

PROCEDURES AND RULES OF THE
VERMONT HOUSE AND SENATE

Vermont's Legislative Process and Glossary of Legislative Terms

Joint Rules of the Senate and House of Representatives

Rules and Orders of the Senate

Rules and Orders of the House of Representatives

Highlights of Some of the More Commonly
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Vermont's Legislative Process

To understand the legislative process, it is necessary first of all to know something about the nature of the lawmaking body itself. The legislature of Vermont consists of two houses, the Senate and the House of Representatives. There are 180 members in all 30 Senators representing 14 senatorial districts and 150 representatives representing 58 single and 46 two member districts based on population.

To be eligible for the office of Senator or Representative, a person must have been a resident of Vermont two years, the last year of which shall be in the legislative district for which the person is seeking election (chapter II section 15 & 66 of the Vermont Constitution).

Members of the Senate and House serve for two years. The terms of office of the members begin on the first Wednesday after the first Monday in January in odd numbered years (i.e., 2013, 2015 etc.). The members are elected on the first Tuesday after the first Monday of November in even numbered years (i.e., 2014, 2016 etc.).

Compensation and expense reimbursement for members of the House and Senate is set forth in 32 V.S.A. § 1052. The weekly salary is adjusted annually by the cost of living adjustment negotiated for state employees. Members who commute to Montpelier receive mileage and a meal allowance for meals each day they are in session. Those who rent a room in Montpelier receive a meal and lodging allowance for each day they are in session. They also receive round trip mileage once a week. The mileage, meal and lodging allowance are the same as determined for Montpelier, Vermont by the Federal Office of Government-Wide Policy and published in the Federal Register for the year of the session.

The compensation and expense reimbursement for the Speaker of the House and the President Pro Tempore of the Senate are set forth in 32 V.S.A. §1051. The Speaker and the President Pro Tem of the Senate also receive a weekly salary while they are in session and the same meals and room expenses provided to the members of the House and Senate. The Speaker and the President Pro Tempore also receive an annual salary. The annual and weekly salary are adjusted annually by the cost of living adjustment negotiated for State employees.

The legislature convenes in regular sessions on the first Wednesday following the first Monday in the month of January of odd numbered years. It also meets usually on the first Tuesday of even numbered years for an Adjourned Session. There is no time limit on the length of the sessions, although they usually end between the middle of April and the middle of May. Special sessions of the Legislature may be called by the Governor. These are usually called for a specific purpose, but the Legislature may deal with any issue it wants when called into a special session.

The newly elected members must organize the House and Senate every two years after their election, which is done on the first day of the session. The House elects a Speaker and Clerk, adopts rules and allocates desks. The Speaker appoints the standing committees. The Senate elects a President Pro Tempore, Secretary and the third member of the committee on committees, and adopts rules. The committee on committees appoints the standing committees.

Bills and resolutions are drafted in the Legislative Council. A Member tells the drafter the type of bill he or she would like to introduce, and it is drawn up in legal form, given to the Member; who after reading and checking it, approves its release to the printer. The bill is then assigned a number, printed and presented to the Clerk of the House (Senate bills are presented to the Secretary of the Senate). At this point, the bill is introduced and read the first time by title only and normally referred to a committee. No bill can become an act until it has been read on three separate occasions in each house.

Legislative bodies operate mainly through standing committees in doing their work of considering bills. The Vermont House has fifteen standing committees and each is set up to consider bills relating to a particular subject of legislation. The committees are Agriculture and Forest Products (11 members); Appropriations (11 members); Commerce and Economic Development (11 members); Corrections and Institutions (11 members); Education (11 members); Fish, Wildlife and Water Resources (9 members); General Housing and Military Affairs (8 members); Government Operations (11 members); Health Care (11 members); Human Services (11 members); Judiciary (11 members); Natural Resources and Energy (11 members); Rules (7 members); Transportation (11 members); and Ways and Means (11 members). Each House member is assigned to one standing committee.

The Vermont Senate has twelve standing committees; Agriculture (5 members); Appropriations (7 members); Economic Development, Housing and General Affairs (5 members); Education (5 or 6 members); Finance (7 members); Government Operations (5 members); Health and Welfare (5 or 6 members); Institutions (5 or 6 members); Judiciary (5 members); Natural Resources and Energy (5 members); Transportation (5 members) and Rules (5 members). Each member is assigned to two, and sometimes, three committees.

Standing committees are charged with the important responsibility of examining bills and recommending action to the House or Senate. At some time during the day when the House or Senate is not in session, the committees will meet and consider the bills which have been referred to them.

After a committee has completed work on a bill, the committee Chair designates a member of the committee to report the bill to the House or Senate. The Clerk of the House or Secretary of the Senate receives the committee report which is placed on the Calendar for second reading. The rules require that a bill and committee report must appear on the Calendar for one day prior to second reading.

Bills are listed on the Calendar by number and title, with those having a recommendation of amendment coming first, those without amendment next, followed by resolutions for action and other matters for consideration.

On most bills, the recommendations of the committee are followed, although either house is free to overrule the action of the committee. After a bill has been discussed, it is voted on by voice vote, division of the house or a roll call vote. Roll call votes are recorded in the Journal. At this

stage, the vote is on any proposed amendments and then whether the bill shall be read a third time.

The rules require that a bill may not be read a third time until the day after it is read the second time. On third reading, a bill may be acted on in the same manner as for second reading, except that amendments must be offered before it is read a third time. At this point, the question is "Shall the bill pass?" After a bill is passed and any amendments written into the original bill, it is signed by the Clerk and transmitted to the Senate by one of the Assistant Clerks, where it follows practically the same procedure under slightly different rules. If the Senate passes a bill with no amendments, it is returned to the House, and the Clerk delivers it to the Governor for signature after it has been signed by the Speaker and the Lieutenant Governor. If the Senate proposes amendments to a House bill, the House may agree with the proposed amendment or disagree and request a Committee of Conference. If this occurs, each House will appoint three members to serve on the Committee of Conference. The six conferees meet and try to agree on a report, and if accomplished, the report is submitted to both houses for adoption. After adoption, any amendments are written into the original bill, and it is delivered to the Governor for his signature. The Governor has five days to approve or disapprove a bill. If the Governor signs the bill or allows it to become law without his or her signature, it is sent to the Secretary of State's office and becomes a part of the permanent statutes. If the Governor vetoes the bill, it is returned together with the veto message to the Clerk of the House or Secretary of the Senate. Then that house must consider it, and if it is passed by a two-thirds vote of each house, then it goes to the Secretary of State's office and becomes a permanent part of the statutes. If either house fails to get a two-thirds vote, the bill is dead.

Sometimes what the Legislature wishes to accomplish cannot be done by the passage of a bill and requires a constitutional amendment. In Vermont, a proposal to amend the constitution can only be submitted every four years, must be introduced in the Senate, must be approved by a two thirds vote of the Senate and concurred in as passed by the Senate by a majority of the members of the House. Then the amendment, as passed, must be approved by a majority vote of both the House and Senate in the next biennial session. Then the amendment must be approved by a majority of the voters at the next general election. The four year cycle, or "time-lock", started in 1975 and allows constitutional amendments to be proposed in a legislative session commencing every four years thereafter, and not otherwise. So amendments to the Vermont Constitution may not be proposed in the 2005-2006 legislative session, but must wait until 2007.

One of the common misconceptions about the Legislature is that the Members are at work for only three or four days a week when the Legislature meets. What the public fails to realize is that most of the work of the Legislature is done by committees. Actually they are the backbone of the legislative process. Before any bill of general importance is considered on the floor of either body, many hours of careful work are spent by the members of the standing committee to which the bill is referred. The Legislature as a whole, therefore, relies on its committees to work out the frivolous or less important measures and to report those deserving the consideration of the entire House or Senate.

By working through its standing committees, it is possible for each house of the Legislature to have each bill considered by a group of members who have specialized in the subject matter of the bill. Some members of the Legislature have expert knowledge of particular subjects of legislation,

and such members are usually placed on committees in such a manner as to take full advantage of this specialized knowledge. For this reason, the Legislature usually accepts the recommendations of the standing committees. However, the Legislature does not completely abdicate its responsibility for the careful consideration of pending bills. If the need arises, the members of either house can force a committee to take action on a bill, or they can ignore the committees recommendations. Moreover, a great deal of legislative work is done by interim committees, or committees which are appointed to consider important subjects of legislation between the sessions of the Legislature. Interim committees usually are composed of members of both houses, and they meet for a number of days to consider special problems which the Legislature thinks should be studied carefully before a bill is drafted for introduction.

In this respect, the legislative process may be aptly compared with the iceberg. What the casual observer sees of the legislative process, as they observe the Legislature in session, is comparable to the 1/8th of the iceberg that is visible above water. The background work of studying problems requiring legislative solution is comparable to the submerged 7/8ths of the iceberg. It is not apparent on the surface, but it is there.

This background work of study and research is probably the most important aspect of the legislative process. And its importance will increase even more as the problems of our society with which the Legislature deals grow ever more technical and complex.

This article is patterned after one written in 1974 by Sylvia W. Orange, Clerk of the South Carolina House of Representatives.

GLOSSARY OF LEGISLATIVE TERMS

ACT---Legislation enacted into law. A bill which has passed both houses of the Legislature, been signed by the Governor, allowed to become law without his signature or passed over the Governors veto. It is a permanent measure, having the force of law until repealed.

ADJOURNMENT---Termination of a session for that day, with the hour and day of the next meeting being set prior to adjournment.

ADJOURNMENT SINE DIE---Final termination of a regular or special legislative session.

ADOPTION---Approval or acceptance; usually applied to amendments or resolutions.

AGENDA---Schedule of business proposed for consideration.

AMENDMENT---Any alteration made or proposed to be made in a bill or paragraph thereof, by adding, changing, substituting or omitting.

AMENDMENT, CONSTITUTIONAL---A proposal of amendment to the constitution passed by both houses in two separate bienniums which requires approval of the voters at a general election.

APPEAL---A parliamentary procedure for testing and possibly changing the decision of a presiding officer.

APPORTIONMENT---Establishment of legislative districts from which members are elected.

APPROPRIATION---Fund allocated for various departments of government set aside by formal action for specific use.

APPROPRIATION, SUPPLEMENTAL---Funds appropriated to programs for which the original appropriation proved insufficient

APPROVAL BY GOVERNOR---Signature of the Governor on a bill passed by the Legislature.

ARCHIVES---Historical records stored at the office of the Secretary of State.

ASSISTANT CLERK---Non-member officer appointed by the Clerk, performs duties as prescribed by the Clerk and acts as Clerk in the Clerk's absence.

AUTHOR---Legislator who is the primary sponsor of a bill or amendment.

BICAMERAL---A Legislature containing two houses.

BILL---Draft of a proposed law presented to the Legislature for consideration.

BILL HISTORY---Record of all action on any given bill. The term is also applied to action on resolutions and joint resolutions.

BILL INDEX---List of legislative bills or resolutions by subject matter or number.

BILL, SHORT FORM---A measure consisting of the name of the Sponsor, title and a short statement of purpose, substance being amended into it at a later date.

BUDGET---Suggested allocation of State moneys, compiled by the Governor in conjunction with department heads and presented to the Legislature for consideration.

CALENDAR, DAILY---List of legislation, arranged according to the order of business which is scheduled for consideration by the rules of the House on a legislative day. Printed daily and placed on the members desk each morning.

CALL TO ORDER---Notice given indicating the Legislature is officially in session. It is also used to call a disorderly member to order.

CARRY-OVER LEGISLATION---Legislation held over from one session to the next during the 2 year biennium.

CAUCUS---An informal meeting of a group of the Members, usually called on the basis of party affiliation.

CHAIR---An abstract designation of a presiding officer or chairperson.

CHAMBER---Official hall for the meeting of a legislative body.

CLERK---A non-member officer elected by the body as its administrative officer and advisor on parliamentary procedure. Performs duties as prescribed in the Rules of the House.

COMMIT---The referral and sending of a bill or resolution to a committee.

COMMITTEE---A body of Members appointed by the Speaker to consider and make recommendations concerning disposition of bills, resolutions or other related matters.

COMMITTEE CHAIRMAN---A member appointed by the Speaker to function as the parliamentary head of a standing committee.

COMMITTEE OF CONFERENCE---Committee composed of three members of both houses, appointed by the Speaker in the House and Committee on Committees in the Senate, to resolve the differences between the two houses on an amended bill. Said committee reports recommendations and/or amendments back to the respective houses for further action.

COMMITTEE, INTERIM---Committees appointed to study a specific problem between sessions to report to the Legislature before a date certain with recommendations. Such committees are usually created by joint resolution or by statute.

COMMITTEE, JOINT---Committee composed of members of both houses.

COMMITTEE REPORT---An official release from a committee of a bill or resolution, either without a recommendation, or with a specific recommendation, such as favorable, favorable with amendment or unfavorable.

COMMITTEE, STANDING---A committee authorized by the rules of the body, appointed by the Speaker in the House and the Committee on Committees in the Senate. Said committees have a continuing responsibility in the general field of activity as set forth in the rules of the respective body.

COMMITTEE OF THE WHOLE---Either House of the legislature sitting as a committee to consider unique or special matters.

CONCURRENCE---Action by which one house agrees to a proposal or action which the other house has approved. A proposal may be amended, adopted and then returned to the other house for concurrence.

CONFIRMATION---Approval by the Senate of an executive appointment.

CONFLICT OF INTEREST---Untenable position which threatens the ability of a legislator to vote impartially due to some personal interest in a legislative issue.

CONSTITUENT---A citizen residing within the district of a legislator.

