote Required
Sec.
510. Majority of Legal Votes Is Required ............................341
511. More Than Majority of Legal Votes Cast
      May Be Required ..................................................343
512. Two-Thirds Vote ....................................................344
513. Tie Votes and Casting Votes ......................................347
514. When a Casting Vote Is in Order .................................349
515. Presumptions as to Effect of Members Not Voting .........351
516. Illegal Votes ........................................................352
517. Action Must Be Within Power or Vote Is Ineffective ......353
518. A Legislative Body Cannot Delegate Its Powers ............354
Chapter 46—Rules Governing Voting
Sec.
520. A Vote Is Required to Decide a Question .....................355
521. Members Must Vote Unless Excused ............................355
522. Members Voting on Questions in Which They
     Have a Personal Interest.............................................356
523. Putting the Question to Vote......................................357
524. Points of Order During Voting ....................................358
525. Announcing the Vote .................................................358
526. Recording the Vote ....................................................360
527. Correcting the Vote ...................................................360
528. Explanation of Vote ..................................................360

Chapter 47—Manner of Voting
Sec.
530. Manner in Which Votes May Be Taken .........................362
531. Determining Manner of Voting .................................364
532. Voice Vote or Viva Voce Vote .....................................365
533. Voting by Division .......................................................368
534. Voting by Tellers ..........................................................369
535. Voting on Roll Call ......................................................369
536. Voting by Ballot ............................................................373
537. Unanimous Consent ....................................................374
538. Absentee Voting ...........................................................375

Chapter 48—Nominations
Sec.
545. Manner of Making Nominations and Motions
     Relating to Nominations.................................................377
546. Nominations from the Floor ........................................378
547. Nominations by Committee .........................................378
548. Nominations by the Presiding Officer ..........................379
549. Motion to Close Nominations ......................................379
550. Reopening Nominations ..............................................380
Table Of Contents

**Chapter 49—Elections**
Sec.
552. Manner of Voting in Elections...........................................381
553. Majority Vote Required for Election...................................382
554. Effective Date of Election...............................................383
555. Declining to Accept Elective Position...............................384
556. Vacancies in Office......................................................385

**PART VI**
**LEGISLATIVE BODIES**

**Chapter 50—Election, Certification and Qualification**
**of Members, and Discipline and Expulsion of Members**
Sec.
559. Evidence of Election of Membership..................................389
560. Each House of a Legislature Is the Judge
      of the Election and Qualifications of Its Members ..........389
561. Power of Legislatures to Discipline Members......................394
562. Right of Legislatures to Expel Members............................396
563. Courts Have Limited Power Concerning Expulsion
      of Members............................................................398
564. Investigation of Charges Against Members.........................399

**Chapter 51—Privilege of Members from Arrest**
Sec.
568. Constitutional Basis of Privilege from Arrest .................401
569. Present Rule Concerning Privilege from Arrest..................402
570. When Privilege from Arrest Applies................................403

**Chapter 52—The Presiding Officer**
Sec.
575. Duties of Presiding Officer.............................................406
576. Refusal of Presiding Officer to Perform Duties ...............408
577. Emergency Power of Presiding Officer............................409
578. Limitations on Presiding Officer....................................410
579. Selection of Presiding Officer........................................411
580. Motions Affecting Presiding Officer...............................412
581. Removal of Presiding Officer........................................413
Sec. 582. Rights of Presiding Officer to Debate, Vote and Introduce Business ..............................................413

Chapter 53—Legislative Officers
Sec.
584. Chief Legislative Officers ..............................................415
585. Other Officers ................................................................420
586. Selection and Removal of Officers ............................420
587. Officers Are Responsible Only to Their House .............421

Chapter 54—Creation and Selection of Committees
Sec.
600. Manner of Creating and Selecting Committees ..........422
601. Appointment by the Presiding Officer .........................423
602. Authority for Removal of Chairs or Members ..............424

Chapter 55—Officers and Quorum of Committees
Sec.
608. Selection of Committee Chairs and Vice Chairs .......425
609. Acting Chair .................................................................425
610. Resignation of Chair ....................................................426
611. Duties of Committee Chairs .......................................426
612. Appointment or Election of Other Committee Officers ..............................................427
613. Quorum of Committees .............................................427

