

WYOMING GIRLS STATE LEGISLATIVE RULES & REGULATIONS

"She who knows the rules rules the legislature."

Legislatures throughout the United States use special procedures, developed over many decades and codified in a book called *Mason's Rules of Legislative Procedures*. For practical purposes in your Girls State experience, *Robert's Rules of Order* provides an acceptable, and more readily available, substitute.

These Rules and Procedures are designed to follow the procedure used by the Wyoming Legislature. In several circumstances, the procedure for Girls State represents a somewhat streamlined version.

The Officers of the Girls State Senate and House

The officers of the Girls State Senate and House are the President/Speaker, Vice President/Speaker Pro Tempore, the Floor Leader, the Chief Clerk, the Bill Status Clerk, Sergeant at Arms and Chaplain. The duties of these offices are described in the appendix labeled "Girls State Legislative Officer Responsibilities". In addition, each standing committee has a Chairman and a Secretary.

All activity in the Senate and the House shall be under the direction of the presiding officer. In the Senate, the presiding officer is called the President. In the House, the presiding officer is called the Speaker. In certain circumstances, the President or the Speaker may yield the Chair to another member. This may occur if the presiding officer wishes to address an issue or during the first debate of a bill in The Committee of the Whole. During most circumstances, the presiding officer would yield to the second officer, the Vice President in the Senate and the Speaker Pro Tem (short for Pro Tempore) in the House, although the Committee of the Whole may be chaired by any member.

In order to preserve harmony and decorum, all debate must be directed to the presiding officer who shall be addressed by their proper title: Madam President or Vice President, Madam Speaker or Speaker Pro Tem. If another member is chairing the proceedings, or any committee meeting, they shall be addressed as Madam Chairman.

In no circumstances should a member refer to another member directly during the course of debate. This is done to prevent discussions from becoming too heated or too personal.

The presiding officer in legislative session or a committee shall recognize individuals wishing to address the members. In recognizing individuals, the presiding officer shall not attempt to influence the outcome of the debate, fairly allow all points to be heard, and shall give preference to members who are speaking for their first time on an issue.

Reading of Bills and Files

Bills and files are names for proposed legislation in the House and Senate respectively. Generically, they are called bills. A bill in the Wyoming Legislature requires three readings before passage. These readings include: first reading whereupon the bill is assigned to a committee, second reading, and third reading or final passage. After the first committee approves a bill in the Legislature, a second committee comprised of the legislative body as a whole takes it up. The second committee, known as the Committee of the Whole or COW, is chaired by various members of the body upon appointment by the presiding officer. A positive vote in COW moves the bill forward to be considered in second reading on the next day. Second reading represents another chance to debate or amend a bill, but an actual vote on the bill is not taken. The final vote is taken on the next day after the third reading.

In most cases, the vote required for passage of a bill is a simple majority of the members. The majority rule applies in committees as well. The only exception to the majority rule for bill passage is for state constitutional amendments that require a 2/3rds vote, *on the final vote in each house*, before they are submitted to the citizens to be voted on.

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Wyoming Girls State procedure is somewhat different due to the limited number of days available for a bill to pass both houses. After first reading, and the formal assignment of a bill to a committee, the committees meet to consider and amend bills, and if a bill passes the committee, it is referred back to the body for potential consideration in the Committee of the Whole. If it passes COW, it is considered for final passage at the next reading.

Once a bill passes one house, it must be sent to the second house, and each step must occur again. Only after passing both houses can a bill be sent to the Governor for signature. If a bill passes the second house in an amended form, the first house must approve any changes. If necessary, a joint conference committee, composed of members from both houses, may be formed to work out differences and take proposed changes back to each house for approval.

Special Rules for COW and voting

The Committee of the Whole has a long history going back to the early English Parliament. Wyoming is one of the few states that continue to use COW. The rules for COW allow for more flexibility. Members are permitted to speak as many times and for as long as is necessary on any particular issue, including amendments. This is a privilege not to be taken lightly, as each minute spent is a minute unavailable for other business. Members are encouraged to make their points concisely.

During floor discussions outside of COW, members are limited to discussing an issue or amendment for only two times. Each time is limited to three minutes at Girls State. It is considered a courtesy to allow the sponsor of a bill or an amendment to speak last.