CONSTITUTION---A written instrument embodying the fundamental principles of the State that guarantees powers and duties of the government and guarantees certain rights to the people.

CONTESTED SEAT---A situation in which two or more contestants claim the right to represent a legislative district.

CONTINGENCY FUND---Money appropriated to the Emergency Board for any unforeseen expenses that may arise during the fiscal year.

CONVENE---The meeting of the Legislature daily, weekly and at the beginning of a session as provided by the constitution.

CO-AUTHOR OR CO-SPONSOR---One of two or more persons proposing any bill or resolution.

DAY CERTAIN---Adjournment with a specific day to reconvene.

DEBATE---Discussion of a matter according to parliamentary rules.

DIED IN COMMITTEE---Measure defeated or not acted on in committee.

DILATORY---Deliberate repeated use of parliamentary procedure to delay action on a legislative matter.

DISSENT---Difference of opinion, also to cast a negative vote.

DISTRICT---That division of the State represented by a legislator, determined by population, and distinguished numerically and by geographical boundaries.

DIVISION---A method of voting; a request that members stand to be counted when the outcome of a voice vote is unclear or in dispute.

DIVISION OF THE QUESTION---Procedure to separate a matter to be voted on into two or more questions, usually requested on an amendment.

EFFECTIVE DATE---A law becomes effective on July 1 after being signed by the Governor unless a date is specified.

ENACTING CLAUSE---That clause of an act which formally expresses the legislative sanction. It varies in different states and in Vermont begins with It is hereby enacted≡.

ENROLLED BILL---A final copy of a bill passed by the legislature.

EXECUTIVE SESSION---A session excluding from the chamber all persons other than members and essential staff personnel. This is rarely used in Vermont.

EX-OFFICIO---Individuals appointed or elected by virtue of the position they hold. Usually non-voting members, serving in an advisory capacity.

FILIBUSTER---A strategic device by which a minority can control the floor through extended debate on a controversial measure for the purpose of delaying or preventing passage.

FIRST READING (INTRODUCTION)---The first of three readings of a bill (by title only).

FISCAL YEAR---An accounting period of twelve months: in Vermont, from July 1 through June 30.

FLOOR---That portion of the assembly chamber reserved for members and officers of the assembly and other persons granted the privilege of the floor while the chamber is in session.

FREE CONFERENCE COMMITTEE---Same as conference committee, with additional power to insert new matter, to facilitate compromise. Rarely used in Vermont.

GALLERY---Balconies of chamber from which visitors may view the proceedings of the Legislature.

GERMANENESS---The relevance or appropriateness of amendments or substitutes.

GERRYMANDERING---Legislative district boundary lines drawn to obtain partisan or factional advantage.

GOVERNOR'S PROCLAMATION---A means by which the Governor may call an extra or special session of the Legislature.

GRANDFATHER CLAUSE---Laws providing new or additional professional qualifications often contain a clause exempting persons presently practicing an affected profession from having to comply.

HEARING---Public discussions and appearance on a proposal which may be scheduled by a committee.

HOPPER---A depository for bills filed for introduction.

HOUSE---A legislative body, more commonly known as the House of Representatives.

IMPEACHMENT---Procedure to remove from public office public officials accused of misconduct.

INDEFINITE POSTPONEMENT---A form of final adverse disposition of a proposal for that session of the Legislature.

INTERIM---The interval between regular sessions.

INTRODUCTION (FIRST READING)---The formal presentation of a proposal after it has been drafted by the Legislative Council.

INVOCATION---Prayer given prior to session.

JOINT ASSEMBLY---Meeting of House and Senate in House chamber by Joint Resolution, for specific purpose, such as elections, speeches, etc.

JOINT RULES---Rules governing procedure of Senate and House when meeting in Joint Assembly and other relations between the two bodies.

JOURNAL, DAILY---Contains a brief record of the previous day's proceedings, including roll call votes, remarks made by Members that are ordered to be printed, and a general description of action taken on all legislation considered that day. Printed daily and placed on the Member's desks before the start of the following day's session.

JOURNAL, PERMANENT---Official chronological record of proceedings of the Senate and House, compiled from daily journals, indexed, printed and bound at the close of each session. Indexed by author, bill number, subject matter and general information including committee appointments, interim committees etc.

LEGISLATIVE COUNCIL---Attorneys and other Professionals involved in the bill drafting process and legislative research.

LEGISLATIVE DIRECTORY AND STATE MANUAL---Published each biennium by the Secretary of State who serves as Editor. It contains detailed information on State government as well as pictures and biographical data of Members & Officials of the General Assembly. It also contains biographical data of the members of the Judiciary, Constitutional Officers and many members of the Executive Branch.

LEGISLATOR---Elected member of a legislative body.

LEGISLATURE---The branch of State Government responsible for enacting laws.

LOBBYIST---A representative of a special interest group whose function is to influence legislation affecting the special interest group.

MAJORITY LEADER---A member of the majority party designated to be its leader.

MEMBERS ELECT---Members elected but not having taken the path of office or officially serving.

MEMBERS PRESENT---The term used to refer to those Members who are actually present at a daily session.

MESSAGE---An official communication from one house to the other or from the Governor to the Legislature, usually transmitting bills, resolutions or information regarding them; they become part of the official Journal.

MICROPHONES---Located on each desk in the House, to be used by Members when addressing the Speaker or in debate. These are controlled by switches at the members' desk and should be turned off when the Member is not speaking. The microphone should be held approximately two inches from the mouth, speaking clearly.

MINORITY LEADER---A member of the minority party designated to be its leader.

MINUTES---Accurate record of the proceedings of a meeting in chronological order.

MOTION---Formal proposal offered by a Member of a deliberative assembly.

NON-CONCURRENCE---When one house refuses to agree with the other house on a bill, resolution or amendment.

NON-DEBATABLE---Those subjects or motions that cannot be debated or discussed.

OATH OF OFFICE---Oath taken by members-elect of the Legislature prior to being seated and embarking upon official duties.

ORDER TO LIE---A means of disposing of a bill or resolution (the bill was "ordered to lie" i.e. tabled).

OUT OF ORDER---Not being conducted under proper parliamentary rules and procedures.

PAGES---Pages are students, usually in the eighth grade. Pages are appointed by the Sergeant at Arms and are under his supervision. There are three teams of ten and each team works for approximately six weeks. They are available to assist members and may be summoned by the tapping of a pen or pencil. Pages supply extra copies of bills, Journals, Calendars; pass messages amongst Members and run miscellaneous errands.

PARLIAMENTARY INQUIRY---Question posed to the Speaker for clarification of a point in a proceeding.

PASSAGE OF A BILL---Favorable action on a measure before either house.

PENDING QUESTION---The matter under consideration at the present time.

PER DIEM--- Literally, per day; daily expense money rendered legislators.

PETITION---Formal request submitted by an individual or group to the Legislature.

POINT OF ORDER---A statement by a Member calling attention to an alleged breach of order or parliamentary procedure.

POINT OF PERSONAL PRIVILEGE---A statement defending the rights, reputation or conduct of a legislator in his or her official capacity.

POSTPONE INDEFINITELY---A means of disposing of an issue and not setting a date to again consider it.

POSTPONE TO A TIME CERTAIN---To defer consideration to a definite later time or day.

PRECEDENT---Interpretation of rulings by presiding officers on specific rules; also unwritten rules which are established by custom.

PRESIDENT---By constitutional enactment, the Lieutenant Governor is the presiding officer of the Senate and is referred to while presiding as “Mr. President.”

PRESIDENT PRO TEMPORE--- The person elected by the Senate to have the same powers as the President in the latter’s absence.

PRESIDING OFFICER---Person designated to preside at a legislative session (usually the Speaker and the Lieutenant Governor).

PRIVILEGE OF THE FLOOR---Permission granted to a non-member of the body to be in that portion of the legislative chamber during session that is reserved for members and staff personnel. (House rule 84).

PROCEDURE---Rules and traditional practices of the respective houses of the Legislature.

QUORUM---The required number of Members present to transact business which is usually 76 in the House and 16 in the Senate.

READING CLERK---An officer who assists the Clerk by reading bills, messages and resolutions etc. at the desk.

REAPPORTIONMENT---Re-division of the State into equal legislative districts based on the most recent census.

RETURN CUSTODY OF A BILL---A motion which returns a bill to the House or Senate for further consideration.

RECEDE---Withdraw from an amendment or position on a matter.

RECESS---Intermission in a daily session.

RECOMMIT---To send back to committee.

RECONSIDERATION---A process whereby a measure previously adopted or defeated can be re-opened and acted on again. The motion must be made on the next legislative day.

REFERRAL---The sending or referring of a bill to committee.

REGULAR ORDER OF BUSINESS---The established sequence of business set up for each legislative day, also referred to as the “Orders of the day.”

REGULATION---A rule or order of an agency of the state promulgated under the authority of a statute passed by the Legislature.

REJECTION---An action which defeats a bill, motion or other matter.

REPORT---Written notice to the House or Senate of action taken in committee on bills.

REPRESENTATIVE---A member of the House of Representatives.

RESOLUTION, JOINT---Affects the action of the General Assembly and the members thereof: is not used for general legislation; is used to express sentiments of the legislature, for authorizing use of funds appropriated to the General Assembly and for other incidental purposes. (House rules 52 & 53 and Senate rules 51 & 52)

RESOLUTION, HOUSE OR SENATE---Same as joint resolution, except it is the expression on one house.

REVENUE---Yield of taxes and other sources of income the State collects.

ROLL CALL---The vote on an issue by the alphabetical calling of the members names.

ROSTER (LIST OF MEMBERS)---Booklet containing names and addresses of members, officers and districts of each house for the current session,

RULES---Methods of legislative procedure; Joint Rules govern both houses, and House or Senate rules regulate only the one house.

SENATE---A legislative body, usually the body in a bicameral legislature having the fewer number

of members (the Vermont Senate has 30 members).

SENIORITY---A custom sometimes used in making committee assignments. A recognition of prior legislative service in appointing committee chairmen or party leaders in a legislature.

SERGEANT-AT-ARMS---An officer of the legislature elected by the Representatives and Senators to maintain order as well as maintenance and upkeep of the Statehouse.

SESSION---The formal continuous convening of the Legislature, from the first legislative day to the day of final adjournment (sine die)

SINE DIE---Adjournment “without day” being set for reconvening; Final adjournment.

SPEAKER---Presiding officer of the House, elected by that body.

SPECIAL ORDER---Matter of business set for a special time and day.

SPONSOR---Legislator who is an author of a bill or amendment.

STAND AT EASE---A term referring to that situation in which the House or Senate does not recess or adjourn but suspends its deliberations for indeterminate periods of time.

STANDING COMMITTEE---Regular committees of the Legislature, set up by the rules of the House or Senate (the Vermont House has 15 and the Vermont Senate has 12 standing committees).

STATE THE QUESTION---To place a question before the legislative body for its consideration.

STATUS OF A BILL---The progress of a bill at any given time in the legislative process. It can be in committee, on the Calendar, in the other house, etc.

STRIKE OUT---The deletion of language from a bill or resolution.

SUPPLEMENTAL APPROPRIATION---Adjustments of funds allocated over the original appropriation.

TERM OF OFFICE---Duration of office of an elected official.

TITLE---A concise statement of the contents of a bill.

UNCONTESTED---Refers to a piece of legislation which is not objected to by any member of the House.

UNICAMERAL---A single body legislature (Nebraska is the only state that has only one House at this time).

VETO---The action of a Governor in disapproval of a measure; on its return to the Legislature, each house either sustains the veto or overrides it.

VETO OVERRIDE---To pass a bill over the Governor's veto which requires a 2/3rd vote of the members present of each house.

VOICE VOTE---Oral expression of the Members when a question is submitted for their determination. Response is given by "ayes" and "nays" and the presiding officer states his or her decision as to which side prevailed.

VOTE---Formal expression of will or decision by the body.

VOTE, DIVISION---To vote by standing.

VOTE, ROLL CALL---Alphabetical calling of the members to vote which is recorded in the Journal.

WITHDRAW A BILL OR MOTION---To recall or remove a bill or motion according to parliamentary procedure.

WITHOUT RECOMMENDATION---A committee report which is neither favorable nor unfavorable.

YEAS AND NAYS---Recorded vote of members on an issue (same as a roll call vote).

YIELD---The relinquishing of the floor to another Member to speak or ask a question.

