



HOUSE OF REPRESENTATIVES

Rules and Decorum Training

House Clerk's Office
Thurs., Jan. 5, 2023



HOUSE CLERK'S OFFICE:
Your House Procedural Resource!

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Topics Covered

Hierarchy of the Rules of Legislative Procedure

General principles of legislating

Outline of a House session

Committee reports and individual member amendments

Notice Calendar and Action Calendar

Decorum in debate and interrogation

Forms of voting

Journal

Miscellaneous House information

Hierarchy of the Rules of Legislative Procedure

Constitutional provisions and judicial decisions
thereon

Adopted rules

Custom, usage, and precedents

Statutory provisions

Adopted parliamentary authority

General parliamentary law

Mason's Sec. 4-2.



GENERAL PRINCIPLES OF LEGISLATING

Equality of Members, Order and Efficiency, and Debate and Vote on Specific Questions; Forms of Legislation

Equality of Members

- “For any democratic group to be able to operate, acceptance of the principle of equality of members is essential . . . Equality is essential to secure the acceptance of decisions of the body.” Mason’s Sec. 49-1.
- “The process of electing representatives to exercise the plenary powers of the people presumes that each representative is of equal status as every other representative.” Mason’s Sec. 49-2.

Order and Efficiency

- “In order for a legislative body to work efficiently together, there must be an accepted manner of doing things.” Mason’s Sec. 50.
- “In the interest of saving time and effort of the members and avoiding confusion, the most direct and simplest means of accomplishing a purpose should be followed.” Mason’s Sec. 52.

Debate and Vote on Specific Questions

- “An important practical principle is that only one proposal can be considered at a time.” Mason’s Sec. 53-1.
- Members “must have an opportunity to debate the proposals to be voted upon. They have the right to express their opinions and hear the opinions of others to aid them to come to an agreement and reach valid joint decisions.” Mason’s Sec. 42-6.

Forms of Legislation

Constitutional Proposals of Amendment

Proposed amendments to the Vermont Constitution, which require concurrence in two bienniums, followed by voter ratification.

The Senate must propose amendments;
2023-24 is a “proposing” biennium.

See [Overview of Procedure to Amend the Vermont Constitution](#).

Bills

Introduced in either chamber, for the purpose of enacting law.

A bill must have three readings in each chamber, and the chambers may propose to each other a limited number of amendments thereafter.

To enact law, the chambers must ultimately reach concurrence and present the bill to the Governor for consideration via [Vt. Const. Ch. II, § 11](#).

See [How a Bill Becomes Law](#).

Resolutions

Cannot control anything beyond the Legislative Branch; may address public policy or procedure (joint or H.R.) or commemorate (concurrent):

- **Joint** (J.R.H. or J.R.S.): Adopted in concurrence by both chambers.
- **House** (H.R.): Adopted by House.
- **Concurrent** (H.C.R. or S.C.R.): Adopted in concurrence by consent (ie., without consideration) by both chambers via the Consent Calendar & [Joint Rules 16a-16d](#).



OUTLINE OF A HOUSE SESSION

[Quorum Call Bell approximately five minutes before each session.]

1. Moment of Silence or Devotional.

- A devotional is an inclusive homily, life lesson, song, poem, prayer, reading, or musical piece appropriate to the setting; at most three minutes long; and helps set the tone and allows for a few moments for reflection and contemplation.
- A devotional is not an opportunity to advocate any political position—that is what bills and resolutions are for.

2. Pledge of Allegiance (on Tuesdays).

3. Bill introductions (1st reading) **and referrals** to standing committees or, for committee bills, 1st reading and placement on the next day's Notice Calendar pursuant to [House Rule 48](#).

4. Bill referrals to money committees pursuant to [House Rule 35](#).

5. Reading of Joint Resolutions and House Resolutions, with three options under [House Rule 52](#):

- i. Read in full and adopt;
- ii. Read by title and place on next day's Action Calendar for adoption; or
- iii. Treat as a bill and refer to committee.

6. Ceremonial readings of House Concurrent Resolutions adopted pursuant to [Joint Rules 16a-16d](#).

7. Announcements.

8. Action Calendar, a.k.a. "Orders of the Day," which is the House's schedule of business to be acted upon.

9. Announcements.

10. Adjourn until next legislative day.

11. [Adoption of concurrent resolutions on the Consent Calendar (adopted by consent after Friday adjournment).]



COMMITTEE REPORTS &
INDIVIDUAL MEMBER
AMENDMENTS

Committee
Reports:

Defined,
Delivery, and
How to Read
Them

- **Defined.**
 - A Committee Report is a committee's *recommendations* for a bill.
 - The House must vote on whether to amend a House Bill, or *propose to amend* a Senate Bill.
 - Most common types of Committee Reports:
 - *Favorable* (no recommended amendment); and
 - *Favorable with Amendment* (which may be *instances of amendment* or a *strike-all*).
- **Delivery.** Pursuant to [House Rule 31](#), the Chair designates a committee member to be the Bill Reporter—this member is responsible for explaining the Committee Report to the House and for following the bill through the legislative process. The Bill Reporter delivers the Committee Report by email to our office for entry on the Notice Calendar.
- **How to read them.** Read the Bill as Introduced, and then read the Committee Report to determine what aspects of the Bill as Introduced the committee recommends be amended.

