

STATE *of* WYOMING LEGISLATURE



# Rules of the Senate and House of Representatives

68<sup>th</sup> Wyoming Legislature

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RULES OF THE SENATE  
AND  
HOUSE OF REPRESENTATIVES  
68TH LEGISLATURE

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## **Rules of the Senate**

### **1.0 Procedural and Parliamentary Authority**

#### 1-1 Manual.

- (a) The "Wyoming Manual of Legislative Procedure" shall govern procedural matters for the Legislature not shown elsewhere in these rules and not inconsistent with those found in the Wyoming Constitution. Changes to this manual shall be made only by a majority vote of the members of the Senate.
- (b) The Wyoming Manual of Legislative Procedures, Revised, shall be referred to as the "Manual."

#### 1-2 Parliamentary Practice. The rules of parliamentary practice comprised in Mason's "Manual of Legislative Procedure" published by the National Conference of State Legislatures in 2020 shall govern the Senate in all cases to which they are not inconsistent with the rules and orders of the Senate and joint rules and orders of the Senate and House of Representatives. [Ref: Mason's §§ 30 to 32]

#### 1-3 Suspension of Rules. No standing rules of the Senate shall be rescinded, changed or suspended, except by a vote of at least two-thirds of the members duly elected.

### **2.0 Senate Organization**

#### 2-1 Election of Officers. The officers of the Senate shall be elected by a majority of all the members of the Senate. A Senator who served as President during a term of the legislature shall not be eligible to serve as President during the next term of the legislature. A Senator who served as Vice-President during a term of the legislature shall not be eligible to serve as Vice-President during the next term of the legislature. As used in this rule, "term of the legislature" means the period beginning on the first Monday in January of an odd-numbered year and continuing until the next Monday in January in an odd-numbered year. [Ref: Mason's § 586]

#### 2-2 Duties of President. It shall be the general duty of the President:

- (a) To announce the business before the Senate in the order which it is to be taken up;
- (b) To receive and submit in proper manner all motions and propositions presented by the members and to announce the result; [Ref: Mason's §§ 156, 579]
- (c) To receive messages and other communications from other branches of the government and announce them to the Senate;
- (d) To authenticate by his signature, when necessary, all acts, orders and proceedings of the Senate;
- (e) To name the members of all committees unless otherwise directed by the Senate;
- (f) He shall have the regulation of such parts of the Capitol and its passages as are or may be set apart for the use of the Senate and its officers;
- (g) He shall refer all matters to be committed to the committee most appropriate to take charge of the same;
- (h) He shall call a member to fill the Chair whenever the Senate shall resolve itself into a Committee of the Whole;
- (i) He shall preserve order and decorum, and may speak on points of order in preference to other members, rising from his seat for that purpose, and shall decide points of order, subject to an appeal to the Senate. [Ref: Mason's §§ 230, 234, 235, 575, 582]

2-3 Vice President. The Senate shall elect a Vice-President, who, in the absence of the President, shall exercise all the powers and authority of the President, and shall perform all his duties. [Ref: Mason's § 579]

2-4 Other Officers. All other officers and employees of the Senate shall perform their respective duties, as generally outlined in the "Wyoming Manual of Legislative Procedures" under the direction of the President.

2-5 Removal of Officers. Two-thirds of all the members of the Senate voting for the removal of the President, or any officer

of the Senate, shall be sufficient to vacate the chair, or such office, as the case may be.

2-6 Senate Committees. Senate Standing Committees shall be appointed by the President of the Senate after conferring with the majority and minority leaders. Senate Standing Committees are as follows:

1. Judiciary
2. Appropriations
3. Revenue
4. Education
5. Agriculture, State and Public Lands and Water Resources
6. Travel, Recreation, Wildlife and Cultural Resources
7. Corporations, Elections and Political Subdivisions
8. Transportation, Highways and Military Affairs
9. Minerals, Business and Economic Development
10. Labor, Health and Social Services
11. Journal
12. Rules and Procedure [Ref: Mason's §§ 600 to 602]

2-7 Committee Membership. Membership on committees shall be apportioned as nearly as possible as to reflect the percentage of the elected membership of the majority and minority parties of the Senate.

- (a) All committees with the exception of No. 11 (Journal) and subject to subsection (c) of this section shall have five members, one of which shall be the chairman and member of the majority party;
- (b) Committee No. 11 shall have one member from each party, one from the majority party and one from the minority party;
- (c) If the joint rules of the House and Senate do not conform to the voting requirements of Senate Rule 17-1, the presiding officer may appoint a like number of members to any standing committee as appointed to the committee's counterpart in the House of Representatives.

[Ref: Mason's §§ 600 to 602]

2-8 Changes in Committees.

- (a) No change shall be made in any committee chairmanship or membership during the session except by vote of a majority of the members of the Senate.
- (b) The President of the Senate with the consent of the majority and minority floor leaders may remove a committee chairman or committee member or declare a vacancy in any committee during the interim if a committee chairman or member cannot or will not fulfill their duties on the committee. A vote of the majority of the members of the Senate present taken during the next legislative session shall be sufficient to sustain an appeal of a committee chairman or member removal or a declaration of vacancy under this subsection.
- (c) The President of the Senate may appoint a member to fill any vacancy occurring on any committee during the interim providing the appointment is made with the advice of the respective majority or minority leader, dependent upon the party in which the vacancy has occurred.

2-9 Conference Committees, Membership. The President shall appoint three members to the free or select conference committee following "Mason's Manual" Sections 769 and 770, generally; and Section 769.5, specifically. [Ref: Mason's §§ 769 to 773]

### **3.0 Convening and Order of Business**

3-1 Hour of Meeting. The Senate shall meet each day of sitting at 10 A.M., unless the Senate shall have adjourned to some other hour. A majority of all the members of the Senate shall constitute a quorum; but a less number, after waiting one hour for a quorum, may adjourn from day to day. [Ref: Mason's §§ 500 to 506]

3-2 Call to Order and Roll Call. The President shall take the chair at the hour fixed for the meeting of the Senate and call the members to order. The members shall thereupon take their respective seats and the Clerk shall proceed to call the roll of the members, and the names of those present and absent shall be entered upon the Journal. [Ref: Mason's § 710]

3-3 Absent Members. No member or officer shall absent himself from the service of the Senate except:

- (a) In case of sickness;
- (b) With permission of the President first obtained;
- (c) By a majority vote of the Senate first obtained.

3-4 Quorum - How Maintained. In case fewer than a Quorum of the Senate shall convene, the President is authorized to send the Sergeant-at-arms, or any other person for any or all members absent without leave. [Ref: Mason's §§ 191, 500 to 506]

3-5 Order of Business. The following shall be the usual order of business, however the order may be changed as necessary for the efficient management of business:

- (a) Roll call
- (b) Prayer by the chaplain
- (c) Journal
- (d) Confirmation of appointments, if any
- (e) Messages from the governor and/or house
- (f) Unfinished business
- (g) Introduction, reading and reference of bills
- (h) House bills on first reading
- (i) Reports from standing committees
- (j) Reports from select committees
- (k) Bills on second reading
- (l) Bills on third reading and final passage
- (m) Consideration of bills on general file
- (n) Signing of enrolled acts
- (o) Action on administrative rule orders
- (p) Special orders and committee announcements
- (q) Recess/Adjournment

[Ref: Mason's §§ 710 to 714]

#### **4.0 Introduction and Referral of Bills**

4-1 Definitions.

- (a) Whenever the word "bill" is used in these Rules, it shall include Senate Files, House Bills, Senate and House Joint Memorials and Resolutions unless otherwise specified.
- (b) Whenever used in these Rules, the words "budget bill", "mirror budget bill" or "general appropriations bill or bills" refers to the "general appropriations bill" specified in subsection 14-1(a) of the Joint Rules of

the House and Senate which contains appropriations for the ordinary expenses of the three branches of state government and may include other appropriations allowed by Article 3, Section 34 of the Wyoming Constitution.

(c) The words "printed", "distribute" and "distributed" when used in these Rules in relation to the distribution of bills, amendments or other information to legislators shall include distribution by electronic means.

4-2 Preparation of Bills. Bills for consideration by the legislature shall be prepared generally per the drafting rules set forth in the manual and approved as to form, jacketed, indexed and stored in the computer by the Legislative Service Office before being introduced in the house designated by the prime sponsor.

4-3 Limit on Number of Bills Sponsored. Except for a Budget Session, no member shall sponsor more than seven (7) bills in any session. This limitation shall not apply to joint interim committees, the Management Audit Committee, the Management Council, the Select Water Committee and any other committee designated by the Management Council, nor shall this limitation include any bill the sole purpose of which is to repeal existing statutes.