Chapter 56—Powers of Legislative Committees
Sec.
615. Committees Are Agencies of the House .....................429
616. Proposing Amendments to Bills .................................430
617. Substitute Bills .............................................................431
618. Introduction of Bills by Committee ............................431
619. Committees Cannot Discipline Members ...................432
620. Instructions to Committees .........................................432
621. Papers and Information for Committees .....................433
622. Committees Functioning During Recess or After Adjournment ..............................................434
Table Of Contents

Chapter 57—Committee Meetings
Sec.
625. Committees Can Act Only When Properly Assembled .................................................................435
626. Calls for Committee Meetings ........................................................................................................436
627. Special Meetings ............................................................................................................................437
628. Committee Meetings While House Is in Session ...........................................................................437
629. Attendance of Members at Committee Meetings ............................................................................438
630. Committee Meetings Open to the Public .......................................................................................439
631. Speech to a Committee; Privileged ...............................................................................................439

Chapter 58—Procedure in Committees
Sec.
632. Committee Procedure Less Formal ...............................................................................................440
633. Consideration of Measures ............................................................................................................441
634. Reconsideration by Committee .....................................................................................................441
635. Authority of Committee with Reference to Measures ....................................................................441
636. Recessing and Adjournment of Committee Meetings ...................................................................442

Chapter 59—Special Committees
Sec.
639. Definition of Special Committee ...................................................................................................443
640. Creation and Membership of Special Committees .......................................................................443
641. Instructions to Special Committees ...............................................................................................444
642. Meeting of Special Committees ....................................................................................................444
643. Procedure in Special Committees ..................................................................................................445
644. Reports of Special Committees .......................................................................................................445
645. Discharge or Dissolution of Special Committees ...........................................................................446
646. Appointment Should Immediately Follow Reference ..................................................................447

Chapter 60—Subcommittees
Sec.
650. Appointment, Powers, Etc. of Subcommittees ...............................................................................448
Chapter 61—Joint Committees
Sec.
653. Joint Committees Defined.............................................450
654. Chairs of Joint Committees............................................450
655. Quorum of Joint Committees..........................................450
656. Instructions to Joint Committees...................................451
657. Reports of Joint Committees.........................................451
658. Voting in Joint Committees............................................451
659. Joint Meetings of Standing Committees........................451

Chapter 62—Committee Reports
Sec.
663. Preparation of Committee Reports...............................452
664. Form of Committee Reports.........................................452
665. Authentication of Committee Reports............................453
666. Presentation of Committee Reports...............................454
667. Committee Recommendations Concerning Bills..............455
668. Amendments Proposed by Committees..........................456
669. Consideration of Committee Amendments........................456
670. Consideration of Committee Reports.............................457
671. Presenting Committee Recommendations......................458
672. Reports of Committees for Information............................458
673. Motion to “Adopt” Committee Reports.........................459
674. Minority Committee Reports.......................................460
675. Improper Committee Reports.......................................461
676. Questioning Validity of Committee Reports...................461
677. Substitute Measures Proposed by Committee...............462

Chapter 63—Committee of the Whole and Informal Consideration
Sec.
683. Purpose of Committee of the Whole..............................463
684. Chair of Committee of the Whole..................................463
685. Going into Committee of the Whole...............................464
686. Quorum of Committee of the Whole..............................464
687. Procedure in Committee of the Whole............................464
688. Limitations on Committee of the Whole.........................466
Table Of Contents

Sec.
689. Returning from Committee of the Whole to Proceeding as Body ....................................................467
690. Informal Consideration ..........................................................468
691. Meetings of Committee of the Whole Open to the Public ..............................................................468

Chapter 64—Journals and Records
Sec.
694. Constitutional Requirements Concerning Journal ..............................................................469
695. Journal Record of Proceedings ........................................................................................................470
696. What May Be Recorded in the Journal ............................................................................................472
697. Journal as Showing Passage and Legality of Bills ...........................................................................473
698. Reading of the Journal ......................................................................................................................479
699. Manner of Correcting the Journal ....................................................................................................480
700. Authority to Correct Journal ..........................................................................................................480
701. The Corrected Journal ....................................................................................................................482
702. The Enrolled Bill .............................................................................................................................483
703. The Journal and the Enrolled Bill ....................................................................................................484

Chapter 65—The Legislative Chamber
Sec.
705. Admission to Legislative Chambers ...............................................................................................485
706. Use of Legislative Chambers .........................................................................................................486