JOINT RULES
OF THE
SENATE AND HOUSE OF REPRESENTATIVES

(Adopted January 30, 1990)
(with Amendments of April 25, 1991, April 16, 2002, and January 8, 2010)

I

JOINT RULES

- 1. Joint Rules of the House and Senate may be adopted or amended by a majority vote of the membership of each house.*
- 2. Joint Rules adopted by the regular session of any General Assembly shall be in full force during both the regular session and any adjourned or special session of the same General Assembly, unless amended, or repealed as therein provided.*
- 3. The Joint Rules may be suspended by joint resolution at any time upon a three-fourths vote in each house of those present.*
- 4. The Joint Rules shall govern all matters of common concern to and involving joint action by both houses.*

II

COMMITTEE ON JOINT RULES

- 5. At the beginning of each session a Committee on Joint Rules shall be appointed, consisting of four members from the House including the Speaker of the House and three members of the House chosen by the Speaker; and four members from the Senate including the President pro tempore of the Senate and three members of the Senate chosen by the Senate Committee on Committees.*
- 6. The Committee on Joint Rules shall elect a Chair and Vice-Chair from among its members. The chair shall rotate between the houses each biennium. The clerk of the Committee shall be the Clerk of the House when a House member is serving as Chair, and the Secretary of the Senate when a senator is serving as Chair.*
- 7. The Committee on Joint Rules shall propose and have referred to it matters relating to the Joint Rules of the General Assembly.*

III
JOINT ASSEMBLY

8. *A Joint Assembly shall be formed by a union of the Senate and the House of Representatives in the hall of the latter, at such times and for such specific purposes only as may be expressed in a joint resolution of both houses; and may adjourn from time to time during the session of the General Assembly. The President of the Senate shall, in all cases, preside; and the Secretary of the Senate, or in the absence of the Secretary, the Clerk of the House, shall officiate as clerk. The rules of the Senate as far as applicable shall be observed in regulating the proceedings of every Joint Assembly.*

9. *The proceedings of every Joint Assembly, including the resolution ordering the same, shall be recorded by the clerk and preserved in the office of the Secretary of State. They shall also be published with the Journal of the proceedings of the Senate, and the Secretary of the Senate shall furnish a copy to the Governor.*

10. (a) *Whenever a Joint Assembly is required to elect one or more persons to any office, the voting shall be by ballot, except that if there is only one candidate for any office, and if there is no objection, the Chair may put the question to the Joint Assembly by voice vote.*

(b) *If two or more offices are to be filled, each office will be voted upon and decided separately. If two or more vacancies for the same office are to be filled, nominations for all vacancies will be received before voting begins for the first vacancy, but each vacancy will be voted upon and decided separately. The Joint Assembly may limit the number and length of nominating and seconding speeches for each candidate.*

(c) *Election to any office is by a majority of the votes cast, exclusive of spoiled and blank ballots. After two votes have been taken for any vacancy without an election, all nominees except the two having the highest number of votes on the second ballot shall be withdrawn, and voting shall then continue until a candidate is elected. In no event shall the involuntary removal of nominees result in fewer than two nominees remaining in the contest.*

(d) *The person who first nominated a candidate may withdraw that candidate's name at any time; a withdrawal may be complete or may be limited to one or more vacancies. A candidate for any office having more than one vacancy who is defeated for the first vacancy shall automatically be a candidate for successive vacancies, unless the nomination is voluntarily withdrawn.*

IV

BILLS AND JOINT RESOLUTIONS

11. *When a bill or joint resolution is on its passage between the two houses, it shall be verified by the attestation of the Secretary of the Senate or Clerk of the House, or an assistant. Upon passage by both houses it shall be verified by the attestation of the Speaker of the House and the President of the Senate.*

12. *Each house shall give notice to the other of its action upon any measure originating in the other, and shall return all such bills or joint resolutions with the accompanying papers.*

13. *Either house may substitute for the original bill or joint resolution a copy attested by the secretary or clerk of the house of origin to be a true copy.*

14. *A bill or joint resolution shall be lost when: (1) either house shall have rejected it; (2) either house shall have adhered to a vote of disagreement; or (3) a Committee of Conference has been appointed and has reported a disagreement without a request for a further Committee of Conference or has reported and the report has been rejected by either house without further action taken. But a vote of rejection or adherence, or the rejection of the report of a Committee of Conference may be reconsidered.*

15. *After a bill shall have passed both houses, before being delivered to the Governor for approval, it shall remain for one legislative day in the files of the clerk of the house in which it originated, unless either house shall otherwise order, or the Governor shall sooner request it.*

16. *A joint resolution may be treated as a bill by either house, regardless of the manner in which it is treated in the other house. When a joint resolution is treated as a bill, those procedural rules governing passage of bills shall apply to the joint resolution. When a joint resolution is treated as a bill, it does not thereby become a bill; it may not be used for purposes of general legislation and does not require the approval of the Governor to become effective.*

16a. *Resolutions that express sentiments of congratulations, commendations, condolences, or the like, or that designate, on a one-time basis, a specified period of time for a commemorative or public education purpose and do not address matters related to public policy, the rules and operations of either or both houses of the General Assembly, or other matters, shall be styled as concurrent resolutions, and may be jointly cosponsored by members of the Senate and House. The Senate and House cosponsors shall appear separately on two distinctive sponsorship lists on the concurrent resolution. A concurrent resolution shall be cited by title only in the permanent journals of the Senate and House with a cite to the Acts and Resolves for that session unless it has been treated as a bill or*

subject of a roll call vote, in which case, the resolution shall be printed in the permanent journal of the voting legislative body.

16b. Upon introduction, if not treated as a bill, the full text of concurrent resolutions shall be published in the calendar of the legislative body where introduced on the legislative day of introduction. The resolutions shall be considered as adopted, and transmitted to the other body, unless a member of the body requests consideration by the entire body prior to adjournment on the following legislative day.

16c. Upon receipt from the other body, joint concurrent resolutions shall follow the same procedure as set forth in Rule 16b.

16d. The provisions of joint rules 16a, 16b and 16c shall supercede any provision of the Rules and Orders of the Senate or the Rules and Orders of the House of Representatives that is inconsistent with these joint rules.

V

COMMITTEES OF CONFERENCE

17. In every case of disagreement between the Senate and House of Representatives, if either shall request a conference, and appoint a committee for that purpose, the other house shall also appoint a committee on its part. Such committees shall consist of three members from each house.

18. In any Committee of Conference, the Chair shall be the first member chosen from the house in which the bill did not originate and the Vice-Chair shall be the first member chosen from the other house.

19. A Committee of Conference shall meet at an hour to be agreed upon by its Chair and Vice-Chair. Its members shall state to each other, verbally or in writing, the reasons of each house for its vote on the subject matter of disagreement; confer freely thereon, and make report of their doings to their respective houses as soon as may be. The bill or resolution referred to a Committee of Conference shall be returned to the house other than that in which the bill or resolution originated.

20. A report by a Committee of Conference shall be made only with the concurring votes and signatures of at least two members from each house.

21. If either house shall reject the report of a Committee of Conference or if the committee shall fail to agree, either house may thereupon ask for another Committee of Conference.

VI

JOINT COMMITTEES AND JOINT HEARINGS

22. *Joint committees, consisting of members from each house, may be created by these joint rules, by statute, or by joint resolution.*

23. *For the purpose of facilitating business, committees of like functions of the Senate and House of Representatives may meet together as a joint committee, for the purpose of public hearings. They may consider in joint conference all measures but shall take action separately and report only to their respective houses.*

VII

MISCELLANEOUS PROVISIONS

24. *On the first day of each session, each house shall appoint a joint canvassing committee to consist of one senator and three representatives from each senatorial district, to canvass votes for Governor, Lieutenant Governor, State Treasurer, Secretary of State, Auditor of Accounts, and Attorney General, and report the result of the canvass to the General Assembly.*

25. *Permission to use either legislative chamber for other than statutory purposes may be granted in accordance with the rules of the house in question.*

26. *Public Conduct in the State House*

(a) *Persons in the State House shall refrain from:*

(1) *loud or unusual noise or profanity;*

(2) *running, crowding, pushing or shoving;*

(3) *any other conduct which creates a risk of harm to any person or which would disrupt essential governmental operations;*

(4) *any conduct which obstructs entrances, walks, corridors, elevators, cafeterias, offices or stairways.*

(b) *Banners, signs and placards may be permitted in the State House, except in the House and Senate chambers, under the following conditions:*

(1) *No sticks, rods or similar devices may be used to support a banner, sign or placard.*

(2) *Banners, signs and placards may not be carried or held in such a way as to obstruct another's view or to endanger the safety of another.*

(c) *No person while in the State House shall carry a firearm or other dangerous or deadly weapon or an explosive, openly or concealed, except for official purposes.*

(d) The presiding officers shall have general supervision over their respective Chambers, and the Chairs of Committees shall have general supervision over their respective committee rooms or hearing rooms, and in the case of a disturbance or disorderly conduct or other violation of this rule, may order the Sergeant-at-Arms to restore order or to clear the area.

(e) The Sergeant-at-Arms shall have general supervision over the conduct of the public within the State House building, including but not limited to its entrances, walks, corridors, elevators, cafeteria, offices and stairways, and shall maintain order therein and, if necessary, take measures to prevent disruption of essential governmental operations, consistent with this joint rule and all other rules of the General Assembly.

ATTESTED TO:

*John H. Bloomer, Jr.
Secretary of the Senate*

*William M. MaGill
Clerk of the House*

October 1, 2015

PERMANENT RULES

OF THE

VERMONT SENATE

**As adopted in 1989, with amendments of
1997, 2003, 2004, 2007, 2008, 2013 and 2016**

(2016 edition)

Permanent Rules of the Vermont Senate

(Adopted March 3, 1989)
(with Amendments of February 21, 1997, and February 12, 2003,
May 20, 2004, January 5, 2007, April 22, 2008 and February 7, 2013 and
March 22 and April 19, 2016)

RULES AND ORDERS OF THE SENATE

I

ORGANIZATION

1. *The credentials of senators shall be presented to the President (or in the President's absence the person designated to call the Senate to order) and delivered to the Secretary or Assistant Secretary, previous to ten o'clock in the forenoon of the first Wednesday next after the first Monday, of January, following their election.*

2. *At ten o'clock the Senate shall be called to order by the President of the Senate. The President or Secretary shall administer the oath of office to the Senators; and, unless otherwise ordered, to the Lieutenant Governor-elect upon report of the joint canvassing committee.*

2A. *The Senators from the Addison Senatorial District shall occupy seats numbered 18 and 19; from the Bennington Senatorial District, seats numbered 5 and 6; from the Caledonia Senatorial District, seats numbered 26 and 27; from the Chittenden Senatorial District, seats numbered 7, 8, 9, 10, 11 and 12; from the Essex-Orleans Senatorial District, seats numbered 2 and 3; from the Franklin Senatorial District, seats numbered 20 and 21; from the Grand Isle Senatorial District, seat number 25; from the Lamoille Senatorial District, seat number 1; from the Orange Senatorial District, seat number 4; from the Rutland Senatorial District, seats numbered 22, 23 and 24; from the Washington Senatorial District, seats numbered 28, 29 and 30; from the Windham Senatorial District, seats numbered 16 and 17; and from the Windsor Senatorial District, seats numbered 13, 14 and 15.*

The Senators from each district shall decide upon the seating of the Senators from their respective districts.

3. *The names of the Senators shall be called, and when a quorum shall have taken their seats, they shall take and subscribe the following oath, viz:--*

"I,, Senator from County (or Counties), in the General Assembly of the State of Vermont, do solemnly swear, that as a Member of this Assembly, I will not propose or assent to any bill, vote or resolution, which shall appear to me injurious to the people, nor do or consent to any act or thing whatever that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State; but will in all things conduct myself as a faithful, honest representative and guardian of the people, according to the best of my judgment and ability. So help me God. I do solemnly swear that I will be true and faithful to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof. So help me God. I do solemnly swear that I did not at the time of my election to this body, and that I do not now hold any office of profit or trust under the authority of Congress. So help me God. I do further solemnly swear that I will support the Constitution of the State of Vermont and the Constitution of the United States. So help me God."

Provided, that at the request of a senator the word "affirm" shall be substituted for "swear," and the words "under the pains and penalties of perjury" for "So help me God."

4. The Senate shall forthwith proceed to elect by ballot and in the order named, a secretary, a president pro tempore and a senator to serve with the president and the president pro tempore as a member of the committee on committees who shall be sworn to the faithful discharge of their duties. It may also elect or designate a chaplain or chaplains. In the event of the death or resignation of the secretary or the president pro tempore or removal from office or inability to exercise the powers and discharge the duties appertaining to the office, the Senate shall as soon as practicable proceed to elect by ballot a successor who shall then be sworn to the faithful discharge of the duties of the office.

5. The President shall nominate canvassing committees, provided for by the joint rules, who shall be elected by the Senate; but the Senate may reject any member so nominated and shall fill the vacancy caused thereby. Said committees shall be sworn to the faithful discharge of their duties and shall make their report to the Joint Assembly of both houses.

6. As soon as may be after the convening of each biennial session, the President of the Senate, the President pro tempore, and one senator elected by the Senate shall comprise the committee to be known as the Committee on Committees. The Committee on Committees shall appoint the members, on the part of the Senate, of the permanent joint standing committee on Joint Rules, and all committees of the Senate, and all other committees requiring appointment of members of the Senate, unless otherwise provided by statute; but any appointment so made may, on motion of a senator, be overruled by the Senate; in which case

the Senate shall, on nomination of a senator, immediately fill the vacancy. Any motion to overrule the appointments of the Committee on Committees must be made not later than the next legislative day following the announcement of the committee appointments to the Senate.

In the event that a senator is absent from the Senate for more than two weeks or a senator requests leave of the Senate to be absent therefrom for more than two weeks, the Committee on Committees may designate any other senator to occupy temporarily a position on the standing committees to which such absent senator is assigned. Such temporarily assigned senator shall have all the powers of a regular member on such assigned committee but shall be the most junior member of the committee. The temporary assignment or assignments shall terminate absolutely upon return of the absent senator to committee duties or upon order of the Committee on Committees.

II

OF SESSIONS OF THE SENATE

7. The Senate shall meet every day at nine o'clock and thirty minutes in the forenoon and at one o'clock and thirty minutes in the afternoon, unless otherwise ordered.

8. Whenever the Senate shall assemble, according to adjournment, or at the commencement of a session, and the President and President pro tempore be absent, it shall be the duty of the Secretary, if present, or if absent, of a senator, to call the Senate to order, and the senators present, if a quorum, shall elect a President pro tempore, who shall preside until the return of the President or the President pro tempore, named in Rule 4.

9. In case no quorum shall assemble within fifteen minutes after the time to which the Senate was adjourned, or if a roll call or division of the Senate discloses no quorum present and voting, those present shall have the power to send the Sergeant-at-Arms or other officer after the absentees, and to compel their attendance, or to adjourn.