4-4 Administering Bill Sponsorship Limits. For the purpose of administering Senate Rules 4-3 and 13-3 which limit the number of bills which a member may sponsor, the following shall apply:

(a) There shall be no limit on the number of bill drafts which a member may request be drafted by the Legislative Service Office;

(b) The Legislative Service Office shall assign a bill number and jacket for introduction of bill drafts in the order that the sponsor approves and submits the drafts for final processing;

(c) The Legislative Service Office shall immediately advise the member when that member has approved and submitted bill drafts for introduction in an amount equal to the limit prescribed by the applicable rule. If the member thereafter submits an approval for an additional bill draft for final processing so as to be assigned a bill number and jacketed, the Legislative Service Office

shall not process the bill further unless the member withdraws a bill that the member previously approved and submitted for sponsorship. For the purpose of this paragraph, a member withdraws a bill previously approved and submitted for sponsorship by:

- (i) If the session has not convened, directing the Legislative Service Office to cancel the previously approved bill;
  - (ii) If the session has convened, submitting the jacket of the bill to be cancelled to the Chief Clerk with a written and signed notation on the jacket to cancel the bill.
- (d) If the legislator wishes to request that the rules on limits be suspended for the purpose of introducing a bill in excess of the number authorized, the member shall have the bill draft as prepared by the Legislative Service Office distributed to the membership and then make the motion to suspend the rules. If the motion passes, the Legislative Service Office shall immediately jacket the bill, assign it a number and submit it to the Chief Clerk.

4-5 Introduction Deadline. For the introduction of any bill during the general session, other than the general appropriations bill, the following will apply:

- (a) No bill shall be accepted for consideration after twelve noon of the tenth legislative working day of the session, except by consent of two-thirds (2/3) of the elected members of the Senate. Bills that have been drafted and signed, submitted and accepted by the Legislative Service Office prior to the twelve noon cutoff date for consideration of bills will be considered as being within the cutoff deadline. Such a list of bills will be delivered by the Legislative Service Office to the President at the cutoff hour;
- (b) No bill shall be considered for introduction after five o'clock p.m. the twelfth legislative working day of the session except by consent of two-thirds (2/3) of the elected members of the Senate. [Ref: Mason's § 725]

4-6 Order of Bill Introduction. Bills are introduced after they have been numbered in the order of their presentation to the Chief Clerk and after the President announces the Order of

Business "Introduction, Reading and Reference of Bills" (see procedure and language style in Manual). [Ref: Mason's §§ 725]

4-7 Reference to Committee.

- (a) Subject to subsection (b) of this section, the President shall refer each bill to the appropriate committee but the Senate may, on motion refer the bill to another committee.
- (b) On a motion to re-refer a bill to another Committee, a bill shall be identified by bill number, catch title and prime sponsor before such motion is considered.

[Ref: Mason's § 733]

4-8 Referral of Bills Requiring an Appropriation.

- (a) A bill containing an appropriation, or which requires an appropriation or change in funds, may be assigned to a standing committee other than appropriations, but if so, it shall be re-referred to the appropriations committee upon being reported back from the committee to which first assigned. The appropriations committee shall consider and may recommend:
  - (i) Modifications to any appropriation contained in the bill, or the addition or deletion of an appropriation, and any necessary related conforming amendments;
  - (ii) That a delayed effective date or other limiting condition be added to any bill that requires, but does not provide, an appropriation;
  - (iii) That the bill do not pass, provided that the committee report may include a "do not pass" recommendation as an alternative to any other recommendation made under this subsection, and further provided that for purposes of Rule 6-2, the recommendation of the original standing committee shall govern.
- (b) A re-referred bill shall be given priority consideration by the appropriations committee and shall be reported to the Presiding Officer for placement on General File.

## 5.0 Standing Committee Proceedings

- 5-1 Open Meetings; Executive Sessions. All standing committee meetings shall be considered open meetings except when declared to be an executive session by the standing committee chairman. [Ref: Mason's § 630]
- 5-2 Delivered to Committee Chairman; Meeting Notices.
- (a) After first reading, all bills shall be delivered to the designated committee chairman. [Ref: Mason's § 733]
  - (b) No Standing Committee shall meet to consider any bill referred to it unless notice of the date, time and place of the meeting and the bills to be considered has been posted in the State Capitol at the place designated for posting of meeting notices by 3:00 p.m. on the day before the meeting is to be held. For a meeting to be held on a Monday, the notice shall be posted by 3:00 p.m. on the first legislative day preceding that Monday. This subsection does not apply to:
    - (i) Continued consideration of a bill by a Committee after the Committee has begun consideration of that bill at a meeting for which notice was posted in compliance with this subsection;
    - (ii) A bill that has been re-referred to another Committee after another Committee has reported the bill out;
    - (iii) Meetings scheduled on the first or second day of any session where:
      - (A) The Standing Committee took no votes on the bill under consideration; or
      - (B) A notice was posted by 5:00 p.m. on the day before the meeting is to be held. The notice may state the Committee intends to consider the bill if it is referred to that Committee. [Ref: Mason's § 626]
- 5-3 Proxy Voting in Committee. A member of the Senate who has been excused from attendance at a standing committee meeting

by the committee chairman may file an absentee vote on a matter pending before the standing committee, provided:

- (a) The member submits a signed vote form that specifically identifies the motion and the member's desired vote;
- (b) The vote form is delivered to the committee chairman before the vote on the motion is taken;
- (c) The absentee vote may be revoked by the member before the vote is taken by signing and filing a written revocation with the committee chairman or by the member personally appearing at the meeting and voting on the motion in person;
- (d) A member voting by absentee vote shall not be counted as being present for purposes of establishing a quorum.

5-4 Reports and Record of Votes.

- (a) Standing Committees shall take charge of and report in writing on all matters referred to them respectively.
- (b) When a Standing Committee has disposed of a bill by adoption of one (1) of the following motions, the vote on final disposition shall be included in the Committee report indicating how each member voted, and the bill and the report shall be submitted to the chief clerk:
  - (i) Do pass;
  - (ii) Amend and do pass;
  - (iii) Do not pass;
  - (iv) No recommendation.

When a motion to "do pass" or "amend and do pass" fails, the chairman shall report the vote on the failed motion to the legislative service office including a record indicating how each member of the committee voted. The legislative service office will provide the report of the committee vote to the public.

- (c) For bills other than those reported under subsection (b) of this rule, the Committee shall return the bill together with a record of Committee consideration to the chief clerk on the day after the last day scheduled for consideration of Senate files or house bills placed on general file but not later than the last day of the

session. Upon receipt of the bill and the record of Committee consideration, the chief clerk shall ensure the required information contained within the record is entered into the journal but shall not be required to read the record to the Senate. The record of Committee consideration shall include the following information which shall be entered into the journal:

- (i) When any motion referenced under subsection (b) of this rule fails, the record of Committee consideration shall include the vote of each member on the failed motion;
- (ii) When a motion referenced under subsection (b) of this rule is not made on a bill, and a motion to postpone the bill indefinitely or to a certain date has not been made by the Committee, the record of Committee consideration shall indicate the bill died in Committee;
- (iii) When a Standing Committee adopts a motion to postpone consideration of the bill until after expiration of the established final date for regular consideration of the bill, the record of Committee consideration shall include the vote of each member on the adopted motion. [Ref: Mason's §§ 663 to 677]

5-5 Recalling Bills from Committee. Any bill, resolution, petition or memorial in the hands of any committee may be recalled from such committee after a reasonable time upon regular motion seconded by three Senators. Approval of the motion requires a simple majority of those present. [Ref: Mason's § 390]

## **6.0 General File and Committee of the Whole Procedures**

6-1 Placed on General File. After a bill has been reported back to the Senate by the committee to which the same was referred and the standing committee report read to the body and entered in the journal, it shall be placed on general file and in its regular order and at the proper time it shall be taken up and considered by the Senate in the Committee of the Whole. [Ref: Mason's §§ 683 to 691]

6-2 Order of General File - End of Session. Provided, however, that after the twentieth legislative working day of the

session, bills on the general file shall be considered in the following order: first, "Do Pass" bills; second, "without recommendation" bills; and third, "Do NOT Pass" bills.

6-3 Committee of the Whole Procedure. After a bill and its Standing Committee Report have been read at length to the Committee of the Whole, or until a motion to dispense with further reading of the bill is carried, it shall be in order for the Standing Committee Chairman:

(a) To move the committee recommendation on the bill and then any Standing Committee Amendments. He shall move for the adoption of these amendments and explain the same. He may yield the floor to others who may offer further explanations, questions, or he may move:

(i) to recommend "Do Pass"

(ii) to recommend to postpone to a certain date which shall take precedence in the order stated.

(b) After either of said motions have been made, it shall be in order to move, and to take precedence in order of descending rank:

(i) to "rise and report"

(ii) to lay back on "General File" without prejudice

(iii) to re-refer or recommit

(iv) to amend.

[Ref: Mason's §§ 156, 687]

6-4 Motion to Rise and Report. A motion to rise and report shall always be in order and shall take precedence over any other motion. [Ref: Mason's § 689]

6-5 Senate Rules Apply; Exceptions. The rules of the Senate shall be observed in the "Committee of the Whole", so far as they may be applicable, except:

(a) The ayes and noes shall not be taken unless the original motion made for passage of a given bill has failed in the Committee of the Whole. At that time, the ayes and noes shall be taken and entered in the Committee of the Whole Report. The result of the roll call vote shall determine the action of the Committee of the Whole. If, after a roll call vote, the bill fails to pass Committee of the Whole, the bill is deemed to be indefinitely

postponed. Except as provided in this subsection, the motion to indefinitely postpone shall not be in order during Committee of the Whole;

- (b) The "previous question" will not be in order;
- (c) There shall be no limit to the number of speeches;
- (d) The motion for a "call of the Senate, lay on the table, adjourn" will not be in order.