The legislative body resolves itself into the Committee of the Whole upon a motion of the majority floor leader. Upon a majority vote, the President/Speaker yields the chair to the member selected to chair COW. The standing committee chairman moves the bill and any amendments adopted by the standing committee. After the title of the bill is read, the standing committee chairman rises and is recognized by the Committee of the Whole Chairman:

COW Chairman: "Senator/Representative Green"

Senator/Representative Green: "Senator/Representative Green from Jackson Hole. Madam Chairman, I move that when the Committee of the Whole rises to report, it do so with a do pass recommendation for Senate File/House Bill 42. There is a standing committee amendment and I would like to move it now. "

The standing committee chairman may yield to the sponsor of the bill for discussion on the bill. The COW is dissolved upon a motion by the majority floor leader and approval by the members by majority vote.

Votes in COW are voice votes. The Chair or any member may request a more exact count when issues are in doubt. When someone besides the Chair requests the exact count, they call out "division" and the chairman directs the members in a standing vote. The chairman may implement such a procedure without division being called.

The same procedure may be used to determine passage of amendments on other readings or the outcome of any other motion. Special consideration must be made for motions, such as suspending these rules to have more than one reading of a bill in a single day, that require a 2/3rds vote.

The only voting procedure permitted for the last reading and final passage is a roll call vote whereby each member's name is called in alphabetical order and an Aye or No vote is entered in the journal.

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It is each member's duty to vote on all issues considered. The only exception is the situation where a member has a conflict with the issue. A conflict is a situation whereby the member would be materially and significantly impacted by the outcome of a vote. In this case, they may vote "conflict". An example of a conflict may be when a member with a state agricultural lease is facing a vote on a bill decreasing lease fees.

The floor leader establishes the order in which bills are considered in COW. A majority vote of the members is required to alter an order of business established by the floor leader. The committee chairman sets the order of business in the committees. A majority of members in a house may overrule the actions of a committee or hear a bill in COW directly when a standing committee has failed to consider an issue.

The order of the bills in other readings is by increasing numerical order. Members may request that bills be laid back out of order, including for another day. This shall occur if there is no objection from any other member. For example, this may be requested if a member needs more time to prepare an amendment.

Readings may be speeded up, so that all votes on a bill can occur in one day. However, this may occur only if the members agree by a 2/3rds vote to suspend these rules.

In Session

During session, members may rise to make motions, to discuss bills or pending motions, or to request a point of personal privilege. No member may speak until the presiding officer recognizes him or her. To be recognized, the member stands and waits to be called on by the presiding officer. If several members stand at once, the Chair shall call on one member while the other retake their seats to wait until the floor is available.

One exception to this procedure is the instance where a member wishes to correct an error of procedure or rules. In this instance, the member stands at any time and says "point of order". Points of order take precedence over other activities. The presiding officer shall recognize the member and allow her to state the point of order. The presiding officer must then determine whether the point of order requires corrective action by the Chair.

At Girls State, members are encouraged to respond with their names and hometowns after being recognized by the presiding officer.

Examples:

To debate:

President/Speaker: "Senator/Representative Case".

Senator/Representative Case: "Senator/Representative Case from Lander. Thank you Madam President/Speaker. I rise to support the motion. It is a good idea because....."

To make a motion:

President/Speaker: "Senator/Representative Miller".

Senator/Representative Miller: "Senator/Representative Miller from Shell. Thank you Madam President/Speaker. I move to amend the bill to"

To request a point of personal privilege:

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President/Speaker: "Senator/Representative Brown".

Senator/Representative Brown: "Senator/Representative Brown from Lingle. Madam President/Speaker, may I have a point of personal privilege?"

President/Speaker: "You may".

Senator/Representative Brown: "Madam President/Speaker today is Senator/ Representative Smith's birthday. I thought that this would be an appropriate time to recognize her service to the legislature. "

To make a point of order:

Senator/Representative Abernathy rises: "Point of order".

President/Speaker: "Senator/Representative Abernathy".

Senator/Representative Abernathy: "Senator/Representative Abernathy from Jeffrey City. Madam President/Speaker, I believe that the good senator/representative has already used up her two opportunities to speak on this issue during the second reading."