III

OF SENATORS

10. No senator shall be absent from sessions of the Senate or meetings of committees unless sick or otherwise necessarily detained.

11. No senator shall speak audibly to another, or otherwise interrupt the business of the Senate, while public papers are being read, or while a senator is speaking in debate. No senator shall speak in debate unless standing in place and addressing the President; and smoking shall not be allowed in the Senate chamber, the Senate cloakroom, Secretary's offices, or Senate committee rooms.

12. Upon being called to order, a senator shall be seated. Every question of order shall be decided by the President without debate, subject to an appeal to the Senate.

13. If a senator shall be called to order for words spoken, the exceptionable words shall be immediately taken down in writing by the senator calling to order, so that the President may be better enabled to judge the matter.

14. Subject to the provisions of Rules 69 and 71, it shall be the duty of a senator to vote upon all questions decided by a yea and nay vote or a division of the Senate.

IV OF OFFICERS

15. The President, among other duties shall preserve order, and in case of disorder may clear the galleries. All questions of order shall be decided by the President, whose decision shall be final, unless a senator immediately appeals, and such appeal is sustained by a majority vote of the senators present.

16. The President may designate any senator to perform the duties of the President, but such designation shall not continue beyond the adjournment for the day.

17. The President pro tempore shall perform all the duties of the President during the latter's absence.

18. The Secretary shall be the reading clerk of the Senate; and shall administer the oath of office to such persons as the President may direct. Unless required by the Senate, the daily reading and approval of the journal of the previous day by the Secretary shall be dispensed with.

19. The Secretary shall prepare the journal which shall record the proceedings of the Senate (except when acting as a committee of the whole), embracing the titles of bills, proposed amendments, the names of the senators and the votes which they give on every question decided by yeas and nays, and such other matters as may be pertinent.

20. The Secretary shall transmit to the House all messages, which shall be in writing, and either delivered to the Clerk or read by the Secretary in the presence of the House in session.

21. The Secretary shall cause to be prepared, from time to time, a statement showing the status of each bill and the work of the session.

22. The Secretary shall serve until a successor is elected and has qualified.

23. *The Assistant Secretary shall be sworn to the faithful discharge of the duties of the office and may, under the direction of the Secretary or in the Secretary's absence, perform any of the duties of the Secretary.*

V

OF COMMITTEES

24. *At the beginning of each biennial session the following standing committees shall be appointed:*

A committee on Agriculture, of five members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to agriculture.

A committee on Appropriations, of seven members, to whom shall be referred bills and joint resolutions appropriating money from the state treasury.

A committee on Economic Development, Housing and General Affairs, of five members, to whom shall be referred matters relating to economic development, commerce, and community development, including tourism and marketing, promotion of the arts, and film activities; matters relating to labor; matters relating to housing; matters relating to liquor and tobacco control; matters relating to lotteries; and all matters relating to subjects for which there is no other appropriate committee.

A committee on Education, of five or six members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to education, libraries, and literary or scientific subjects.

A committee on Finance, of seven members, to whom shall be referred matters affecting the revenues of the state or its instrumentalities, and matters relating to banks, trust companies, insurance, utility companies and to private and quasi-public corporations, including other companies subject to regulation by the Public Service Board.

A committee on Government Operations, of five members, to whom shall be referred matters relating to the administration of government and justice; compensation of and retirement benefits for public officials and employees; suffrage; nominations and elections; municipal corporations; military affairs, including veterans and civil defense; public records and open meetings; and reapportionment.

A committee on Health and Welfare, of five or six members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to the preservation of health, old age assistance, and social and economic security.

A committee on Institutions, of five or six members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to public buildings, lands in which the state has an interest, and the Department of Corrections.

A committee on Judiciary, of five members, to whom shall be referred matters relating to judicial and legal affairs; and motor vehicle and homeowner liability insurance.

A committee on Natural Resources and Energy, of five members, to whom shall be referred matters relating to the conservation, development and planning of the state's natural resources, including water quality, geology, forestry, parks and recreation and fish and wildlife; community and regional planning and development; and the conservation and planning of sources of energy.

A committee on Transportation, of five members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to transportation facilities, including, principally, highways and bridges, and the regulation of traffic thereon and the licensing of the users thereof; and matters relating to aviation and railroads.

A committee on Rules, of five members, consisting of the President pro tempore, who shall be chair ex officio, and four other members, who shall propose, and to whom shall be referred matters relating to the rules and operation of the Senate. The committee on Rules may introduce such bills as may be requested by the Governor, which bills shall have indicated on them the appropriate state department or commission appertaining to such bill.

25. The member first named on each committee shall be the chair thereof, and the member secondly named shall be vice-chair. In the event of the death or resignation of such chair or vice-chair, the member next in order named shall become chair, or vice-chair, unless and until the Committee on Committees designates new chairs at the regular or any special session. Each committee, at its first meeting, shall choose a clerk from its members.

26. The chair of each committee shall schedule such meetings of the committee as may be necessary for the prompt dispatch of the business before the committee.

Such meetings shall be announced on the floor of the Senate, and when practicable, a notice thereof posted on the bulletin board.

27. No committee shall sit during any session of the Senate without leave from the Senate.

28. The introducer of a bill and all persons who shall so request of the clerk of the committee shall be given an opportunity to be heard upon a measure

referred to a committee, and shall be warned of the time and place of hearing, either by personal notice, notice in the calendar, or oral notice from the floor of the Senate.

29. The clerk of each committee shall keep a record of the attendance of members at committee hearings and shall keep a record with reference to each bill considered, as follows: the persons making requests to be heard; the notice, if any, that is given; the dates when the bill is considered; and the vote of each member of the committee thereon. The record shall be open to the inspection of the public at proper times and places, and at the close of the session shall be delivered to the Secretary of State.

30. Each committee to which a bill shall be referred, committed or recommitted shall report the same to the Senate within fifteen days after such reference unless otherwise ordered by the Senate. The Secretary shall print in the calendar a list of all bills which shall have been in the hands of committees for more than such fifteen days, without special order.

31. When a committee, other than the Committee on Appropriations, shall introduce or report any bill which carries an appropriation or which requires expenditure of funds, and the committee shall recommend in its report that the bill ought to pass, or ought to pass in concurrence, or ought to pass when amended, or ought to pass in concurrence with proposals of amendment, and the bill has been placed on the calendar for notice, then the President shall refer the bill to the Committee on Appropriations, which committee shall consider the bill and report on the advisability of the appropriation carried or expenditures required by the bill. The Committee on Appropriations may recommend or propose an amendment or amendments affecting only the appropriation or expenditure in the bill. If the committee first considering any bill which carries an appropriation or expenditure shall report the bill adversely and the report is negatived by the Senate, the bill shall be referred by the President to the Committee on Appropriations before it is advanced to third reading, which committee shall consider the bill and make its report as above stated.

When a committee, other than the Committee on Finance, shall report any bill affecting the revenue of the state, and the committee shall recommend in its report that the bill ought to pass, or ought to pass in concurrence, or ought to pass when amended, or ought to pass in concurrence with proposals of amendment, and the bill has been placed on the calendar for notice, then the President shall refer the bill to the Committee on Finance, which committee shall consider the bill and shall make such report as it deems advisable. If the committee first considering any bill which affects the revenue of the state shall report the bill adversely and the report is negatived by the Senate, the bill shall be referred by the President to the Committee on Finance before it is advanced to

third reading, which committee shall consider the bill and make its report as above stated.

When the reports of the two committees on the same bill are placed on the calendar for action at the same time, the question shall be on the report of the committee which first considered the bill; however, if amendments are recommended or proposed by either or both committees, these amendments shall first be disposed of and amendments recommended or proposed by the committee which first considered the bill shall be acted on first.

32. A committee report may be signed by any member on behalf of the committee, and shall be delivered by the reporter promptly to the Secretary of the Senate. The signer of each report shall be held responsible for the accuracy of its statements and the propriety of its language, and, when the same shall be under consideration, the reporter shall be further liable to give additional statements of facts or other explanations in answer to the call of any senator.

VI

OF THE CALENDAR

33. The Secretary shall prepare and cause to be printed a daily calendar of business. It shall contain the "Orders of the Day" including the titles of all bills which, on the preceding day, shall have been ordered to a third reading or placed on the calendar for notice prior to a second reading; the titles of all bills reported by committees with proposed amendments, if any, for notice for one legislative day before the bills are read the second time; and other matters in order for consideration. It shall also contain a specification of matters ordered to lie, pertinent memoranda, announcements and the like.

34. No bill may be read the second or third time or passed or rejected, nor may action be taken on any House proposals of amendments or reports of committees of conference, nor may any rule be amended or suspended for more than one sitting, unless such action has been on the calendar for notice, including proposed amendments, if any, for one legislative day, and appears in the Orders of the Day.

35. The first hour of each sitting may be devoted to the reception and disposal of petitions, memorials and remonstrances, motions, resolutions and reports of special committees; after which, bills may be introduced and bills from the House referred.

36. The Orders of the Day shall then be taken up. At the request of the President pro tempore, unless a majority of the Senate objects, bills or resolutions may be taken up out of their normal sequence. Otherwise, unfinished orders of the preceding day shall be disposed of first. It shall not be in order to interrupt the Orders of the Day with any other business, except a motion to adjourn, or that

when the Senate adjourn it be to a time certain, or to recess, or to suspend the rules, and to receive messages from the Governor or from the House.

37. After entering upon the consideration of the Orders of the Day, the Senate may, by order or at the discretion of the President, proceed with them in regular course as follows: Matters not giving rise to a motion or debate shall first be disposed of in the order in which they stand in the calendar; after which the matters that were passed over shall be considered in like order and disposed of by the Senate.

38. Whenever a bill or joint resolution or Senate resolution is laid on the table by order of the Senate, it may at any time be called up by a senator. When so called up, the bill or such resolution shall be placed on the action calendar for the next legislative day.

VII

OF BILLS AND JOINT RESOLUTIONS

39. During the regular session held in the first year of the biennium bills may be introduced by a senator or a standing committee at any time.

During any adjourned session of the biennium (excluding the customary weekend adjournments), no bill may be introduced unless it has previously been filed with the Legislative Council and approved for printing by the sponsor no less than twenty-five calendar days preceding the opening of the session or unless it is introduced by or with the consent of the Rules Committee.

40. Bills amending existing law, whenever practicable, shall be so prepared as to show the new matter proposed, old matter retained, and old matter to be omitted, and shall have the title, a statement of purpose approved by the sponsor, and the name of the introducer printed at the beginning. The subject matter of a bill shall be briefly indicated in the title. After final action has been taken on a bill or resolution any necessary amendments to the title of the bill or resolution shall be made and noted on the backings thereof by the Secretary.

41. Each bill intended for presentation by any member of the Senate shall be presented first to the Legislative Council. The Legislative Council shall examine and revise it as to form and expression, so far as may be required. After certifying to the revision and after approval by the sponsor the Legislative Council shall forward the bills to the printer designated by the Purchasing Director.

42. The Secretary shall prescribe the form for bills and shall cause a sufficient number of the bills to be printed with suitable margins and spaces. With respect to Senate bills and resolutions, amendments to Senate bills and resolutions, Senate proposals of amendments to House bills and resolutions,

proposals of amendments to the Vermont Constitution, and reports of Committees of Conference, the Secretary may:

- (1) renumber and rearrange sections or parts of sections;*
- (2) transfer sections or divide sections so as to give separate section numbers to distinct subject matters, but without changing the meaning;*
- (3) insert or change the wording of headnotes;*
- (4) change reference numbers to agree with renumbered chapters or sections;*
- (5) substitute the proper section or chapter number for the terms "this act," "the preceding section" and similar terms;*
- (6) strike out figures where they are merely a repetition of written words and vice versa;*
- (7) change capitalizations for grammatical purposes;*
- (8) correct manifest typographical and grammatical errors; and*
- (9) make any other purely formal or clerical changes in keeping with the purposes of the legislation.*

43. No bill shall be passed unless it has three readings, which shall be by title only. However, upon order of the Senate or at the direction of the President, the second or third readings shall be in full.

44. The Secretary shall submit the original bill to the President for examination, after which it shall be read the first time and referred to an appropriate committee by the President.

45. If the committee to which a bill is referred reports that the same ought not to pass, it shall be read the second time. Thereupon the question shall be: "Shall the bill be rejected?" If the question upon rejection is negatived, the question shall be: "Shall the bill be read the third time?"

46. If the committee to which a bill was referred reports that the bill ought to pass, it shall be read the second time. Thereupon the question shall be: "Shall the bill be read the third time?" Pending this question the bill shall be open to amendment.

47. If the committee to which a bill was referred reports it favorably, recommending amendment, or with proposal to the House to amend, the bill shall thereupon be read as proposed to be amended if it is read in full. The question shall be first upon the amendments recommended by the committee; after which the procedure shall be the same as in case of bills reported without amendment.