[Ref: Mason's §§ 683, 688]

6-6 Chair May Vote. The chairman of the Committee of the Whole shall be entitled to vote on any matter under consideration before the committee. [Ref: Mason's § 582]

### **7.0 Floor Action on Bills**

7-1 Three Readings. Every bill shall receive three separate readings, previous to its being passed, and the President shall give notice whether it be the first, second or third, which readings shall be on three separate days, unless the Senate otherwise directs by a two-thirds vote. [Ref: Mason's §§ 720 to 722]

7-2 First Reading by Title. First reading shall be by catch title and sponsors' names only. [Ref: Mason's § 733]

7-3 Laying Back a Bill. Absent objection sustained by a majority of those present, a bill scheduled for second or third reading may be laid back for an additional day. [Ref: Mason's § 734]

7-4 Second Reading. The bill shall be read a second time at least one day after the Committee of the Whole report on the bill having a "Do Pass" recommendation unless laid back under Senate Rule 7-3. [Ref: Mason's § 734]

7-5 Reading by Title Only. Second reading shall be by catch title only.

7-6 Question on Second Reading. The final question on the second reading of every bill shall be: "Shall the bill be read a third time?" Unless objections are made the President shall so order. Only procedural objections to the bill being read a third time are in order on second reading. [Ref: Mason's § 734]

7-7 Uncontested Bills.

- (a) After second reading all uncontested bills which have no amendments pending, except for bills or joint resolutions requiring a two-thirds vote of the elected membership for final passage, shall be placed by the Chief Clerk on the consent list. If amendments are subsequently prepared to a bill, the bill shall be automatically removed from the consent list. Any member may object to having any bill placed on the consent list, in which case it shall be removed from the consent list. Any bill removed from the consent list shall be considered separately on third reading and final passage.
- (b) At the beginning of third reading and final passage of bills, the majority floor leader shall move the consent list by reading each bill number followed by the catch title and the presiding officer shall call for the roll call on all the bills on the consent list. After the roll call is completed, the Chief Clerk will then ask any member who wishes to change his vote to stand and identify himself as to each bill or bills on the consent list. The results of the final roll call will then be announced for each bill.

7-8 Third Reading. The bill shall be read a third time at least one legislative working day after the second reading unless laid back under Senate Rule 7-3. It shall be read by bill number, catch title, sponsor, and enacting clause only. [Ref: Mason's §§ 736, 737]

7-9 Motions Allowed During Third Reading. It shall be in order for any member to move:

- (a) to postpone to a certain date; or
- (b) to recommit; or
- (c) to amend, but PROVIDED that these motions may not be made once the President has put the question as in Senate Rule 7-11.

[Ref: Mason's §§ 156 to 161, 175 to 187, 578]

7-10 Action on Recommitted Bills. If a bill is recommitted, as permitted in Senate Rule 7-9, it shall again be considered by the Senate in Committee of the Whole and then proceed under the usual procedure from that action. [Ref: Mason's §§ 384, 386]

7-11 Question on Third Reading. Upon the conclusion of the third reading, the President shall put the question this way: "The bill (naming it by number) having been read three separate times, the question is: Shall the bill pass? The Chief Clerk will call the roll." The ayes and noes shall be taken. [Ref: Mason's §§ 130 to 133, 523, 530.7]

## 8.0 Debate

8-1 Speaking Limits.

(a) No member shall speak more than twice on the same question on the same day without leave of the Senate.

(b) No member shall occupy the floor more than five minutes each time he speaks. This limitation shall not apply to:

(i) Debate regarding the bill or Standing Committee amendment under Senate Rule 6-3(a);

(ii) Explanation of the Mirror Budget Bill by members of the appropriations committee under Joint Rule 14-1(b) or explanation of House amendments to the Mirror Budget Bill by members of the appropriations committee under Joint Rule 14-1(f);

(iii) Explanation of the report of a conference committee under Joint Rule 2-3 or Joint Rule 14-1(h).

8-2 Third Reading Debate. After the President announces "Third Reading of the Bill", any member may debate the bill or any amendment then proposed or any debatable motion then made, provided:

(a) Debate shall be so limited that:

(i) No member shall speak more than twice on any one amendment; or

(ii) More than twice on the bill; and

(iii) No member shall occupy the floor more than five minutes each time that he speaks, there shall be no extensions of this rule.

(b) When the President states the final question in Senate Rule 7-11, "Shall the Bill Pass" all debate shall cease and no amendments, or motions to the bill, shall be in order without suspending the rules.

(c) The Chief Clerk shall then call the roll without interruption.

8-3 Obtaining the Floor. When any member is about to speak, or deliver any matter to the Senate, he shall rise from his seat and respectfully address the presiding officer. When recognized, the member shall confine himself to the question under consideration and avoid personalities, and when he has finished he shall take his seat. [Ref: Mason's §§ 90 to 96, 114]

8-4 Order of Speakers. When two or more members shall arise at the same time, the President shall name the person who is to speak first.

8-5 Point of Order. Any member rising to a point of order may be allowed five minutes in which to state his grounds. [Ref: Mason's §§ 230 to 245]

8-6 Appeals from Decision of President. A majority of all the votes of the members present shall be sufficient to sustain an appeal from the decision of the President. [Ref: Mason's §§ 240 to 245]

8-7 Protest Against Action of the Senate. It shall be in order for any member or members to protest against the action of the Senate and have such protest entered briefly in the Journal. [Ref: Mason's §§ 293 to 300]

8-8 Distribution of Printed Matter. No printed material shall be distributed on the floor of the Senate unless it is approved and signed by a Senator. All approved materials shall be dated, indicating the name of the approving Senator and indicating the legislation affected by the materials, if applicable.

8-9 May Call for Reading of Papers. When the reading of a paper is called for, it shall be read unless the same is objected

to by some member, in which case the question shall be determined by a vote of the Senate. The question is undebatable and may not be amended. [Ref: Mason's § 112]

## **9.0 Decorum of Members**

- 9-1 Call to Order While Speaking. When a member is called to order while speaking, he shall forthwith take his seat until it shall be determined whether or not he is in order, except he be permitted to explain and if a member be called to order for words spoken in debate, the exceptional words shall be immediately taken down in writing by the Chief Clerk, so that the President and Senate may be better able to judge the matter. [Ref: Mason's §§ 120 to 126]
- 9-2 Interrupting Business of the Senate. No member shall speak to another or otherwise interrupt the business of the Senate, or read any newspaper while the Journal or public papers are being read before the Senate, or when any member is speaking in any debate. [Ref: Mason's §§ 120 to 126]
- 9-3 Explain Personal Matter. Any member may rise and be recognized to explain a matter personal to himself but shall not discuss a question in such explanation or speak more than five minutes on the matter. [Ref: Mason's §§ 222 to 226]

## **10.0 Motions**

- 10-1 Motions to be Stated by Chair. No motion shall be debated until the same shall have been stated by the Chair. [Ref: Mason's §§ 155 to 161, 175 to 187]
- 10-2 Motions Reduced to Writing if Desired. All motions (except to adjourn, postpone, or commit) shall be reduced to writing, if desired by the Chair or any member. [Ref: Mason's § 145]
- 10-3 Seconding Motions. No motion shall require a second, excepting as is herein designated. [Ref: Mason's §§ 58, 157, 162]
- 10-4 Withdrawal of Motion. If no one objects, any motion may be withdrawn by the mover at any time before a decision, amendment, or ordering of the yeas and noes, except a motion to reconsider, which shall not be withdrawn without leave of the Senate. [Ref: Mason's §§ 272 to 276]

10-5 Precedence of Motions. When a question is being debated, no motion shall be received, except the following, which shall have precedence as listed:

Undebatable:

- (a) To adjourn
- (b) To lay on the table
- (c) To call for previous question

Debatable:

- (d) To postpone to a certain date
- (e) To commit or refer
- (f) To amend
- (g) To pass
- (h) To postpone indefinitely

[Ref: Mason's §§ 156 to 161, 175 to 187]

10-6 Motion to Adjourn. The motion to adjourn is not debatable, cannot be amended and is always in order except:

- (a) when another has the floor
- (b) during roll call
- (c) during a call of the Senate
- (d) during the Committee of the Whole

[Ref: Mason's §§ 200 to 210, 689]

10-7 Motion to Commit. If it be proposed to refer the same subject to a Committee of the Whole, to a standing committee or to a select committee, they shall be voted on in the order here given. [Ref: Mason's §§ 378 to 390]

10-8 Motion to Concur. With respect to consideration of requests by the House for Senate concurrence with House amendments to Senate Files and of Joint Conference Committee reports, only the motion to concur shall be in order.

## **11.0 Amendments**

11-1 When Bill May be Amended. No bill shall be amended until after it has been reported upon by a standing or select committee. The Senate shall take no action on any proposed amendment until the amendment has been reduced to writing, approved by the Senate attorney and distributed to the members of the Senate.