Individual Member Amendments

- One or more individual members may also offer amendments to a bill or to a committee report.
- These can be submitted to our office:
 - For the Calendar; or
 - As a “floor amendment,” which our office will then email to all members and post on the [House Overview webpage](#).

Germaneness

- Once an amendment is offered, a member may raise a *point of order* for ruling by the Speaker if it appears that the amendment is not **germane**.
- The germaneness requirement is set forth in Mason's Sec. 402, which provides that amendments must be “relevant, appropriate, and in a natural and logical sequence to the subject matter of the original proposal[,]” and that an “amendment is required only to relate to the same subject.”
- Both the House and Senate have used [NCSL's sample checklist](#) to test germaneness in accordance with Mason's Sec. 402: Does the amendment deal with a different topic or subject? Unreasonably or unduly expand the subject of the bill? Introduce an independent question? Change the purpose, scope, or object of the original bill?



NOTICE CALENDAR
&
ACTION CALENDAR

The Notice Calendar

- The **Notice Calendar**, defined in [House Rule 32\(b\)](#), provides notice of the following types of legislation that will be up for action on the next legislative day:
 - Committee reports on bills and resolutions referred to and voted out of committee;
 - Senate proposals of amendment;
 - Governor's vetoes; and
 - Constitutional proposals of amendment (which have special extended notice provisions).
- Review the Notice Calendar daily to understand what legislation will be up for action in the House on the next legislative day.
- Note also that if a bill has a fiscal impact, once it's voted out of the initial policy committee, it must be referred to the applicable money committee pursuant to [House Rule 35\(a\)](#).

The Action Calendar

- The **Action Calendar**, a.k.a. the “Orders of the Day,” is defined in [House Rule 32\(a\)](#) and includes:
 - Bills and resolutions that were on the Notice Calendar on the prior legislative day;
 - Bills that on the prior legislative day were ordered to 3rd reading; and
 - Resolutions that were placed on the day’s Action Calendar pursuant to [House Rule 52](#).

- [House Rule 37](#) provides that it is out of order to interrupt the Orders of the Day with business not on the Action Calendar.
 - In order to do so, the House must agree to suspend the rules (**3/4 vote** via [House Rule 91](#)).



DECORUM IN DEBATE & INTERROGATION

Decorum in Debate

- ***One member at a time.*** The member first arising is entitled to the floor; when two or more arise at the same time, the Speaker shall name the one who is to speak. A member unable to stand may otherwise request to be recognized. [House Rule 66](#).
- Do not speak audibly to another or otherwise interrupt the business of the House. [House Rule 11](#).
- ***Through Speaker.*** All debate must be addressed to the Speaker and not to members. [Mason's Sec. 110-1](#). Address the Speaker as "Madam [or Mr.] Speaker." [Mason's Sec. 110-3](#).

Decorum in Debate (cont.)

- ***Germaneness.*** Debate must be confined to the proposal before the body, *Mason's Sec. 101-1*; and cannot extend to criticism of other bills before the House or in committee, even though they relate to the same subject, *Mason's Sec. 101-4*.

- ***No personalities.***
 - i. Do not refer to other members by name; instead, describe them by their town, district, seat, or in some other respectful manner. *Mason's Sec. 110-2*.
 - ii. Do not indulge in personalities, impugn motives of members, use indecent or profane language, or participate in conduct that disrupts or disturbs the orderly proceedings of the body. *Mason's Sec. 122-2*.

Decorum in Debate (cont.)

- ***Separation of powers.*** Mason's Sec. 111:
 - i. Do not refer to the name or office of the Executive in order to influence the vote. However, it is in order to refer to the Executive or Judiciary or their opinions, with either approval or criticism, if relevant to the proposal under discussion, in conformance with rules.
 - ii. Do not quote or refer to the vote by which a proposal passed the Senate.
 - iii. Do not debate or discuss a matter awaiting adjudication in a judicial tribunal.
- ***Limit on same question.*** A member may not 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.
[House Rule 64.](#)

Decorum in Interrogation

- *Through Speaker.*

- i. If a member desires to ask a question of another member, they must do so through the Speaker. “[I]t is discourteous and a strict violation of parliamentary rules to ask questions directly of a member.” Mason’s Sec. 114-1.
- ii. House practice:
 - “Madam [or Mr.] Speaker, may I interrogate the member from [town]?”
 - *Speaker:* “The member from [town] is interrogated.”
 - “Madam [or Mr.] Speaker, can the member tell me [question]?”
 - Signal when complete—“Madam [or Mr.] Speaker, I thank the member.”—and then finish any further comments.