48. *Bills originating in and reported by committees shall be read the first time and placed on the calendar for notice the succeeding day; unless referred pursuant to Rule 31, the second succeeding day they shall be placed on the calendar for second reading, after which they shall proceed in regular course as other bills.*

49. *A bill may be committed or recommitted at any stage and when so committed or recommitted it shall be, in substance, as last acted upon by the Senate, except that a proposal of amendment to the other House shall be disregarded. However, when reported by the committee, it shall proceed in the regular course as other bills.*

50. *A bill may be withdrawn at any stage by its introducers. To withdraw a bill in committee, the introducers shall request the Secretary to place the bill on the Notice Calendar by title in bold type indicating intention to withdraw. If no objections are made thereto, the bill shall be considered withdrawn. When a bill has been withdrawn the effect is the same as though it never had been introduced.*

51. *Joint resolutions shall be treated in the same manner as bills except that joint resolutions expressing the sentiments of the General Assembly, or relating to adjournment, or relating to joint assemblies, or relating to pay of the Lieutenant Governor and members of the Legislature and other incidental expenses of the General Assembly, may be adopted upon their first reading; provided, however, that in the discretion of the President any joint resolution may be treated as a bill. Joint resolutions not treated as bills shall be printed in the Journal and they may, in the discretion of the President, and shall, upon vote of the Senate, be placed on the Calendar for action on the next day after being offered. No joint resolution need be revised by the Legislative Council or printed in full except in the journal. To the extent applicable, a Senate resolution shall be so treated.*

52. *Joint resolutions of the two houses shall not be used for the purpose of general legislation, but shall be in order for the purpose of expressing the sentiments of the Legislature, for special appropriations incidental to the session and business of the Legislature, for agreeing upon adjournment, and for other inferior and incidental purposes of legislation.*

52A. *Concurrent resolutions of the two houses shall be in order only for the purposes of expressing sentiments of congratulations, commendations, condolences, or the like.*

VIII OF MOTIONS

53. *Every motion shall be reduced to writing by the mover if required thereto by the President or a senator or the Secretary.*

54. *When a question is pending no motion shall be received except*

To adjourn,

To proceed to the consideration of executive business,

To adjourn to a day certain,

That when the Senate adjourn it shall be to a day certain,

To take a recess,

To lay on the table,

To postpone indefinitely,

To postpone to a day certain,

To commit or recommit,

To amend,

To suspend a rule,

To reconsider,

which several motions shall have precedence as they stand arranged.

55. *A call for the previous question shall not at any time be in order.*

56. *No motion shall be in order when the Senate is engaged in voting and until the vote is announced by the presiding officer. No conversation or passing of notes shall be in order when the Senate is engaged in voting and until the vote is announced. A Senator shall be seated in his or her seat when voting.*

IX

OF AMENDMENTS

57. *Amendments shall be in order from the floor at the second reading, after the amendments, if any, recommended by the committee are disposed of by the Senate, provided, however, that when a bill has been reported adversely by the committee, pending the question, "Shall the bill be rejected?" amendments from the floor shall be in order.*

No motion to amend after third reading shall be in order except by consent of the Senate given by majority vote. The request for leave shall be accompanied by a statement of the proposed amendment. The question upon the request shall be decided without debate.

58. *It shall not be in order to amend a bill from the House, but the motion shall be that the Senate propose to the House to amend.*

59. *Every amendment, or proposal to the House to amend, shall be submitted in writing.*

60. *The rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different proposition, or a*

motion simply to strike out, nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

61. An amendment previously adopted may be amended, but not so as substantially to negative the amendment theretofore adopted; provided, that after the Senate shall have committed or recommitted a bill, it may be amended upon recommendation of the committee by negating an amendment theretofore adopted.

62. Should the House propose to the Senate to amend a bill, it shall be placed on the calendar for notice. The succeeding day the amendment shall be placed on the action calendar for consideration.

If the House proposes to the Senate to amend, the question shall be: "Shall the Senate concur in the House proposal of amendment?" But it shall be in order to move that the Senate concur in the House proposal of amendment with an amendment; or that the Senate refuse to concur and ask for a Committee of Conference.

*63. If the House shall disagree to a Senate proposal of amendment the following motions shall be in order and shall be privileged in the order named: **First**, That the Senate recede; **Second**, That the Senate insist and ask for a committee of conference; **Third**, That the Senate adhere.*

X

OF DEBATE

64. Motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, and to lay on the table, shall be decided without debate. A motion to suspend the rules shall be debatable.

65. No senator shall speak more than twice to the same question, without leave of the Senate, and senators who have once spoken shall not again be entitled to the floor (except for the purpose of explanation) to the exclusion of another who has not spoken.

66. In all cases, the senator first arising to address the Chair (subject to the restriction of Rule 65), shall be entitled to the floor, and when two or more arise at the same time, the President shall name the one who is to speak.

67. If the question in debate contains more than one point, the same shall be divided on demand of a senator, except that a motion to strike out and insert shall not be divided.

XI

OF VOTING

68. The yeas and nays by roll call or division of the Senate shall be taken upon any question if demanded by a senator.

69. *Every senator present shall vote when the yeas and nays are taken by roll call or upon a division of the Senate, unless excused by the Senate, but no senator shall be compelled to vote who was absent when the question was stated by the President.*

70. *A senator who appears in the Senate after the roll has been called, but before the result of the vote is announced, may request that the question be restated and shall have the right to vote on that question.*

71. *No senator shall be permitted to vote upon any question in which he or she is directly or immediately interested.*

72. *On all questions in the decision of which a simple majority is required when the Senate is equally divided, the Secretary shall take the casting vote of the President.*

XII

OF RECONSIDERATION

73. *No motion for reconsideration shall be in order unless made the next day of actual sitting of the Senate after that in which the vote was taken.*

74. *No senator, unless being one who voted with the prevailing side on the decision of a question, shall have the right to move a reconsideration thereof; provided that if the question shall have been decided by the casting vote of the President, a senator who voted with the prevailing side or one who did not vote, may move such reconsideration.*

75. *When a question has once been reconsidered the decision then arrived at shall not again be reconsidered. Nor when a motion to reconsider has been negatived shall the question again be considered or a like motion again be in order.*

XIII

CONSTITUTIONAL AMENDMENTS

76. *A standing committee of the Senate or any member of the Senate may propose an amendment to the Constitution during any regular session when permitted by the Constitution. The proposal shall be printed in accordance with the provisions of Rule 42, introduced into the Senate, read the first time, and by the President referred to an appropriate committee of the Senate. The committee of reference shall report to the Senate its recommendations concerning the proposal. If the committee to which a proposal of amendment was referred reports it favorably, recommending amendments, the question shall be first upon the amendments.*

77. *On being reported by the committee, whether favorably or unfavorably, or without recommendation, the proposal shall thereupon be printed in full in the calendar, including any amendments thereto recommended by the*

committee. On the fifth legislative day following the appearance of such proposals of amendment in the calendar, the proposal shall be read the second time in full. Thereupon the question shall be: "Shall the Senate adopt the proposal of amendment to the Constitution of Vermont as recommended by the Committee on _____ and request the concurrence of the House?" Upon any proposal of amendment to the Constitution or of amendment to such proposal, the yeas and nays shall be taken. Pending this question the proposal shall be open to amendment.

78. Amendments to any proposal of amendment to the Constitution may be recommended by the committee of reference by majority vote of such committee. Amendments recommended by any senator before second reading shall be submitted to the committee of reference, in written form, where they shall be acted upon by the committee. Any amendment may be adopted or rejected, in whole or in part, by majority vote of such committee. Upon adoption or rejection of any amendment by the committee, the same shall be printed in the calendar at least one legislative day before second reading.

79. These rules may be suspended only upon the affirmative vote of three-fourths of the members of the Senate. Upon completion of the vote upon any amendments to the proposal, the question shall be: "Shall the Senate adopt the _____ proposal of amendment to the Constitution of Vermont (as amended) as recommended by the Committee on _____, and request the concurrence of the House?"

80. The yeas and nays by roll call shall be taken upon the proposal of amendment which shall require a two-thirds vote of the Senate for adoption, and also upon any proposal of amendment thereto which shall require a majority vote for its adoption.

81. Such hearings may be held upon a proposal of amendment as are deemed necessary by the committee of reference.

82. In the event that the Senate requests the House to return any proposal of amendment to the Constitution without having acted thereon, the proposal shall be recommitted to the committee which last acted upon such proposal, whereupon it shall be in order to further amend such proposal in compliance with these rules. Upon report to the Senate by the committee of reference, the question shall first be upon any recommendation of amendment and then as stated in Rule 79.

83. During the first year of the next biennial session following the initial adoption of any proposal of amendment, each proposal of amendment to the Constitution shall be printed in the calendar upon direction given by the Committee on Judiciary or by the Committee on Rules. Upon the 7th legislative day following the printing thereof, each proposal shall be read the third time and

acted upon separately. Amendments to such proposals shall not be in order. The question shall be: "Shall the Senate concur in proposal (or the proposal), and request the concurrence of the House?" The concurrence of the Senate shall be upon the affirmative vote of a majority of the members thereof, and the yeas and nays by roll call shall be taken.

84. Upon concurrence of the House in the same proposals of amendment, or any of them, the Committee on Judiciary shall forthwith offer a joint resolution setting forth the time and manner in which such proposals of amendment so concurred in shall be submitted to a direct vote of the freemen of the state.

85. All other rules of the Senate shall be applied to proposals of amendment to the Constitution unless inconsistent herewith.

XIV

MISCELLANEOUS PROVISIONS

86. When the reading of a paper is called for, and the same is objected to by a senator, the question shall be determined by a vote of the Senate.

87. All petitions shall be referred to a committee without reading, unless the reading be ordered by the Senate.

88. On motion of a senator the Senate may go into a Committee of the Whole for the consideration of pending questions. The President shall appoint the chair.

89. The presiding officer may make temporary or permanent arrangements for the use or non-use of any portion of the Senate Chamber by members of the news media including the press, television and radio. The taking of pictures on the floor of the Senate Chamber during a session thereof and/or machine recording of the proceedings are prohibited except by permission of the presiding officer had and obtained; and all apparatus and paraphernalia used in connection therein must be placed where the same will be used, before the opening of the session involved.

90. The Senate having taken the final vote upon any question the same shall not again be in order during the same session or any adjourned session thereof in any form whatever except by way of reconsideration.

91. Where a question of parliamentary procedure arises not covered by these Senate Rules, Mason's Manual of Legislative Procedure shall prevail, except Mason's Rule No. 780, as that rule is contrary to Senate procedures and customs.

XV
OF EXECUTIVE SESSIONS

92. *A motion that the Senate go into executive session shall require a two-thirds vote of the members of the Senate present and voting in open session, shall indicate the matters to be considered in executive session, and shall take precedence over all motions except the motion to adjourn.*

93. *A communication from the Governor dealing with a nomination requiring the advice and consent of the Senate shall be read and referred to the appropriate committee. The committee after full investigation shall make its report to the Senate for action thereon. A motion for an executive session shall be in order for the consideration of and action on the committee report. All action in executive session hereunder shall be by roll call vote and the vote of each Senator shall be announced in open session and journalized.*

94. *Other matters which the Senate may consider in executive session shall only consist of the following:*

a. Contracts, civil actions at law, prosecutions by the state, or like manner of inquiry, where premature general public knowledge would clearly place the state, municipality, other public agency, or person at a substantial disadvantage.

b. Matters constituting a clear and imminent peril to the public safety.

95. *The Journal of an executive session shall not be published until the questions therein considered are finally determined. Any motions made but withdrawn prior to voting shall also be journalized.*

96. *Committees of the Senate may go into executive session, upon two-thirds vote of members of the committee present and voting in open session, for the consideration of appointment reports and the other matters specified in Rule 94. Action in executive session shall be by roll call vote and, for appointments, shall be recorded by the clerk of the committee for publication in open session.*

XVI
OF SUSPENSION OF RULES

97. *No rule of the Senate shall be suspended except by vote of three-fourths of the members present.*

XVII
OF AMENDMENTS

98. *Any amendment to the Senate Rules shall require a vote of a majority of the members present.*

XVIII
OF JOINT RULES OF THE SENATE AND
HOUSE OF REPRESENTATIVES

99. *Joint rules for both the House and Senate may be adopted by a majority vote of the membership of each house.*

100. *Joint rules adopted by the regular session of any legislature shall be in full force during both the regular session and any adjourned session of the same legislature, unless amended, modified or repealed as therein provided.*

XIX
OF CONDUCT OF MEMBERS AND OFFICERS

101. *Sexual Harassment*

(a) *A member and officer of the Senate shall be responsible for ensuring that each legislative employee and colleague enjoys a workplace free from discrimination by conducting himself or herself in a manner that promotes public confidence in the integrity of the Senate.*

(b) *Violation of this rule will result in appropriate disciplinary action enforced by the full Senate, if necessary.*

(c) *Retaliation against a person who complains, reports or cooperates in an investigation of sexual harassment is prohibited.*

(d) *The Rules Committee shall develop and adopt a policy and procedure for receiving and reviewing allegations of discrimination involving the conduct of members or officers of the Senate.*

(e) *The Secretary of the Senate shall develop procedures for employees of the Senate office.*

(f) *The Committee on Committees shall, at the beginning of the biennium, or as soon as possible thereafter, establish a Sexual Harassment Panel with the authority to receive, investigate and resolve complaints of sexual harassment, retaliation and noncompliance made against members or officers of the Senate. The panel shall be comprised of six members of the Senate, including at least one representative from each major political party.*

(g) *The President pro tempore shall ensure that training is made available to all Senate members and employees and that they receive copies of the policy and procedures which implement this rule.*

102. *Ethics*

(a) *The Committee on Committees shall, at the beginning of the biennium or as soon as possible thereafter, establish an Ethics Panel to receive and investigate allegations of ethical violations of senators, except for those*

complaints covered under Rule 101, and to recommend to the Senate any disciplinary action against a senator for an ethical violation, if the Panel deems it necessary.

(b) The Panel shall be comprised of five members of the Senate including at least one Senator from each major political party. The Panel shall elect a chair. All records and documents of the Ethics Panel shall be maintained in the Senate Secretary's Office.