- 11-2 Amendments to Standing Committee Amendment. If a standing committee amendment proposes adoption of a substitute bill and the amendment is adopted during committee of the whole, subsequent amendments that day which change the standing committee amendment including ones which restore language in the original bill changed by the standing committee amendment shall be in order and shall not be deemed a second consideration of the same item on the same day.
- 11-3 Ayes and Noes on Appropriation Amendments. Except as provided by Rule 6-5(a), the ayes and noes shall be taken on the motion to adopt any amendment which directly increases or decreases an appropriation by a specific dollar amount.
- 11-4 Division of Question. Any member may call for a division of the question, which shall be divided if it comprehend[s] propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Senate. A motion to strike out and insert shall be deemed indivisible but a motion to strike out being lost shall preclude neither amendment nor a motion to strike out and insert. [Ref: Mason's §§ 310 to 317]
- 11-5 Distribution of Amendments. Upon approval of the text of an amendment by the sponsor, the amendment will be numbered. Once numbered, the amendment shall be released to the public as soon as reasonably practicable unless the sponsor specifically directs that distribution of the amendment be delayed.
- 11-6 Scope of Amendments. Pursuant to Article 3, Section 20 of the Wyoming Constitution, no bill shall be so altered or amended on its passage through the Senate as to change its original purpose.
- 11-7 Requesting a Bill with Amendments Incorporated. If a bill has been so heavily amended in committee of the whole or second reading that the bill can no longer reasonably be understood, the Senate may, by majority vote of the members present, request that the legislative service office create a version of the bill containing all previously adopted amendments. The version of a bill with amendments incorporated under this subsection shall not be an official version of the bill and shall include a disclaimer so stating. All amendments to a bill shall be made to the official version of the bill.

## 12.0 Voting

### 12-1 Voting Requirements.

- (a) Every member shall vote who may be within the bar of the Senate when the question is put unless for special reasons he be excused. [Ref: Mason's § 521]
- (b) A motion to excuse a member from voting shall be made before the call of the ayes and noes is commenced, and any member wishing to be excused from voting may briefly and pertinently explain his reason therefor; but, when the ayes and noes are being taken the call shall not be interrupted for any purpose whatsoever. [Ref: Mason's §§ 521, 522]
- (c) Any member present within the bar of the Senate who refuses to vote on any question shall be placed on record as having voted in the affirmative. [Ref: Mason's §§ 510, 515.a, 524]
- (d) No member shall be recognized by the Chair, or be allowed to vote, when such member is at the time outside the bar of the Senate, and no member, or other person, shall remain by the Chief Clerk's table while the ayes and noes are being called. [Ref: Mason's § 122.4]

### 12-2 Disclosure of Personal or Private Interest.

- (a) A member who has a personal or private interest in any bill proposed or pending before the legislature shall disclose the fact to the Senate members at the time of initial consideration during the committee of the whole or at the first subsequent time the conflict becomes apparent to the declarer, or at the time of introduction during the budget session. If the status of the conflict changes during the legislative process, the member shall disclose the change in the status of the conflict. Disclosure of a conflict of interest by any member shall be entered in the Daily Journal. If the member later makes a declaration of no conflict of interest in the matter, prompt entry of that declaration shall be made in the journal. The published Journal shall clearly reflect the declaration of the conflict of interest of the member with respect to a roll call vote.

- (b) On general appropriation and recodification bills a member who has declared a conflict of interest on a section or an amendment to a section shall not vote on that section, but may vote on the entire bill.
- (c) If a member is uncertain whether his interest in a bill is such as to require him to abstain from voting, he may request a ruling from the rules committee. When a request for a ruling is made, the rules committee shall make such inquiry as it deems necessary and shall rule by majority vote whether the member may or may not vote on the bill in question. The rules committee shall report its ruling on the floor of the Senate, including an explanation of the interest in question and any explanation for the ruling the committee determines appropriate to report to the Senate. Debate on the interest in question and the ruling may be had in accordance with Senate rules governing debate. At the conclusion of any debate the ruling of the rules committee shall be adopted as the ruling of the Senate unless a motion is made, seconded by at least one (1) other member and carried by majority vote of all Senate members voting on the motion to rule differently. The proposed ruling of the Senate shall be set forth in the motion.
- (d) As used in this section "personal or private interest" means the member shall receive or incur a direct personal or financial gain or loss if the measure or bill is enacted. "Personal or private interest" does not include a financial gain or loss which shall be received or incurred by a member if the gain or loss shall also be received or incurred by a substantial class of persons.  
[Ref: Mason's § 522]

12-3 Call for the Ayes and Noes.

- (a) When the question is being taken, or about to be taken, it shall be competent for any member to call for the ayes and noes, which shall be entered on the Journal.  
[Ref: Mason's § 530]
- (b) Except as provided by Senate Rule 6-5(a), the ayes and noes shall be taken on the motion to adopt any amendment which directly increases or decreases an appropriation by a specific dollar amount.

12-4 Interruption of Voting Prohibited. When the ayes and noes are being taken, the call shall not be interrupted for any purpose whatsoever and members shall answer the call from their seats, if possible. [Ref: Mason's §§ 122.4, 523.2]

12-5 No Vote After Decision Announced. When the ayes and noes shall be taken on any question, in pursuance of Senate Rule 7-11, no member shall be permitted under any circumstances whatever to vote after the decision is announced from the Chair. [Ref: Mason's §§ 535.6, 535.8]

12-6 Vote Changing. Any member may change his vote on a roll call of ayes and noes only after the call is completed, but only before the vote is closed. [Ref: Mason's § 535.6]

12-7 Vote Explanation. Immediately after the vote on any question has been announced and at no other time, any member may explain his vote. [Ref: Mason's § 528]

12-8 The Previous Question.

(a) Any member may move the previous question, and if it be seconded by three other members, the previous question shall be put in this form: "Shall the main question be now put?" The motion will bring the Senate to a vote on the pending question without further discussion.

(b) If carried, all debates shall cease, and the President shall immediately put the main question to vote: first on proposed amendments in their order, and then on the main question, without debate or further amendment.

(c) Provided, that a motion to adjourn and call of the Senate shall each be in order after the previous question has been sustained, and before the main question is put, but no other motion or call shall be in order, except to receive the report of the Sergeant-at-arms, or to dispense with the proceedings under the call, and all motions and proceedings authorized by this rule shall be decided without debate, whether on appeal or otherwise.

[Ref: Mason's §§ 345 to 361]

12-9 Call for Division. It shall be in order for any member or the presiding officer to order a vote by division to verify a voice vote. Should there be doubt about the voice vote, the motion from the floor is simply to call "Division" immediately

before or after the announcement of the vote. When the call is made, the presiding officer orders a standing vote, first the ayes and then the noes. [Ref: Mason's § 533]

12-10 Reconsideration of the Vote.

- (a) When a motion has been made and carried or failed, it shall be in order for any member who voted with the prevailing side to move for reconsideration of the vote thereof and such motion shall take precedence over all other questions except the motion to adjourn. The motion may be made on the same day or on the next succeeding day, providing it is made before the bill leaves the possession of the Senate. A motion to reconsider a vote in committee of the whole is in order only if made prior to adoption of the committee of the whole report.
- (b) It is in order for the member to give open notice from the floor that he may on that day or the next succeeding day move for a reconsideration. In such case, the bill shall not be taken from the Senate until the matter has been finally disposed of. The notice shall be entered in the Journal and shown on the Action Sheet and Calendar.
- (c) However, the giving of such notice shall not prevent any other member who voted with the prevailing side from moving a reconsideration at any time within the limit of this rule, and should this motion be lost, it cannot be renewed except by the member serving the original notice. On the last day, if a member gives such notice, it shall be in order for any other member who voted with the prevailing side to move a reconsideration at any time during the day.
- (d) The motion once made and disposed of cannot be renewed. The motion is not debatable nor can it be amended, and is carried or lost by a simple majority vote regardless of the vote required of the original question. Once the motion is adopted, the question is in exactly the same condition it was when the vote being reconsidered was originally ordered, which means no amendment or debate is allowed on the question and the President shall put the question this way: "On reconsideration of the vote, the question is, shall (naming the bill by number) pass? The Chief Clerk will call the roll."

- (e) There shall be no reconsideration of the motions to adjourn, lay on the table, suspend the rules, indefinitely postpone, the previous question and reconsider.
- (f) If a vote to reconsider has passed or failed on a particular motion under this section, it shall not be in order to move to rescind the vote on that motion.

[Ref: Mason's §§ 450 to 473]

12-11 Rescission of the Vote. Any motion to rescind a vote under section 480, et seq., of Mason's "Manual of Legislative Procedure" shall require an affirmative vote of two-thirds of the elected members to be adopted.

12-12 Call of the Senate. A call of the Senate shall only be ordered upon the demand of three members, one making the demand and two seconding the same by rising. Upon a call of the Senate the names of the members shall be called by the Clerk and the absentees noted. After which, the names of the absentees shall again be called. The doors shall then be shut and those for whom no excuse or insufficient excuse is made may, by order of those present, be taken into custody as they appear, or may be sent for and taken into custody by the Sergeant-at-arms wherever found, or by a special messenger, to be appointed for that purpose. A motion to "call" shall be denied any committee. [Ref: Mason's §§ 190 to 197]

### **13.0 Rules for the Budget Session**

13-1 In General. For the introduction of any bill, other than the budget bill or a bill to apportion the legislature, the following procedure will be followed:

- (a) Any bill must be printed and distributed to all members of the Senate for at least 24 hours prior to consideration, except that bills sponsored by the joint interim committees may be considered on the opening day of the session.
- (b) The prime sponsor, or his designee, will be granted three minutes to address the Senate as to the need and timeliness of his (or her) particular bill. No rebuttal or questions will be permitted.