Decorum in Interrogation (cont.)

- **Germaneness.** Questions addressed to members may only relate to the proposal before the body. Mason's Sec. 114-4.
- **No personalities.** A question should not be permitted that reflects upon the character or conduct of any member or upon the Executive or other official. A question as to what course a member proposes to follow is not in order. Mason's Sec. 114-5.
- **Purpose; form.** The purpose of a question is to obtain information and not to supply it to the body. A question may not contain statements of fact unless they are necessary to make the question intelligible and can be authenticated. A question should not contain arguments. Mason's Sec. 114-6.
- **Response.**
 - A committee's bill reporter and the mover of an amendment must submit to interrogation. [House Rules 31 and 64](#). Otherwise, a member may decline to be interrogated. Mason's Sec. 114-2. If the first reply does not fully answer the question, it is the practice to permit a limited number of further questions to be asked. Mason's Sec. 114-2.
 - A member having the floor in debate may, without objection, yield it for questions and explanations connected with the subject before the House. Mason's Sec. 95-1.

WATCH THE LINE!

FORMS OF VOTING

Voice Vote, Division, and Roll Call



Voice Vote

Audible voting by groups of
“Ayes” and “Nays.”

Voice vote is the default form of voting.

The Journal reflects only whether a question was agreed to, pursuant to the Speaker’s determination of the prevailing vote.

Division

A count of members voting by groups of those standing or otherwise indicating their votes in favor of a question, and of those opposed to it.

A division may be ordered by the Speaker or demanded by one member. [House Rule 71](#).

The Journal reflects only the number of votes in favor and opposed to the question.

Roll Call

Listen for the **Roll Call Bell**

Form.

- Members vote individually by an alphabetical call of the roll, voting “Yes” in favor of a question, and “No” if opposed. [House Rule 69](#).
- Each member’s vote is recorded in the Journal. [Vt. Const. Ch. II, § 9](#).
- The alphabetical roll is called once, and then a second alphabetical roll of absentees is called. Members not present when their name is called the second time shall not be permitted to vote, except with leave of the House. Members are not permitted to change their votes after the results have been announced, except with leave of the House. [House Rule 74](#).

When required.

- For any vote on the Governor’s veto. [Vt. Const. Ch. II, § 11](#).
- When requested by one member and sustained by four others. [Vt. Const. Ch. II, § 9](#); [House Rule 69](#).

Vote explanations. A member has a right to explain their roll call vote. [Vt. Const. Ch. II, § 9](#). “Explanations shall be submitted immediately to the Clerk in writing. It is generally recommended that vote explanations should be infrequent and brief.” [House Rule 70](#).



JOURNAL

The Journal: The House's Official Constitutional Record

- The Journal is required by [Vt. Const. Ch. II, § 9](#) and [House Rule 19](#).
- It provides a record of the House's votes and proceedings, including roll call votes and explanations, but it does not contain statements made in devotionals or members' comments made during debate.
- We prepare a daily Journal for each House session; and a hardbound Journal at the end of each year, which is a compilation of our daily Journals and which includes other information on the House and the legislation introduced in the House.
- Please review each daily Journal to confirm its contents.
- The daily Journal from our first day of the 2023 session can be found [here](#).



MISCELLANEOUS HOUSE INFORMATION

- ✓ A member may raise a **point of order** if the member believes that there is non-conformance with the House's rules (ex.: germaneness of amendments or debate).
 - When a member raises a point of order, the member called to order should sit down until the Speaker rules on the point of order.
- ✓ No **props** in debate.
 - Any handout must be: 1) signed by the member offering it; 2) pre-approved by the Speaker; and 3) distributed through the Clerk's Office.
- ✓ Dress code in the Chamber when the House is in session is “business professional attire.” [House Rule 11a](#), adopted via [2022, H.R.18](#).
- ✓ House [sessions](#) and [committee meetings](#) are livestreamed and their recordings are posted online.
- ✓ Electronics are permitted in the Chamber for legislative purposes, ***but they should always be on mute***. Note they may be visible on the livestream.

- ✓ Do not enter the Chamber during a devotional or moment of silence.
- ✓ You must be at your seat to debate or vote.
- ✓ Food and drinks are prohibited in the Chamber, except bottled water may be kept under your desk.
- ✓ When the House is in session (including when at ease or during the roll call break), members of the public must be in the Gallery.
- ✓ Pages can pass notes for you.
 - Tap *lightly* on your desk with a pen to get their attention, and hold up the paper you'd like them to pass, and please include the seat number or committee room, if known.
- ✓ The House is in session until the Speaker gavel out.



THANK YOU!

Please reach out to us anytime with any questions you might have!