(c) The Rules Committee shall develop and adopt a policy and procedure for receiving and reviewing allegations of ethical violations of Senators and procedures for when information and documents are confidential and public. Revisions to the policy and procedure may be proposed by the Panel to the Rules Committee, which shall consider the proposal and report the proposal to the full Senate with recommendation for the Senate's consideration.

(d) At the end of each biennium, the Ethics Panel shall report to the Senate the number of complaints filed and the disposition of those complaints.

103. Disclosure

On or before the 10th day of the beginning of the biennium, each senator shall submit to the Secretary a disclosure form. The form shall be signed by the senator and be publicly available. A senator shall update the senator's disclosure form as circumstances require. The initial form shall be developed by the Secretary. Changes to the form shall be proposed by the Panel to the Rules Committee, which shall consider the proposal and report the proposal to the full Senate with recommendation.

104. State House Interns/Employees/Assistants

All State House interns, aides, employees and/or assistants of a Senator, whether paid or unpaid, shall complete and file with the Sergeant at Arms a form prepared by the Secretary disclosing their name, contact information and other pertinent information. Each Senator shall ensure compliance of their State House interns, aides, employees and/or assistants with this rule.

Attested to:

/s/John H. Bloomer, Jr.

JOHN H. BLOOMER, JR.

Secretary of the Senate

RULES AND ORDERS

of the

House Of Representatives

State of Vermont

**As amended January 28, 2015
Prepared by the Clerk of the House**

**RULES AND ORDERS OF
THE HOUSE OF REPRESENTATIVES**

**I
ORGANIZATION**

1. Representatives shall present their credentials to the Secretary of State before ten o'clock in the forenoon of the first Wednesday next after the first Monday of January following their election.

2. (a) The Secretary of State shall make a roll by districts of the members whose credentials shall have been received and shall, at ten o'clock on that day, as presiding officer, call the House to order and call the names of the members on the roll. When a quorum of the House appears the Secretary of State shall direct the House to a choice of Speaker by ballot. The Speaker so elected shall take the chair and the duties of the Secretary of State in the organization of the House shall cease.

(b) The House shall then elect a Clerk who shall be sworn to the faithful discharge of the duties of the office.

3. (a) The Representatives who are present shall each take and subscribe the following oath which shall be administered to them by the Clerk:

"I,, do solemnly swear (affirm) that as a member of this Assembly, I will not propose, or assent to, any bill, vote or resolution, which shall appear to me injurious to the people, nor do nor consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State, but will, in all things, conduct myself as a faithful, honest Representative and guardian of the people, according to the best of my judgment and ability. (If an oath) So help me God. (If an affirmation) Under the pains and penalties of perjury.

"I do solemnly swear (affirm) that I will be true and faithful to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof. (If an oath) So help me God. (If an affirmation) Under the pains and penalties of perjury.

"I do solemnly swear (affirm) that I did not at the time of my election to this body, and that I do not now hold any office of profit or trust under the authority of Congress. (If an oath) So help me God. (If an affirmation) Under the pains and penalties of perjury.

"I do further solemnly swear (affirm) that I will support the Constitution of the United States. (If an oath) So help me God. (If an affirmation) Under the pains and penalties of perjury."

(b) Representatives who are not present to take this oath shall, when they are present, take and subscribe the oath which shall be administered to them by the Clerk in the State House.

4. On the first day of the session, the Speaker shall appoint the members on the part of the House of the Joint Canvassing Committee, as prescribed in the Joint Rules of the Senate and House of Representatives.

5. Immediately upon calling the House to order for the meeting next after the elections of Speaker and Clerk, the Speaker shall direct the Sergeant at Arms to cause all seats to be vacated and all members of the House to retire from the Representatives' Hall. A member who was also a member of the preceding session shall have the right to retain the seat occupied during that session or to select any seat not retained or previously selected. Thereafter, a member who was a member of a session other than the preceding session shall have the right to select any seat not retained or previously selected. The Clerk shall then place in a box prepared for that purpose, ballots designating by name the remaining representatives of the several districts in the State, and shall proceed to draw therefrom, impartially, one ballot at a time, until all are drawn. As each ballot is drawn the member designated by the ballot shall be called into the Hall by the doorkeeper and shall personally, if present, or may by proxy, if absent, select a seat, and shall occupy it during the drawing, either personally or by proxy. When a member's name is called and that member is not present in person or by proxy, the member whose name is next drawn shall have preference.

6. As soon as possible after the beginning of the session the Speaker shall appoint the members on the part of the House of the joint standing Committee on Joint Rules and the standing committees of the House, but any appointment so made may, on a motion of a member, be overruled by the House, in which case the House shall, on nomination of a member, immediately fill the vacancy.

II OF SESSIONS OF THE HOUSE

7. The House shall meet every day (Sundays excepted) at nine o'clock and thirty minutes in the morning, unless otherwise ordered.

8. As used in these rules, "day" refers to a day on which the House meets, unless the context clearly indicates otherwise.

9. If a quorum is not present within fifteen minutes after the time to which the House was adjourned or whenever a roll call or a division of the House discloses no quorum present and voting, the presiding officer or those present may send the Sergeant at Arms or other officer after the absentees to compel their attendance, or may adjourn.

III OF MEMBERS

10. A member shall not be absent without leave of the House from meetings of the House unless sick or otherwise necessarily detained. A member shall not be absent, without leave of the Chair, from committee meetings unless sick or otherwise necessarily detained.

11. A member shall not speak audibly to another, or otherwise interrupt the business of the House, while the public papers are being read, or while a member is speaking in debate. A member shall not speak in debate unless standing at the member's place or at the public address system. However, if unable to stand, a member shall not be required to do so in order to speak.

12. A member being called to order shall yield the floor. Every question of order shall be decided by the Speaker without debate, subject to an appeal by the House.

13. If a member calls another member to order for words spoken, the member shall immediately present to the Speaker in writing the words objected to.

14. Subject to the provisions of Rules 73, 74 and 75, it shall be the duty of a member to vote upon all questions decided by a roll call vote, voice vote, division of the House or ballot.

14a. On or before the 10th day of the beginning of the biennium, each member shall submit to the Clerk a disclosure form prepared by the Clerk. The form shall be signed by the member, be publicly available, and may be updated. The form shall set forth, to the best of the member's ability, the following information applicable as of the date of submission:

(a) any boards, commissions, or other entities on which the member serves; a description of that position; and, except in the case of legislative appointments, whether the member receives any form of remuneration for that position; and

(b) the member's employer.

IV OF OFFICERS

15. The Speaker among other duties shall preserve order and in case of disorder may clear the galleries. The Speaker shall decide all questions of order and decisions shall be final unless a member immediately appeals and the appeal is sustained by a vote of the members present.

16. If the Speaker is absent when the House assembles for a meeting, or if the Speaker is presiding during a session and finds it necessary to retire from the chair, a member designated by the Speaker shall assume the chair and may perform all of the duties of the Speaker for not more than six days. If the member

designated by the Speaker is absent, or if there has been no designation, the ranking member of the Committee on Rules shall perform the duties of the Speaker. In the event the Speaker is unable to resume the duties of the chair within six days, due to temporary disability, the House, after the expiration of six days from the date the Speaker first left the chair, shall proceed to elect a speaker *pro tempore*, who shall then perform all of the duties of the Speaker, until the Speaker is once again able to resume the duties of the office. In the event of the death or resignation of the Speaker, the House shall proceed forthwith to elect a new Speaker.

17. Unless otherwise provided by the Constitution or by statute, the Speaker shall appoint all members of any committee of the House or members on the part of the House of any joint committee. Whenever the House orders the appointment of a committee the Speaker shall be entitled to one recess of the House in which to make the appointment.

18. The Clerk shall be the reading clerk of the House. The Clerk may administer all oaths necessary for the proper functioning of the House or any of its committees.

19. The Clerk shall prepare the Journal and cause it to be printed. The Journal shall record the proceedings of the House, except when acting in Committee of the Whole, including the titles of bills, proposed amendments, the names of the members, and the votes which they give on every question decided by roll call, and such other matters as may be pertinent. The Journal shall not be read except at the direction of the House.

20. The Clerk shall transmit to the Senate all messages, which shall be in writing, and which shall be either delivered to the Secretary of the Senate or read by the Clerk in the presence of the Senate in session.

21. From time to time, or as the Speaker may direct, the Clerk shall prepare and cause to be printed a statement showing the status of each bill and the work of the session and an up-to-date alphabetical index by abbreviated titles of all House bills with the number assigned to each. The Clerk shall assign an abbreviated title to Joint House resolutions and cause them to be printed in an alphabetical list with their numbers and date of introduction.

22. The Clerk shall serve until a successor is elected and has qualified.

23. The Assistant Clerks shall be sworn to the faithful discharge of their duties and either of them may, under the direction of the Clerk or in the absence of the Clerk, perform any of the duties of the Clerk.

24. A member elected by a caucus of the majority party shall be majority

leader and a member elected by a caucus of the minority party shall be minority leader. For purposes of this rule and of Rule 25, the majority party shall be the party having the greatest number of members in the House and the minority party shall be the party having the next highest number. Members elected to the House who are members of a third party may form a caucus as a party and elect a member of that caucus as caucus leader. The caucuses may elect such assistant leaders as they deem necessary.

**V
OF COMMITTEES**

25. At the beginning of each regular session standing committees shall be appointed having the following names, number of members and duties:

<u>Committee</u>	<u>Member</u>	<u>To Consider Matters Relating to</u>
Agriculture and forest products and their markets.	&ForestProducts11	Agriculture
Appropriations state treasury.	11	Appropriating money from the
Commerce and Economic	11	Business organizations, including banking, insurance and utility companies and corporations, unemployment and workers' compensation insurance and the industrial and internal development of the state, but
Development		excluding matters relating to transportation.
Corrections and Institutions	11	Department of corrections and public buildings, state lands and property.
Education	11	The educational needs of Vermonters, including the arts, libraries, and literary and scientific subjects; the amount of revenue required to satisfy the educational needs; and the manner of raising necessary revenue.

Fish, Wildlife & Water Resources	9	Conservation and development of the state's water resources; fish and wildlife; natural habitats.
General, Housing and Military Affairs	8	Alcoholic beverages, housing, claims against the state, labor relations, military matters including those relating to civil defense and discharged veterans, their dependents and survivors, and all matters relating to subjects for which there is no other appropriate committee.
Government Operations	11	Organization, oversight and conduct of state government, compensation of state officials and employees, pensions, law enforcement, public safety, reapportionment, municipal corporations, suffrage, nominations, elections and the election of members; local, county, and regional governmental structures; relations between state and local governments; open meeting issues, public records issues and the state's information technology systems policies.
Health Care	11	Health care finance and administration.
Human Services and social and economic security.	11	Human Services, public health
Judiciary	11	Judicial and legal affairs.
Natural Resources & Energy	11	Conservation and development of the state's land resources,

		geology, forestry, state parks and lands; scenery; air quality issues; environmental permitting; solid waste management; and energy.
Rules	7	The rules of the House and to expediting the business of the House including the final adjournment thereof.
		(Consisting of the Speaker, who shall be chair <i>ex officio</i> ; three members of the majority party, the leader, the assistant leader, and one member at large elected by the majority party; and three members from the minority party, the leader, assistant leader, and one member at large elected by the minority party. The Speaker shall designate a Vice-Chair who shall be ranking member.)
Transportation	11	All transportation companies and corporations subject to the regulation of the Public Service Board, all air and surface transportation, the registration, regulation, and licensing of transportation operations and users, the construction and maintenance of thoroughfares, and the impact of the transportation sector on air pollution and climate change.
Ways and Means	11	The revenue of the state, and which shall inquire into the state of the treasury; ascertain the amount of debt due the state, and the claims against it; report the amount of taxes necessary to be raised for the support of the government and inquire what measures, if any, ought to be adopted, the better

to equalize the public burdens,
secure the accountability of
public agents, and otherwise
improve the financial concerns
of the state, including all
matters relating to taxation,
local or otherwise and all
matters relating to the grand
list.

26. The member first named on each committee shall be Chair thereof, and the member secondly named shall be Vice-Chair. If either dies or resigns, the member next in rank in the order named shall become Chair, or Vice-Chair, until the Speaker appoints a new Chair or Vice-Chair, or both. Each committee, at its first meeting, shall choose a clerk from its members.

27. Committees shall meet upon call of the Chair. However, no committee may meet while the House is sitting without leave of the House.

28. The introducer of a bill, and all other persons who so request of the Chair or Clerk of the Committee, shall be given an opportunity to be heard upon a measure referred to a committee.

29. The Clerk of each committee shall keep a record of reference of each bill considered, of the persons requesting to be heard, of the notice, if any, that is given, of the dates when the bill is considered, and the vote of each member of the committee thereon. It shall be the general practice of committees to keep recorded and written records of committee proceedings. Lapses in the record of a committee proceeding shall not have the effect of either undermining or establishing committee intent on a bill. The record shall be open to the inspection of the public, and at the close of the session shall be delivered to the Secretary of State.

30. Upon the request of any House member the Committee on Rules may require a committee to report out a bill at a time certain.

31. One member of a committee shall be designated by the Chair to report a bill or a resolution for the committee. When so designated, that member shall deliver the report to the Clerk of the House, sign the report and be responsible for its accuracy, the propriety of its language and its explanation when it is considered by the House.