- (c) Upon approval of two-thirds of the elected members by a roll call vote, a bill will be accepted by the Senate and assigned by the President to the appropriate Standing Committee.

13-2 Introduction Deadline. For the introduction of any bill, other than the budget bill, the following will apply:

- (a) No bill will be accepted for consideration except by unanimous consent after twelve o'clock noon of the third legislative day of the Session. Bills that have been signed, submitted and accepted by the Legislative Service Office prior to the twelve noon cutoff date for consideration of bills but are still at the printer's office will be considered as being within the cutoff deadline. Such a list of bills will be delivered by the Legislative Service Office to the President at the cutoff hour.
- (b) No bill shall be considered for introduction after five o'clock p.m. on the fifth legislative day of the session except by unanimous consent of the membership.

13-3 Limit on Sponsorship. No member shall sponsor more than three (3) bills in any Budget Session. This limitation shall not apply to joint interim committees, the Management Audit Committee, the Management Council, the Select Water committee and any other Committee designated by the Management Council.

13-4 Open Meetings - Exception. All Standing Committee meetings shall be considered open meetings except when declared to be an executive session by the Standing Committee Chairman.

13-5 Budget Session Consent List. Notwithstanding Rule 13-1, the President in consultation with the minority floor leader may propose a Consent List of interim committee bills to be voted upon for introduction under the following procedure:

- (a) The President shall distribute the proposed Consent List to all members at least 24 hours prior to consideration. No interim committee bill shall be included on the Consent List unless the interim committee bill has been printed and distributed to all members before the proposed Consent List is distributed. No interim committee bill shall be added to the Consent List without the approval of the President.

- (b) Subject to subsection (a) of this rule, and at the appropriate order of business, the majority floor leader shall move the Consent List. No debate shall be permitted on the Consent List, but any member may remove any interim committee bill from the Consent List upon request before the vote. A roll call vote shall be taken and the results applied to each interim committee bill on the list except that opportunity shall be made for any member to request a redesignation of his vote on any interim committee bill on the list before the Chief Clerk announces the vote.

13-6 Schedule of Bills for Introduction Vote. If available, a tentative list of bills to be considered for introduction vote will be posted on the Legislative website or otherwise made available to the public. The list will state that it is subject to change.

#### **14.0 Senate Journal and Records**

14-1 Journal Committee Duties. The Journal Committee shall meet each day prior to the convening of the Senate, for the purpose of examining the Journal of the previous day. They shall report to the President their recommendation thereto. [Ref: Mason's § 694]

14-2 Report of Journal Committee. The Journal Committee shall have leave to report at any time when the Senate is in session, except when the "ayes and noes" are being taken.

14-3 Journal Entries.

(a) The titles of bills and only such parts thereof as shall be affected by the proposed amendments shall be inserted in the Journal.

(b) The full bill title shall be shown in the Journal at time of bill introduction and when the bill is next shown in the Journal after the title has been amended. All other reference to the bill shall be shown by number and catch line title only.

[Ref: Mason's §§ 694 to 703]

14-4 Expunge from the Journal. In the rare instance when it is desirable to express strong disapproval of matter in the Journal, a member may move that it be expunged. The motion

must be carried by the affirmative vote of two-thirds of the elected membership. When matter is ordered expunged from the record, the Clerk shall have a line drawn through the matter and writing across each line "Expunged by order of the Senate membership." Each line must be dated. The expunged matter must not be blotted as to be unreadable as otherwise it would be impossible to determine whether more was expunged than was ordered. If the matter to be expunged relates to a Bill or File, it must be ordered while the Bill or File is in the possession of the Senate and must relate to action previously taken by the Senate on the Bill or File.

14-5 Proceedings to be Recorded. The proceedings of the Senate shall be:

- (a) When not acting as a Committee of the Whole, entered on the Journal as concisely as possible, care being taken to detail a true and accurate account of the proceedings; but every vote of the Senate shall be entered upon the Journal, and a brief reference to the contents of each petition, memorial or paper presented in the Senate shall also be inserted in the Journal; [Ref: Mason's § 694 to 697]
- (b) To the extent practicable, electronically recorded. The legislative service office shall retain all recordings made during the session and then transfer them to the secretary of state not later than the beginning of the second business day for the office of the secretary of state following the date on which the session adjourned. Upon transfer to the secretary of state, the recordings shall become a public record; however, the contents of any recording made under this rule shall not be construed to supersede the Journal;
- (c) To the extent practicable, broadcast over the internet via RealAudio or similar capability. Contents of any audio broadcast of proceedings under this rule shall not be construed to supercede the Journal. Failure of audio broadcast capability under this rule shall not delay the proceedings of the Senate.

14-6 Messages - How Sent. Messages shall be sent to the House by the Assistant Chief Clerk, Sergeant-at-arms or any Messenger designated by the Chief Clerk, the Chief Clerk having previously endorsed the final determination of the Senate thereon. [Ref: Mason's § 763]

## 15.0 Maintaining Public Order in the Senate

- 15-1 Authorized Persons Within the Bar of Senate. No person other than members and officers of the Senate and House and legislative staff shall be admitted within the bar of the Senate, except by special invitation on the part of the Senate or President thereof; but a majority may authorize the President to have the Senate cleared of all such persons. [Ref: Mason's § 705]
- 15-2 Interruptions to Business. No motion shall be deemed in order to admit any person or persons whomsoever upon the floor of the Senate to present any petition, memorial or address, or to hear any such read. [Ref: Mason's § 705]
- 15-3 Maintaining Order in Committee of the Whole. When the Senate is in Committee of the Whole, should there be any disturbance or disorderly conduct in the lobby or any part of the Senate, the President shall immediately resume the Chair, and shall have the power to order the Senate cleared until order is restored. [Ref: Mason's § 684.4]
- 15-4 Disturbances. In case of any disturbance or disorderly conduct in the lobby or any part of the Senate while in session, the President shall have the power to order the same cleared. [Ref: Mason's §§ 575(m), 577]
- 15-5 Lobbying Forbidden. Lobbying is strictly forbidden within the Senate Chambers.
- 15-6 Smoking Prohibited. Smoking shall not be permitted on the floor of the Senate chamber while the Senate is in session.
- 15-7 Video and Audio Recording. A presiding officer when on the floor of the Senate, or a chairman in any room in which a committee of the Senate is meeting, may restrict the use of audio or video recording equipment that is being used in a manner disruptive to the business of the Senate or Senate committee.
- 15-8 Video and Audio Recording of Private Communications. Legislators have a reasonable expectation of privacy in their private communications, including but not limited to communications with constituents. No legislator, legislative staff member or guest shall use audio or video recording equipment to record the private communications of a

legislator conducted on the floor of the Senate or any parts of the capitol and its passages, or at any place in which the legislature is conducting legislative business, without the consent of all parties to the communication.

15-9 Prohibition on Campaign Contributions.

- (a) No person shall knowingly solicit, offer, deliver or accept by affirmative act a campaign contribution within any area under the control of the President of the Senate pursuant to Senate Rule 2-2(f) at any time.
- (b) No member of the Senate shall knowingly solicit a legislative campaign contribution, or accept a legislative campaign contribution by affirmative act, on any day during which the Senate is in regular or special session.
- (c) This section shall not apply where a campaign contribution is received by a senator under circumstances where the senator took no affirmative act to solicit the contribution nor to receive the contribution other than discovering that the contribution was made.

**16.0 Confirmation of Appointments**

16-1 Confirmation of Appointments.

- (a) Upon receipt of proposed governor appointments pursuant to W.S. 28-12-101(a) or other appointments requiring confirmation by the Senate, the names of the prospective appointees and the public offices to which the appointees are proposed to be appointed shall be distributed to each member of the Senate.
- (b) On the next legislative working day, the President shall assign appropriate standing committees to interview and review the qualifications of each prospective appointee who was the subject of the motion based upon the normal area of expertise of the standing committee. Any member may attend meetings of the committee and ask questions of a prospective appointee.
- (c) Prior to confirmation of any prospective appointee the committee appointed under this rule shall report its recommendations regarding any prospective appointee to the Senate. A roll call vote of the Senate to confirm

or reject an appointment shall be taken within five (5) legislative working days after the prospective appointee's name is submitted to the Senate for consideration. Confirmation of an appointee by the Senate shall require a simple majority vote.

### **17.0 Joint Interim Committee Procedures**

#### 17-1 Voting in Joint Interim Committees.

- (a) It is the stated policy of the Senate, that regardless of any joint rule of the House and Senate, that:
  - (i) A majority vote of the appointed Senate members serving on a joint interim committee shall be required to sponsor legislation;
  - (ii) A majority vote of the Senate members serving on the joint appropriations committee or another joint interim committee considering the general appropriations bill or state capital construction bill is required to approve amendments to those draft bills.
- (b) Except as specifically provided in the Joint Rules of the House and Senate, any bill which was approved by a joint interim committee through a vote which did not conform to the stated policy contained in subsection (a) of this rule shall be assigned by the presiding officer to the Senate Rules Committee.