PART VII
CONDUCT OF BUSINESS

Chapter 66—General Order of Business
Sec.
710. Usual Order of Business ...............................................................................................................489
711. Motions Relating to Business Under Regular Order ....................................................................490
712. When Certain Motions Are in Order .............................................................................................490
713. Taking Up Questions Out of Order ...............................................................................................491
714. Unfinished Business .......................................................................................................................491
Chapter 67—Required Reading of Bills
Sec.
720. Bills Must Be Read on Three Separate Days ..........492
721. Suspension of Requirement of Three Readings ........493
722. Three Readings of Amended Bills ......................494
723. Journal Record of Readings ...............................496

Chapter 68—Procedure on Consideration of Legislation
Sec.
725. Introduction of Legislation ..................................499
726. Withdrawal of Bills ..........................................501
727. Bill Numbers ....................................................502
728. Titles to Legislation ..........................................502
729. Enacting Clauses ..............................................503
730. Emergency Clauses—Legislation
     Immediately Effective ........................................504
731. Amendment of Bills ..........................................505
732. Printing of Bills ..............................................506
733. First Reading of Bills .........................................508
734. Second Reading of Bills ......................................509
735. Engrossment of Bills .........................................510
736. Third Reading of Bills .......................................510
737. Passage of Bills .............................................511
738. Enrollment of Bills ..........................................513
739. Authentication of Passage of Bills .......................514
740. Presentation of Bills to the Governor ...................515
741. Effective Date of Legislation ...............................516

Part VIII
Relations with the Executive
and with the Other House

Chapter 69—Relations with the Executive
Sec.
750. Messages from the Governor .................................521
751. Confirmation of Appointments of the Governor ......521
752. Reference to Executive in Debate .........................522
753. Communications with Executive ..........................522
Table Of Contents

Sec.
754. Executive Approval or Rejection of Legislation .............523
755. Procedure on Veto of Legislation ..................................526
756. Recalling Legislation from the Executive ......................526
757. Legislative Oversight of the Executive Branch ..........527
758. Legislative Review of Regulations .................................528

Chapter 70—Relations with the Other House
Sec.
760. The Other House and Its Members ..............................530
761. Communications Between the Houses .........................531
762. Request for Return of Bill .............................................533
763. Delivery of Messages ....................................................533
764. Conferences Between the Houses ...............................535
765. Coordination Through Committees ............................536

Chapter 71—Conferences Concerning Amendments
Sec.
766. Concurrence in Amendments .......................................537
767. Receding from Amendments ........................................539
768. Insisting and Adhering in Amendments .......................540
769. Appointment of Conference Committee ......................541
770. Conference Committees ..............................................542
771. Reports of Conference Committees ..............................543
772. Vote on Report of Conference Committee ...................545
773. Free Conference ........................................................546
774. Journal Records of Conference Procedure ................547
775. Trends in Conference Procedure .................................547

**PART IX**

**SESSIONS AND MEETINGS**

Chapter 72—Sessions of State Legislatures
Sec.
780. Calls for Special Sessions ............................................551
781. Adjournment of Legislative Sessions ............................554
782. Joint Sessions ..............................................................556
Sec.  
783. Adjournment for More Than a Specified Number of Days ........................................................557  
784. Sessions Open to the Public ........................................................557  

PART X  
INVESTIGATIONS AND PUBLIC ORDER  

Chapter 73—Investigations by Legislative Bodies  
Sec.  
795. Right of a Legislative Body to Make Investigations.......561  
796. Investigations Respecting Members ..............................564  
797. Limitations on Right of a Legislative Body to Investigate .............................................................566  
798. Method of Investigation by a Legislative Body..............567  
799. Legislative Investigating Committees..........................568  
800. Witnesses in Legislative Investigations ..........................570  
801. Compelling Witnesses to Attend and Testify; Power to Punish for Contempt ................................572  
802. Summons, Subpoenas and Warrants .............................574  
803. Right of Investigating Committees to Sit Between Sessions ..............................................................576  

Chapter 74—Public Order  
Sec.  
805. Maintaining Order in Legislative Bodies ......................578  
806. Use of Contempt Power in Maintaining Public Order .................................................................579  
807. Procedure in Maintaining Public Order ..........................579  

KEY TO CITATIONS ...............................................................581  

TABLE OF CASES CITED ...................................................583  

ALPHABETICAL INDEX BY SUBJECT ..............................631