VI OF THE CALENDAR

32. The Clerk shall prepare a daily calendar of business and cause it to be

printed. It shall contain:

(a) The "Orders of the Day", or Action Calendar, which shall include the numbers and titles of all bills and resolutions which, on the preceding day, had been called up, ordered to a third reading, placed on the Calendar for notice, or for action under Rule 52;

(b) "Bills for Notice" or Notice Calendar, which shall include the numbers and titles of all bills and resolutions reported by committees, with any proposed amendments, with the vote of the committee indicated, and with reference to the pages of the House and Senate Journals where the record of prior action on each bill or resolution may be found, all of which shall appear for notice for one day before the bills or resolutions shall be read the second time;

(c) Other matters in order for consideration;

(d) Matters ordered to lie;

(e) Pertinent memoranda, announcements, or committee schedules, as the Committee on Rules may authorize or prescribe.

In each division of the Calendar, bills and resolutions shall be arranged numerically. Whenever possible, the Calendar shall print proposed amendments to existing law so as to show new matter proposed, old matter retained, and old matter to be omitted.

33. No bill may be read the second time until it has been on the Calendar by number and title for notice with proposed amendments, if any, for one day, nor may action be taken on Senate proposals of amendment or reports of committees of conference until they have appeared on the Calendar for notice and in the Orders of the Day; nor may a bill be read the second or third time or passed or rejected, unless appearing in the Orders of the Day; nor may any rule be suspended for more than one sitting or be amended unless appearing in the Orders of the Day.

34. If a committee by a two-thirds vote of its members reports that a House bill or a House resolution treated as a bill ought not to pass, the action of the committee shall be noted on the Calendar on three successive days but the bill or resolution shall not be read the second time unless a petition requesting that it be read a second time, signed by thirty members, is filed in the Clerk's office within seven legislative days from the first day so noted in which case the bill or resolution shall be placed on the Calendar for notice.

35. (a) When a bill or resolution treated as a bill carrying an appropriation or a bill or resolution treated as a bill affecting the revenue of the state or materially affecting the revenues of one or more municipalities is reported by a committee other than the Committee on Appropriations or the Committee on

Ways and Means, respectively, the Speaker shall refer it, before second reading, to the Committee on Appropriations or the Committee on Ways and Means, as the case may be, if the bill or resolution had not previously been referred, committed or recommitted to said committee, except, in the case of a House bill or House resolution treated as a bill, when the first committee by a two-thirds vote reports that the bill ought not to pass or the resolution ought not to be adopted. In that case, if the House votes that the bill or resolution be read the third time, the bill or resolution shall be referred before third reading to the Committee on Appropriations or the Committee on Ways and Means, as the case may be, which shall consider the bill or resolution and make such report as it considers advisable at which time the bill or resolution shall proceed in the regular course as other bills or resolutions.

(b) When reports of two committees on the same bill or resolution are placed on the Calendar for action at the same time the question shall be on the report of the committee which first considered the bill or resolution. But amendments recommended by the committees shall be disposed of first, those recommended by the committee which first considered the bill being acted on first.

36. The first hour of each day may be devoted to the reception and disposal of petitions, memorials and remonstrances, motions, resolutions, and reports of special committees; after which bills may be introduced, bills from the Senate referred and bills referred under Rule 35.

37. The Orders of the Day shall be taken up, first disposing of the unfinished orders of the preceding day. It shall not be in order to interrupt the Orders of the Day with any other business, except a motion to adjourn, or a motion that when the House adjourns it be to a time certain, or to recess, or to receive messages from the Governor or from the Senate.

38. After entering upon the consideration of the Orders of the Day, the House may, by order or at the discretion of the Speaker, proceed with them in regular course as follows: Matters not giving rise to a motion or debate shall first be disposed of in the order in which they stand on the Calendar; after which the matters that were passed over shall be considered in like order and disposed of by the House.

39. Whenever a bill or resolution is laid on the table by order of the House, it may at any time, except during the Orders of the Day, be called up by a member and it shall be placed in the Orders of the Day of the succeeding day.

VII
OF BILLS, PROPOSALS OF CONSTITUTIONAL AMENDMENT,
AND JOINT RESOLUTIONS

40. (a) During the first year of the biennium, except with the prior consent of the Committee on Rules, no member may introduce a bill into the House drafted in standard form, after the last day of February or submit any requests to the Legislative Council that a bill be drafted in this form later than the last day of January. During the first year of the biennium, a member may introduce a bill into the House drafted in short form at any time, and may submit requests to the Legislative Council that a bill be drafted in this form at any time.

(b) During the second year of the biennium, except with the prior consent of the Committee on Rules, no member may introduce a bill into the House drafted in standard form after the last day of January or submit any requests to the Legislative Council that a bill be drafted in this form later than the fifteenth day of January. During the second year of the biennium, a member may introduce a bill into the House in short form until the second Friday after the annual Town meeting day, and may submit requests to the Legislative Council that a bill be drafted in short form until the fifteenth day of February.

(c) During the second year of the biennium, except with the prior consent of the Committee on Rules, no committee, except the Committee on Appropriations, the Committee on Ways and Means, or the Committee on Government Operations, may introduce a bill drafted in standard form after the last day of March. The Committees on Appropriations and Ways and Means may introduce a bill drafted in standard form at any time, and the Committee on Government Operations may introduce a bill drafted in standard form relating to changes in a town or city charter at any time.

(d) For the purposes of this rule a request for drafting by the Legislative Council shall contain specific instructions as to the content of the bill sufficient to permit its drafting in accordance with Rules 41 and 42.

41. Bills drafted in standard form amending existing law, whenever practicable, shall be so prepared as to show the new matter proposed, old matter retained, and old matter to be omitted, and shall have the title of the bill and the name of the introducer printed at the beginning. The subject matter of a bill shall be briefly indicated in the title. If the House, in the course of considering a bill, amends the bill so that the title no longer accurately reflects the contents of the bill, the Clerk shall revise the title, after passage and before messaging the bill, so that the title reflects the action taken by the House.

42. (a) Each request for a bill drafted in standard form intended for

introduction by any member of the House shall be first presented to the Legislative Council which shall draft the bill to achieve the introducer's intent in the correct form and expression required by these rules. In addition to the regular title, the Legislative Council shall assign to each bill an abbreviated title, covering the subject matter of the bill to be printed in bold face type, and a statement of purpose. It shall also prepare an abbreviated subject of the text of each section of the bill to follow immediately the section number. After the Legislative Council certifies the draft, it shall present the bill to the Clerk.

(b) Each request for a bill drafted in short form shall consist only of the name of the introducer, the subject, the title and a general statement of purpose. All short form bills shall be presented to the Clerk for introduction in the manner of bills drafted in standard form. If any member elects to introduce a bill by request of any other person or organization, and directs that the request be designated on the bill, the bill shall be drafted in short form.

43. The Clerk shall prescribe the form of bills, specifying suitable margins and spaces, and requiring the lines of each page be numbered, and shall obtain from the printer designated by the Purchasing Director, two originals and not less than six hundred copies of each bill.

44. (a) The Clerk shall submit the original bill to the Speaker for examination, after which it shall be read the first time and by the Speaker referred to the appropriate committee.

(b) Short form bills shall be drafted in standard form by the Legislative Council only if requested by a majority vote of the committee to which the bill has been referred. A request by a committee to have a short form bill drafted in standard form may be for any reason it deems appropriate, and shall not, in itself, indicate an approval of the bill or an intention to act favorably on it.

(c) When a short form bill which was changed to standard form is reported by a committee, it shall appear on the Calendar for Notice for two legislative days before being placed in the Orders of the Day. Also, when a committee is relieved of a short form bill, for consideration by the House, the Legislative Council shall within five legislative days draft it in standard form and present it to the Clerk who shall place it on the Calendar for Notice for two legislative days before placing it in the Orders of the Day.

45. No bill shall be passed unless it shall have had three readings which shall be by title only. However, upon order of the House or at the request of the reporter or introducer of the bill or at the direction of the Speaker, the second or third reading shall be in full or for such portion of the bill as a member shall request.

46. Subject to Rules 34 and 35, if the bill is reported favorably, without recommendation, or adversely and is placed on the Calendar for notice, the question shall be: "Shall the bill be read the third time?" Pending that question, amendments from the floor shall be in order.

47. Subject to Rules 35 and 45, if the bill is reported favorably with recommendation of amendment, it shall be read the second time, and with recommended amendments incorporated therein if second reading is in full, and thereupon, the question shall be first upon the amendments recommended by the committee after which the procedure shall be the same as in case of bills reported favorably without recommendation of amendment.

48. Except as provided in Rules 25 and 35, bills originating in and reported by committees shall be read for the first time and placed on the Calendar for Notice on the succeeding day; the second succeeding day they shall be placed on the Calendar for second reading, after which they shall proceed in regular course as other bills.

49. A motion to amend after a third reading is not in order except by vote of the House. The request for leave to offer an amendment shall be accompanied by a statement of the proposed amendment, but the question upon the request shall be decided without debate.

50. A bill may be recommitted at any stage and when so recommitted it shall be, in substance, as last acted upon by the House. However, when reported by the committee, it shall proceed in the regular course as other bills.

51. A member may move that a committee be relieved of further consideration of a bill or resolution and, if the motion is decided in the affirmative, the bill or resolution shall be placed on the Calendar for notice on the next legislative day. The motion may be that a committee be relieved of further consideration of a bill or resolution and that the bill or resolution be committed to another committee.

51a. During each biennium in which the House of Representatives is considering a proposal of amendment to the Vermont Constitution, the committee of jurisdiction shall conduct a public hearing prior to voting on the proposal and entering it on the Calendar, and the House shall not consider the proposal until the fifth day that it has appeared on the Calendar.

52. Joint resolutions shall be treated in the same manner as bills except that joint resolutions expressing the sentiments of the General Assembly, relating to adjournment, other than final adjournment, relating to salaries or mileage of the officers or members of the General Assembly, and relating to joint assemblies, may be adopted upon first reading. However, in the discretion of the Speaker, any

joint resolution may be treated as a bill. Joint resolutions shall be printed in the Journal and they may in the discretion of the Speaker, and shall, upon vote of the House, be placed on the Calendar for action on the next day after being offered.

53. Joint resolutions of the two Houses shall not be used for the purpose of general legislation but shall be in order for the purpose of expressing the sentiments of the legislature, for authorizing the expenditure of funds appropriated to the General Assembly, for agreeing upon adjournments and for other incidental purposes.

VIII OF MOTIONS

54. Every motion shall be reduced to writing by the mover if the Speaker or a member so requests.

55. When a question is pending no motion may be received except:

- To adjourn,
- To adjourn to a day certain,
- To take a recess,
- To lay on the table,
- To postpone indefinitely,
- To postpone to a day certain,
- To commit,
- To recommit,
- To amend,
- To reconsider,

which motions shall have precedence in the above order.

56. No motion is in order when the House is engaged in voting.

IX OF AMENDMENTS

57. Amendments are in order from the floor at the second reading after the amendments, if any, recommended by the committees are disposed of by the House.

58. It is not in order to amend a Senate bill or resolution, but the motion shall be that the House propose to the Senate to amend.

59. Every amendment or proposal to the Senate to amend shall be submitted in writing.

60. The rejection of a motion to strike out and insert one proposition shall

not preclude a motion to strike out and insert a different proposition, or a motion to simply strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

61. Subject to Rule 77, an amendment previously adopted may be amended, but not so as to substantially negate the amendment already adopted, except that when a committee report recommends amendment, that amendment shall be in order even though it negates one previously adopted.

62. If the Senate proposes to the House to amend, the question shall be: "Will the House concur in the Senate proposal of amendment?" But it shall be in order to move that the House concur in the Senate proposal of amendment with an amendment, or that the House refuse to concur and ask for a Committee of Conference.

63. If the Senate disagrees to a House proposal of amendment, the following motions shall be in order and shall be privileged in the following order: First, That the House recede; Second, That the House insist and ask for a Committee of Conference; Third, That the House adhere.

X OF DEBATE

64. No member may speak more than twice on the same question without leave of the House, and members who have once spoken shall not again be entitled to the floor (except for the purpose of explanation) to the exclusion of another who has not spoken.

65. A motion to adjourn, to take a recess, to lay on the table, to recommit, to suspend the rules, to withdraw a motion, and to close debate shall be decided without debate.

66. In all cases the member first arising (subject to the restriction in Rule 64) shall be entitled to the floor, and when two or more arise at the same time the Speaker shall name the one who is to speak. However, if unable to stand, a member shall not be required to do so in order to be recognized or to address the Speaker.

67. If the question in debate contains more than one point, it shall be divided on demand of a member except that a motion to strike out and insert shall not be divided.

68. At any time in the course of debate a member may move: "That debate upon the pending question do now close," and the Speaker shall put the question to the House. If the motion is decided in the affirmative by a vote of three-fourths of the members present, debate shall be closed on the question. Or

a member may move: "That debate on the whole question do now close," and if the motion be decided in the affirmative by three-fourths vote, debate shall be closed on the whole question, and no motion except privileged or incidental motions shall be in order until the main question is put and decided.

XI OF VOTING

69. The alphabetical roll call shall be called upon any question if demanded by five members.

70. Explanations of votes will be allowed only after the roll call is complete and immediately before the result thereof is announced. Explanations shall be submitted immediately to the Clerk in writing. It is generally recommended that vote explanations should be infrequent and brief.

71. A division of the House shall be had upon order of the Speaker or upon demand of one member. If the vote be taken by division, a voting member who is unable to stand need not rise to express his or her vote but shall indicate the vote in some other manner.

72. No member or other person may remain by the Clerk's desk when the roll is being called.

73. When a vote is taken, every member present shall vote unless excused by the House; but no member may be compelled to vote who was absent when the question was stated from the Chair.