## **Rules of the House of Representatives**

### **1.0 Procedural and Parliamentary Authority**

- 1-1 Manual. The Wyoming Manual of Legislative Procedures, Revised, shall be referred to as the "Manual."
- 1-2 Parliamentary Practice. The rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure shall govern the House in all cases to which they can apply and in which they are not inconsistent with the rules and orders of the House and Joint Rules. [Ref: Mason's §§ 30 to 32]
- 1-3 Suspension of Rules. No change, suspension, or addition to the rules of the house shall be made except by a two-thirds vote of the elected members. [Ref: Mason's §§ 279 to 286]

### **2.0 House Organization**

- 2-1 Removal of Officers. A vote of at least two-thirds of the elected House members for the removal of any officer of the House shall be sufficient to vacate the chair or office.
- 2-2 House Committees. The Speaker of the House after conferring with the majority and minority leaders shall appoint members to House standing committees subject to House Rule 2-3. House standing committees are as follows:
1. Judiciary
  2. Appropriations
  3. Revenue
  4. Education
  5. Agriculture, State and Public Lands and Water Resources
  6. Travel, Recreation, Wildlife and Cultural Resources
  7. Corporations, Elections and Political Subdivisions
  8. Transportation, Highways and Military Affairs
  9. Minerals, Business and Economic Development
  10. Labor, Health and Social Services
  11. Journal
  12. Rules and Procedure [Ref: Mason's §§ 600 to 602]
- 2-3 Committee Membership. Membership on committees shall be apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the House. Membership shall be as specified in subsection (a) of this rule provided that the Speaker after conferring

with the majority and minority leaders shall appoint additional members to a committee so that the ratio of House to Senate members on the committee reflects the ratio as it was during the 65th Legislature.

(a) Committees shall have nine members with these exceptions:

(i) Committee No. 2, Appropriations, seven members;

(ii) Committee No. 11, Journal, two members; and

(iii) Committee No. 12, Rules and Procedure, thirteen members.

[Ref: Mason's §§ 600 to 602]

2-4 Changes in Committee Membership. The Speaker of the House may appoint a member to fill any vacancy occurring on any house standing committee during the interim providing the appointment is made with the advice of the respective majority or minority leader, dependent upon the party in which the vacancy has occurred.

2-5 Conference Committees, Membership.

(a) The Speaker shall appoint three members to a conference committee following "Mason's Manual" Sections 769 and 770, generally; and Section 769.5, specifically.

(b) When a majority of the conferees from each house have reached an agreement as to the contents of a conference committee report on a House Bill, the Chairman, as soon as is reasonably possible, shall have the conference committee report drafted, signed by members of the committee, and shall deliver the bill along with the signed copies of the report to the House Chief Clerk as specified in Joint Rule 2-3.

[Ref: Mason's §§ 766 to 775]

### **3.0 Convening and Order of Business**

3-1 Hour of Meeting. The House shall meet each day of sitting at 10 o'clock a.m. unless another time was designated at the preceding adjournment. [Ref: Mason's §§ 500 to 506]

3-2 Absent Members and Officers. No member or officer shall be absent from the service of the House except:

- (a) In case of sickness;
- (b) With permission of the Speaker first obtained; or
- (c) By a majority vote of the House first obtained.

3-3 Quorum - How Maintained. In case fewer than a quorum of the House shall convene, the Speaker is authorized to send the sergeant-at-arms, or any other person for any or all members absent without leave. [Ref: Mason's §§ 191, 500 to 506]

3-4 Order of Business. The following shall be the usual order of business but the order may be changed as necessary for the efficient management of business:

- (a) Roll call
- (b) Prayer by the chaplain
- (c) Journal committee report
- (d) Messages from the Governor or Senate
- (e) Unfinished business
- (f) Introduction, reading and reference of bills
- (g) Senate files on first reading
- (h) Reports from standing committees
- (i) Reports from select committees
- (j) Bills on second reading
- (k) Bills on third reading and final passage
- (l) Consideration of bills on general file
- (m) Special orders and committee announcements
- (n) Adjournment

[Ref: Mason's §§ 710 to 714]

#### **4.0 Introduction and Referral of Bills**

4-1 Definitions.

- (a) Whenever the word "bill" is used in these Rules, it shall include Senate Files, House Bills, Senate and House Joint Memorials and Resolutions unless otherwise specified.
- (b) Whenever used in these Rules, the words "budget bill", "mirror budget bill" or "general appropriations bill or bills" refers to the "general appropriations bill" specified in subsection 14-1(a) of the Joint Rules of

the House and Senate which contains appropriations for the ordinary expenses of the three branches of state government and may include other appropriations allowed by Article 3, Section 34 of the Wyoming Constitution.

- 4-2 Preparation of Bills. Bills for consideration by the legislature shall be prepared, jacketed, indexed and stored in the computer by the Legislative Service Office before being introduced in the house designated by the prime sponsor.
- 4-3 Identification of Bills. Each legislative bill presented to the chief clerk for introduction to the House shall show on the cover its title and the sponsor's name. The name(s) of the sponsors shall be shown on reproductions of each bill.
- 4-4 No Change of Sponsors. After the first reading of a measure, no change in its sponsorship shall be made.
- 4-5 Introduction Deadline. For the introduction of any bill, other than the general appropriations bill, the following will apply:
- (a) No bill will be accepted for consideration except by consent of two-thirds (2/3) of the house membership after twelve o'clock noon of the twelfth legislative day of the session. (Bills that have been signed, submitted and accepted by the Legislative Service Office prior to the twelve noon cutoff date for consideration of bills will be considered as being within the cutoff deadline. Such a list of bills will be delivered by the Legislative Service Office to the Speaker at the cutoff hour.);
  - (b) No bill shall be considered for introduction after six o'clock p.m. (6:00 p.m.) the fifteenth legislative day of the session except by consent of two-thirds (2/3) of the membership.
- 4-6 Introduction Method. After approving the bill, the sponsor or sponsors ask the chief clerk to place the bill in that order of business "Introduction, Reading and Reference of Bills". (See procedure and language style in manual.) [Ref: Mason's §§ 726 to 728]

4-7 Reference to Committee. The Speaker shall refer each bill to the appropriate committee but the House may, on motion, refer the bill to another committee. [Ref: Mason's §§ 384, 733]

4-8 Referral of Bills Requiring an Appropriation.

(a) A bill containing an appropriation, or which requires an appropriation or change in funds, may be assigned to a standing committee other than appropriations, but if so, it shall be re-referred to the appropriations committee upon being reported back from the committee to which first assigned. The appropriations committee shall consider and may recommend:

(i) Modifications to any appropriation contained in the bill, or the addition or deletion of an appropriation, and any necessary related conforming amendments;

(ii) That a delayed effective date or other limiting condition be added to any bill that requires, but does not provide, an appropriation;

(iii) That the bill do not pass, provided that the committee report may include a "do not pass" recommendation as an alternative to any other recommendation made under this subsection.

(b) A re-referred bill shall be given priority consideration by the appropriations committee.

(c) Standing committee amendments shall be considered in the same order as the bill was referred to committee and for purposes of prioritization under House Rule 6- 2 the recommendation of the first standing committee to report on the bill shall apply.

## **5.0 Standing Committee Proceedings**

5-1 Opening Meetings; Executive Sessions. All committee meetings will be open to the public unless declared an executive session by the chairman. [Ref: Mason's § 630]

5-2 Bill Delivered to Committee; Meeting Notice. No standing committee shall meet to consider any bill referred to it unless notice of the date, time and place of the meeting and the bills to be considered has been posted in the State

Capitol at the place designated for posting of meeting notices by 3:00 p.m. on the day before the meeting is to be held. For a meeting to be held on a Monday, the notice shall be posted by 3:00 p.m. on the first legislative day preceding that Monday. This subsection does not apply to:

- (a) Continued consideration of a bill by a committee after the committee has begun consideration of that bill at a meeting for which notice was posted in compliance with this subsection;
- (b) A bill that has been re-referred to another committee after another committee has submitted a report on that bill;
- (c) Meetings scheduled on the first or second day of any session for the consideration of a joint interim committee bill, provided:
  - (i) The Standing Committee took no votes on the bill under consideration; or
  - (ii) A notice was posted by 5:00 p.m. on the day before the meeting is to be held. The notice may state the Committee intends to consider the bill if it is referred to that Committee. [Ref: Mason's §626]

5-3 Proxy Voting in Committee. A member of the House who has been excused from attendance at a standing committee meeting by the committee chairman due to the member's required attendance at another legislative meeting, may file an absentee vote on a matter pending before the standing committee, provided:

- (a) The member submits a signed vote form that specifically identifies the motion and the member's desired vote;
- (b) The vote form is delivered to the committee chairman before the vote on the motion is taken;
- (c) The absentee vote may be revoked by the member before the vote is taken by signing and filing a written revocation with the committee chairman or by the member personally appearing at the meeting and voting on the motion in person;

- (d) A member voting by absentee vote shall not be counted as being present for purposes of establishing a quorum.

5-4 Reports and Record of Votes.

- (a) Standing committees shall take charge of and report in writing on all matters referred to them respectively.
- (b) When a standing committee has disposed of a bill by adoption of a motion to "do pass," "amend and do pass," "do not pass" or "no recommendation," the vote on final disposition shall be included in the committee report, indicating how each member voted, and the bill and the report shall be submitted to the chief clerk.

When a motion to "do pass" or "amend and do pass" fails, the chairman shall report the vote on the failed motion to the legislative service office including a record indicating how each member of the committee voted. The legislative service office will provide the report of the committee vote to the public.

- (c) For bills other than those reported under subsection (b) of this rule, the Committee shall return the bill together with a record of Committee consideration to the chief clerk on the day after the last day scheduled for consideration of house bills or senate files placed on general file but not later than the last day of the session. Upon receipt of the bill and the record of Committee consideration, the chief clerk shall ensure the required information contained within the record is entered into the journal but shall not be required to read the record to the House. The record of Committee consideration shall include the following information which shall be entered into the journal:
  - (i) When any motion referenced under subsection (b) of this rule fails, the record of Committee consideration shall include the vote of each member on the failed motion;
  - (ii) When a motion referenced under subsection (b) of this rule is not made on a bill, and a motion to postpone the bill indefinitely or to a certain date has not been made by the Committee, the record of Committee consideration shall indicate the bill died in Committee;

(iii)When a Standing Committee adopts a motion to postpone consideration of the bill until after expiration of the established final date for regular consideration of the bill, the record of Committee consideration shall include the vote of each member on the adopted motion. [Ref: Mason's §§ 663 to 677]

(d) A bill remains in the possession of its assigned standing committee until the committee report is read to the body and entered in the journal, a record of the committee action on the bill is returned to the chief clerk and entered in the journal under subsection (c) of this rule or the bill is recalled under House Rule 5-6. [Ref: Mason's 640]

5-5 Overruling the Chairman. The chairman may be overruled only by a recorded majority vote of the committee membership. [Ref: Mason's §§ 611, 615 to 618, 663 to 677]

5-6 Recalling Bills from Committees. Any bill or other matter which has been referred to any committee may be recalled after a reasonable time by a motion duly made and seconded by five members and adopted by a majority of the elected members. [Ref: Mason's § 390]

5-7 Refusal to Vote in Committee. Any Committee member present at a meeting of his assigned standing committee who refuses to vote when the ayes and noes are called and who does not declare a conflict or is not excused from voting on the questions shall be placed on record as an affirmative vote. [Ref; Mason's § 515(a)]

## **6.0 General File and Committee of the Whole Procedures**

6-1 Placed on General File. After a bill has been reported back to the House by its assigned committee and the standing committee report read to the body and entered in the journal, it shall be placed on general file. [Ref: Mason's §§ 683 to 681]

6-2 Order of General File. Bills on the general file shall be considered in the following order: first, "Do Pass" bills; second, "Without Recommendation" bills; and third, "Do Not Pass" bills.

6-3 General Appropriations Bill - 24 Hour Rule. The general appropriations bill shall not be considered in committee of the whole until printed copies of the bill shall have been distributed to the members at least 24 hours prior to consideration. [Ref: Mason's §§ 1 to 20]

6-4 Motions in Committee of the Whole. After a bill has been read, it shall be in order for the standing committee chairman, or in his absence, a member of the standing committee:

(a) To move the committee recommendations on the bill and any standing committee amendments. He shall move for the adoption of these amendments and give an explanation of them. After that motion has been disposed of, the sponsor of the bill or any other member asked to do so, shall be given an opportunity to explain the measure. He may yield the floor to others who may offer further explanations, questions; or

(b) To move: (listed here in the order of descending precedence)

- (i) To lay back on the general file without prejudice;
- (ii) To re-refer or recommit;
- (iii) To amend.

[Ref: Mason's §§ 156 to 161, 175 to 187, 683 to 691]

6-5 Motion to Rise and Report. A motion to rise and report by the Majority Floor Leader or his designee shall always be in order and shall take precedence over any other motion. [Ref: Mason's § 689]

6-6 House Rules Apply, Exceptions. The rules of the House shall be observed in the committee of the whole, except that:

(a) There shall be no limit to the number of times that a member may speak on the same question, unless the previous question is demanded and adopted by the House as provided in Rule 12-9.

(b) The ayes and noes shall not be taken unless the original motion made for passage of a given bill, following a vote by division, has failed in the committee of the whole. At that time, the ayes and noes shall be taken

and entered in the committee of the whole report. The result of the roll call vote shall determine the action of the committee of the whole. If, after a roll call vote, the bill fails to pass Committee of the Whole, the bill is deemed to be indefinitely postponed. Except as provided in this subsection, the motion to indefinitely postpone shall not be in order during Committee of the Whole.

(c) The following motions are not allowed:

- (i) Call of the house;
- (ii) Lay on the table;
- (iii) Adjourn;
- (iv) Reconsideration.

[Ref: Mason's §§ 683, 688, 691]

6-7 Chair May Vote. The chairman of the committee of the whole shall be entitled to vote on any matter under consideration before the committee. [Ref: Mason's § 582]

## **7.0 Floor Action on Bills**

7-1 Three Readings. Every bill shall receive three separate readings, previous to its being passed, and the Speaker shall give notice whether it be the first, second or third, which readings shall be on three separate days, unless the House otherwise directs by a two-thirds vote. [Ref: Mason's §§ 720 to 722]

7-2 First Reading by Title. First reading shall be by title and sponsors' names only. [Ref: Mason's § 733]

7-3 Laying Back a Bill. Absent objection sustained by a majority of those present, a bill scheduled for second or third reading may be laid back for an additional day.

7-4 Second Reading. After the committee of the whole consideration and "Do Pass" recommendation has been adopted by the House, the bill shall be read a second time on the next legislative day unless laid back under House Rule 7-3. [Ref: Mason's § 734]

7-5 Reading of Title Only. Second reading shall be by catch title only.

7-6 Question on Second Reading. The final question on the second reading of every bill shall be: "Shall the bill be read a third time?" Unless objections are made, the Speaker shall so order. [Ref: Mason's § 734]

7-7 Acceleration to Third Reading (One Day Saving).

- (a) The majority floor leader in consultation with the minority floor leader may endorse a list of bills which have passed the Committee of the Whole, are unlikely to be further amended and are likely to pass the House, to be accelerated to Third Reading on the day the bills are considered on Second Reading. The Chief Clerk shall show those bills on the Second Reading calendar with an "X" before the bill number or other designator determined by the Chief Clerk.
- (b) At the conclusion of Second Reading, the majority floor leader shall move that the rules be suspended with respect to those bills designated under paragraph of this rule and that those bills be immediately considered on Third Reading and final passage.
- (c) If any legislator objects to the inclusion of a bill on the list for acceleration to Third Reading prior to the vote on a motion under paragraph (b) of this rule, it shall be removed.
- (d) A motion made under paragraph (b) of this rule requires the same affirmative vote as is necessary to suspend the rules. If the motion passes, the House shall immediately proceed to Third Reading and final passage on each bill on the list with a separate roll call vote for each bill. If the motion fails, the bills shall be placed on Third Reading on the next legislative day.

7-8 Uncontested Bills.

- (a) An uncontested bill is any bill passed by the committee of the whole and endorsed as such by the floor leaders of both majority and minority parties.
- (b) The chief clerk shall show such bills on the third reading calendar "Consent List".

- (c) Any member may request at any time prior to the question on third reading that a bill be removed from the consent list and placed on regular third reading.
- (d) At that order of business "Third Reading", the majority floor leader shall move for consideration of all consent list bills. A roll call vote shall be taken and the results applied to each bill on the list except that opportunity shall be made for any member to request a redesignation of his vote on any bill on the list according to procedures shown in the Manual.

[Ref: Mason's §§ 1 to 15, 257 to 268, 537]

- 7-9 Third Reading. The bill shall be read a third time on the next legislative working day after passing the second reading unless laid back under House Rule 7-3. It shall be read by bill number, catch title, sponsor and enacting clause only. [Ref: Mason's §§ 736, 737]
- 7-10 Question on Third Reading. Upon the conclusion of the third reading, the Speaker shall put the question "The bill (naming it by number) having been read three separate times, the question is shall the bill pass? Please call the roll." The ayes and noes shall be taken. After the question has been put no motion shall be in order until the roll call is completed and the vote announced. [Ref: Mason's §§ 130 to 133, 523, 530]
- 7-11 Engrossing After Third Reading. When a bill has passed third reading in the House of Representatives with amendments, it shall first be delivered to the Legislative Service Office to be engrossed with all adopted amendments before the bill is forwarded to the Senate for action. A bill delivered to and in the possession of the Legislative Service Office for engrossing shall not be recalled for further action by the House without the consent of the Senate.