74. At the conclusion of the call of the roll, the alphabetical roll of the absentees will be called and, subject to Rule 73, members who were absent when their names were first called and who are now present shall then vote. Members not present when their names were called the second time shall not be permitted to vote, except by leave of the House.

75. Members shall not be permitted to vote upon any question in which they are immediately or directly interested.

76. The Speaker shall not be permitted to vote except in cases of elections by ballot, or when the House is equally divided, or when the Speaker's vote, if given to the minority, will make the division equal. In case of an equal division, the question shall be lost.

XII OF RECONSIDERATION

77. When the House takes a final vote upon any question, that question

shall not again be in order during the same session in any form whatever except by way of reconsideration.

78. A motion for reconsideration shall not be in order until the next day. A motion to reconsider shall not be in order if made after the day following that on which the vote was taken. If the motion to reconsider is decided in the affirmative, further action on the bill or resolution shall be postponed until the end of the Orders of the Day of that day.

79. A motion to reconsider may be made only by a member who voted on the prevailing side of the question.

80. When the decision of a question has been reconsidered, the matter shall not be reconsidered again. Nor when a motion to reconsider has been rejected may that question be reconsidered, or a like motion be in order again.

XIII MISCELLANEOUS PROVISIONS

81. When the reading of a paper is called for, and it is objected to by a member, the question shall be determined by a vote of the House.

82. All petitions shall be referred to a committee without reading, unless the reading be ordered by the House.

83. On motion of a member the House may resolve itself into a Committee of the Whole House on any pending question.

84. No person may be admitted within the well of the House except the Governor, Lieutenant Governor, State Treasurer, Secretary of State, Auditor of Accounts, Attorney General, members of the Senate, Justices of the Supreme Court, Superior Judges, District Judges, Senators and Representatives in Congress, former Governors, Lieutenant Governors, Justices of the Supreme Court, Superior Judges, District Judges and members of the General Assembly, District Judges and Attorneys of the United States, members of other State Legislatures, Secretary and Assistant Secretary of the Senate, Secretary of Civil and Military Affairs, and Executive Clerk; and other persons as the Speaker may allow.

85. Upon request of an introducer thereof, a bill or resolution may be withdrawn at any stage with the consent of the House provided it has not been read the second time. No action on a motion to withdraw a bill or resolution may be taken until the next day, and the bill or resolution shall be placed in the Orders of the Day of the succeeding day.

86. The taking of pictures on the floor of the House and the machine

recording of the proceedings during a session thereof are prohibited except by previous permission of the presiding officer. When permission is given, all equipment to be used must be placed where it will be used before the opening of the sitting involved. The use of telephones or allowing telephones to ring in the House Chamber during a session thereof, is prohibited.

87. Use of the Hall of Representatives for other than statutory purposes may be authorized by the Committee on Rules, if the request for such use is made while the General Assembly is in session. If the request is made while the General Assembly is in adjournment for more than seven days, the Sergeant at Arms may authorize such use, with the permission of the Speaker.

88. A question of parliamentary procedure not covered by these House Rules shall be decided according to Mason's Manual of Legislative Procedure.

89. There shall be no smoking in the Hall of Representatives at any time.

90. (a) A member and officer of the House shall be responsible for ensuring that each legislative employee and colleague enjoys a workplace free from discrimination by conducting himself or herself in a manner that promotes public confidence in the integrity of the House.

(b) Violation of this rule will result in appropriate disciplinary action enforced by the full House, if necessary.

(c) Retaliation against a person who complains, reports or cooperates in an investigation of sexual harassment is prohibited.

(d) The House Rules Committee shall develop and adopt a policy and procedure for receiving and reviewing allegations of discrimination involving the conduct of members or officers of the House.

(e) The Clerk of the House shall develop procedures for employees of the Clerk's office.

(f) The House Rules Committee shall, at the beginning of the biennium, or as soon as possible thereafter, establish a Sexual Harassment Panel with the authority to receive, investigate and resolve complaints of sexual harassment, retaliation and noncompliance made against members or officers of the House. The panel shall be comprised of five members of the House.

(g) The Speaker shall ensure that training is made available to all House members and employees and that they receive copies of the policy and procedures which implement this rule.

90a. (a) The House Rules Committee shall, at the beginning of the biennium or as soon as possible thereafter, establish an Ethics Panel with the

following powers and duties:

(1) to advise individual members and provide training to all members on ethical conduct, including compliance with House Rule 75; and

(2) to receive and investigate complaints of alleged ethical violations made against members of the House, except for those complaints covered under House Rule 90, and to recommend to the House any disciplinary action against a member for an ethical violation, if the Panel deems it necessary.

(b) The Panel shall comprise five members of the House who shall serve until successors are appointed. The members shall elect a chair and adopt policies and procedures to conduct their business.

(c) Annually, on or before December 31, the Ethics Panel shall report to the House the number of complaints filed, the disposition of those complaints, and the number of member requests for ethical advice.

XIV SUSPENSION OF THE RULES

91. No rule of the House may be suspended except by vote of three-fourths of the members present and voting.

XV AMENDMENT OF RULES

92. Any amendment to the House rules shall require a vote of a majority of the members present.

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HIGHLIGHTS OF SOME OF THE MORE COMMONLY USED HOUSE RULES AND PROCEDURES

Procedure for Interrogating Another Member

1. If a member wishes to ask a question of or interrogate another member, it is proper to do so through the Speaker, but it is discourteous and in strict violation of parliamentary rules to ask questions directly of a member. Unless some good reason exists, the member should wait until the first member has concluded speaking, but may interrupt with the consent of the first member.

2. The procedure is for the member to rise, and without necessarily waiting to be recognized say “Mr. Speaker, I wish to interrogate the member from (name of the Town such member is from, e.g., Washington or Essex, etc.).

3. The member must submit to interrogation if he or she is the reporter of a bill or mover of an amendment. In other cases, the member must agree to being interrogated.

4. The questions asked may relate only to the matter before the House at that time. A question should not reflect upon the character or conduct of any member or upon the executive or other official. The purpose of a question is to obtain information and should not contain statements of fact unless they are necessary to make the question intelligible. Neither should a question contain arguments.

5. When the person doing the interrogation is done, he or she should let the other member know so that he or she may sit down. All questions and answers during interrogation must be addressed through the Speaker.

Germane---What is it?

Every amendment proposed must be germane to the bill or to the section or paragraph to be amended. An amendment is germane if it is relevant, appropriate, and in a natural and logical sequence to the subject matter of the bill.

To be germane, the amendment is required only to relate to the same subject. It may entirely change the effect of or be in conflict with the spirit of the original bill and still be germane to it. An entirely new proposal may be substituted by amendment as long as it is germane to the original bill. An amendment to an amendment must be germane to the subject of the amendment as well as to the main question.

As we can see, this definition leaves some leeway for the Presiding Officer.

What Constitutes a Conflict of Interest?

House Rule 75 states: “Members shall not be permitted to vote upon any question in which they are immediately or directly interested.”

Section 522 (1.) of Mason’s Manual of Legislative Procedure states:

“It is the general rule that no member can vote on a question in which they have a direct personal or pecuniary interest. The right of members to represent their constituencies, however, is of such major importance that members should be barred from voting on matters of direct personal interest only in clear cases and when the matter is

particularly personal.... A member may vote regarding a matter when other members are included with that member in the motion, even though that person has a personal or pecuniary interest in the result..."

The United States Congress has a rule similar to our Rule 75 and the practice there is to permit members to be the judge of their own personal interest. This practice has also been followed in the Vermont House.

Reconsideration

A motion to reconsider shall not be in order until the day after the vote to be reconsidered is taken. It must be made on that day only and must be made by a member who voted with the prevailing side of the question. The motion should be made before the House goes into the orders of the day, although, it may be made later that day **if the House completes the orders of the day**. If the motion to reconsider is decided in the affirmative, further action on the bill or resolution shall be postponed until the end of the orders of that day.

The proper form of the motion is:

Mr. Speaker: Assuring the House I voted with the prevailing side when the House voted to (whatever the vote was on) on House/Senate Bill number 999, An act to... I move that the House reconsider that vote.

The House must have possession of the bill in order to reconsider any vote on it. A motion to reconsider is debatable if the question to be reconsidered is debatable.

A motion to reconsider, if successful or unsuccessful, may not be made again on the same question.

Sections 450 through 474 of Mason's Manual of Legislative Procedure deal with this issue in more detail.

Dealing with Senate Proposals of Amendment

House Rule 62 states as follows: "If the Senate proposes to the House to amend, the question will be: Will the House concur in the Senate proposal of amendment?" But it shall be in order to move that the House concur in the Senate proposal of amendment with an amendment, or that the House refuse to concur and ask for a Committee of Conference. If the motion is to concur with an amendment, the amendment must be to the Senate proposal of amendment and not the original bill.

It is proper to send a bill with a Senate proposal of amendment to a committee for consideration and a report on concurrence.

Sections 766 through 775 of Mason's Manual of Legislative Procedure deal with this subject in more detail.

Is it Debatable? Amendable? Require a Motion?

What vote is required?

	<u>Debatable</u>	<u>Amendable</u>	<u>Motion Required</u>	<u>Vote Required</u>
Adjourn	No	No	Yes	Majority
Amend main motion	Yes	Yes	Yes	Majority
Appeal ruling of Chair	Yes	No	Yes	Majority
Call Up	No	No	No	None
To close debate	No	No	Yes	3/4
Division of House	No	No	No	None
Order to lie (Table)	No	No	Yes	Majority
Parliamentary Inquiry	No	No	No	None
Point of Personal Privilege	No	No	No	None
Postpone Indefinitely	Yes	No	Yes	Majority
Point of Information	No	No	No	None
Point of Order	No	No	No	None
Recommit (same committee)	No	No	Yes	Majority
Commit (different committee)	Yes	No	Yes	Majority
Recess	No	Yes	Yes	Majority
Reconsider (debatable, if question was debatable)	Yes	No	Yes	Majority
Special Order (Debatable but not as to merits)	Yes	Yes	Yes	Majority
Suspension of Rules	No	No	Yes	3/4
Withdraw Motion	No	No	No	Majority
Roll Call	Sustained by 4 members			

A Quorum is a majority (76 members) except for raising a tax when it is 2/3rds (100 members)

Precedence of Various Motions

House Rule 55 states as follows:

Rule 55. When a question is pending no motion may be received except:

- To adjourn
- To adjourn to a day certain
- To take a recess
- To lay on the table
- To postpone indefinitely
- To commit
- To recommit
- To amend
- To reconsider

which motions shall have precedence in the above order.

Rule 56. No motion is in order when the House is engaged in voting.

Reporting a Bill

My chair gave me a bill to report today. Now what do I do?

I get the original bill from the clerk of my committee and check to see if it had been to another committee and be sure I have that committee's report with the original bill.

If my committee is recommending amendments to the bill, I get the final draft of these amendments and bring all of these to the Clerk's office.

At the Clerk's office it is necessary for me to sign a report for the Calendar and advise that office of my committee vote on the bill and/or amendments.

Substantially Negate

House Rule 61 states as follows "Subject to Rule 77, an amendment previously adopted may be amended, but not so as substantially to negate the amendment already adopted, except that when a committee report recommends amendment, that amendment shall be in order even though it negates one previously adopted."

This rule has usually been given a strict interpretation in the past in order to allow members to vote on the various issues.

Sections 159 (5) and 398 (3) of Mason's Manual of Legislative Procedure deal with this issue.

The following motions require a majority vote:

- Adjourn
- Amend main motion
- Appeal ruling of Chair

Commit (different committee)
Order to Lie (table)
Postpone Indefinitely
Recess
Recommit (same committee)
Reconsider (debatable, if question was debatable)
Special Order
Withdraw Motion

The following motions are debatable:

Amend main motion
Appeal ruling of Chair
Commit (different committee)
Postpone Indefinitely
Reconsider (debatable, if question was debatable)
Special Order

Committees of Conference

A Committee of Conference is not a joint committee but a joint meeting of two committees. A quorum of a Committee of Conference is two members of the House committee and two members of the Senate committee.

The Chair is the first member named from the house in which the bill did not originate and the Vice Chair the first member named in the house in which the bill did originate.

A report by a Committee of Conference shall be made only with the concurring votes and signatures of at least two members from each house.

A Committee of Conference is restricted to considering the areas of disagreement between the two houses only.

This subject is covered in more detail by Joint Rules 17 through 21 and Sections 766 through 775 of Mason's Manual of Legislative procedure.

Voting

Any member may demand a roll call vote, and must be sustained by four other members. The roll is called alphabetically. Any member may explain his or her vote. The explanation takes place after the roll call is completed but before the vote is announced. Explanations need to be submitted to the Clerk in writing after the vote is announced. We have sheets available for this purpose.

A division of the House shall be had on the order of the speaker or upon the demand of one member.

Every member present shall vote unless excused by the House or abstaining because of a conflict of interest pursuant to Rule 75.

The Speaker is not allowed to vote except in case of elections by ballot, or when the house is equally divided, or when the Speaker's vote, if given to the minority, will make the division equal. In case of an equal division, the question shall be lost. (House Rules 69 through 76.)

Debate

The member first rising shall be entitled to the floor, and when two or more arise at the same time, the Speaker shall name the one who is to speak.

No member may speak more than once on the same question without leave of the House, and members who have spoken once shall not again be entitled to the floor (except for the purpose of explanation) to the exclusion of another who has not spoken.

The following motions are nondebatable:

- To adjourn
- To recess
- Order to Lie (table)
- To recommit
- To suspend rules
- To cease debate

A motion to cease debate is in order *but requires a three-fourths vote to carry*.

If the question in debate contains more than one point, it shall be divided on the demand of one member. The vote on the question shall be taken separately.