## 8.0 Debate

- 8-1 Speaking Limit. Except as provided by House Rule 6-6(a), no member shall speak more than once to the exclusion of other members who have not spoken, nor more than twice to the same question, or amendment on the same day without leave of the House. [Ref: Mason's § 102]

- 8-2 Obtaining the Floor. Any member about to speak shall rise and respectfully address the presiding officer. When recognized, the member shall confine his comments to the question under consideration and avoid personalities. A member shall not refer to another member by name, district number, city or town or by reference to another state. A member may refer to another member by the name of the county the member resides in or by the county number assigned to a Wyoming license plate for the member's county of residence. When finished, the member shall be seated. [Ref: Mason's §§ 90 to 96, 114]
- 8-3 Point of Order, Time Limit. Any member raising a point of order may be allowed five minutes in which to state his opinion. [Ref: Mason's §§ 230 to 236]
- 8-4 Appeals. A vote of the majority of the members present shall be sufficient to sustain an appeal from the decision of the presiding officer. [Ref: Mason's §§ 236, 240 to 245]
- 8-5 Protest Against Action of House. It is in order for any member or members to protest against the action of the House and have the protest entered briefly in the journal. [Ref: Mason's § 696.3]
- 8-6 Distribution of Printed Matter. No outside printed material shall be distributed on the floor of the House unless it is identified as to its source and authorized by a member of the house or by the chief clerk.
- 8-7 Use of Props During Debate. No chart, display, projected image, sample substance, prop or other demonstration aid or device shall be employed during debate in committee of the whole, second or third reading without the express approval of the Speaker of the House obtained in advance of the commencement of committee of the whole or the applicable reading. This provision shall not prevent reference during debate to printed materials distributed in accordance with house rule 8-6. This rule shall not apply to the use of charts, displays, projected images or other demonstration aids and devices used by members of the appropriations committee for the explanation of a budget bill during committee of the whole.
- 8-8 May Call for Reading of Papers. When the reading of a paper is called for, it shall be read, unless the same is objected to by some member, in which case the question

shall be determined by a majority vote of the House and without debate or amendment. [Ref: Mason's § 112]

### 9.0 Decorum of Members

- 9-1 Call to Order While Speaking. When a member is interrupted and called to order by the presiding officer for digressing from the question, exceeding a time limit, using improper language, speaking without recognition by the chair or wrongfully excluding others who wish to speak, he shall cease speaking and be seated at once until it is determined whether he is in order, except he may be permitted to explain his position when asked to do so. [Ref: Mason's §§ 120 to 126]
- 9-2 Explain Personal Matter. Any member may rise and be recognized to explain a personal matter but shall not discuss a question in such explanation nor speak more than five minutes on the matter. [Ref: Mason's §§ 222 to 226]

### 10.0 Motions

- 10-1 Seconding Motions. Unless otherwise required in these rules, no motion shall require a second. [Ref: Mason's §§ 58, 157, 162]
- 10-2 Withdrawal of Motion. If no member objects, any motion under consideration may be withdrawn by the mover at any time before a decision, amendment or ordering of the ayes and noes. [Ref: Mason's §§ 272 to 276]
- 10-3 Precedence of Motions. When a question is being debated, no motion shall be received, except the following, which shall have precedence as listed:

#### Undebatable

- (a) To adjourn
- (b) To lay on the table
- (c) To call for previous question

#### Debatable

- (d) To postpone to a certain date
- (e) To commit or refer
- (f) To amend
- (g) To postpone indefinitely
- (h) The question, or main motion

[Ref: Mason's §§ 156 to 165, 175 to 187]

10-4 The Main Motion. The main motion is debatable, can be amended and usually takes precedence over nothing. The usual form is to adopt, to pass, to approve, to concur, to elect or, in the negative of the above, which then takes lower precedence. [Ref: Mason's §§ 440 to 443]

10-5 Motion to Adjourn. The motion to adjourn is not debatable, cannot be amended and is always in order except:

- (a) When another has the floor;
- (b) During a roll call;
- (c) During a call of the House;
- (d) During the committee of the whole.

[Ref: Mason's §§ 200 to 210]

10-6 Motion to Lay on the Table. The motion to lay on the table is not debatable, cannot be amended and is adopted by a majority vote of the members present. A motion to table takes the question and everything subsidiary to it to the table. A motion to table an amendment does not take the bill. The motion to reconsider and the previous question shall not be subject to a motion to lay on the table. [Ref: Mason's §§ 330 to 342]

10-7 Motion to Postpone to a Certain Date. The motion to postpone to a certain date or time is debatable, can be amended and is adopted by a majority of the members present. The motion can be applied only to main motions. [Ref: Mason's §§ 365 to 374]

10-8 Motion to Postpone Indefinitely. The motion to postpone indefinitely is debatable, cannot be amended, takes precedence over nothing but the main question which is then open to debate, and is adopted by a majority of the elected members. Adoption of the motion prevents further session. [Ref: Mason's §§ 430 to 436]

10-9 Motion to Commit or Refer. The motion to commit or refer is debatable, can be amended and is adopted by a majority of the members present. The motion can be applied to main motions only. [Ref: Mason's §§ 378 to 390]

10-10 Motion to Concur. With respect to consideration of requests by the Senate for House concurrence with Senate amendments to

House Bills and of joint conference committee reports, only the motion to concur shall be in order. [Ref: Mason's § 766]

### 11.0 Amendments

- 11-1 When Bill May be Amended. No bill shall be amended until after it has been considered in a standing committee or committee of the whole.
- 11-2 Amendment to be in Writing. Except for technical corrections to an amendment offered during floor debate, the House shall take no action on any proposed amendment until the amendment has been reduced to writing, approved by the House attorney and distributed to the members of the House.
- 11-3 Ayes and Noes on Appropriation Amendments. Except as provided by House Rule 6-6(b), the ayes and noes shall be taken on the motion to adopt any amendment which directly increases or decreases an appropriation by a specific dollar amount.
- 11-4 Amendments in General.
- (a) The motion to amend is debatable, can be amended and is adopted by a majority of the members present. [Ref: Mason's §§ 395 to 420]
  - (b) The motion can be applied to any motion that could be stated in a different form.
  - (c) "Amendment to an amendment" cannot be amended. [Ref: Mason's § 408]
  - (d) An amendment which is defeated shall not again be in order on the same day. [Ref: Mason's § 161]
  - (e) Amendments shall be in written form when submitted. [Ref: Mason's § 400]
  - (f) Amendments shall be filed with the chief clerk who arranges them in order for consideration by the chair at the proper time.
  - (g) Amendments must be germane to the subject of the main motion. [Ref: Mason's § 402]
- 11-5 Division of the Question. Any member may call for a division of the question if a motion relating to a certain subject

contains several parts, each of which is capable of standing as a complete proposition if the others are removed. It can be divided into two or more propositions to be voted on as distinct questions. The member calling for a division of the question shall clearly state how the question is to be divided. A motion to strike out and insert is indivisible. [Ref: Mason's §§ 310 to 317]

- 11-6 Distribution of Amendments. Upon approval of the text of an amendment by the sponsor, the amendment will be numbered, distributed to the members of the House and released to the public as soon as reasonably practicable.
- 11-7 Requesting a Bill with Amendments Incorporated. If a bill has been so heavily amended in committee of the whole or second reading that the bill can no longer reasonably be understood, the house may, by majority vote of the members present, request that the legislative service office create a version of the bill containing all previously adopted amendments. The version of a bill with amendments incorporated under this subsection shall not be an official version of the bill and shall include a disclaimer so stating. All amendments to a bill shall be made to the official version of the bill.

## 12.0 Voting

- 12-1 Voting Requirements. Every member within the bar of the House shall vote when the question is put, unless he is excused according to House Rule 3-2 or House Rule 12-3. [Ref: Mason's §§ 521, 522]
- 12-2 Present Within the Bar. Any member present within the bar of the House who refuses to vote when the ayes and noes are called for entry in the journal and who is not excused from voting on the question shall be placed on record as an affirmative vote. [Ref: Mason's § 515(a)]
- 12-3 Time of Declaring Personal or Private Interest.
- (a) A member who has a personal or private interest in any bill proposed or pending before the legislature shall disclose the fact to the house members and shall not vote thereon. Disclosure of a conflict shall be made:
- (i) During the general session, prior to speaking on a bill in committee of the whole or prior to the

vote on passage of the bill in committee of the whole, whichever occurs first;

(ii) During the budget session, prior to speaking on introduction of a bill under Rule 13-1 or prior to the vote on introduction, whichever occurs first; or

(iii) Prior to any subsequent vote on the bill after a declarant first becomes aware of the conflict.

(b) On general appropriation and recodification bills a member who has declared a conflict of interest on a section or an amendment to a section shall not vote on that section, but may vote on the entire bill.

(c) Disclosure of a conflict of interest shall be entered in the journal at the time it is made. If the member later makes a declaration of no conflict of interest in the matter, prompt entry of that declaration shall be made in the journal.

(d) As used in this section "personal or private interest" means the member shall receive or incur a direct financial gain or loss if the measure or bill is enacted. "Personal or private interest" does not include a financial gain or loss which shall be received or incurred by a member if the gain or loss shall also be received or incurred by a substantial class of persons.

(e) If a member is uncertain whether his interest in a bill is such as to require him to abstain from voting, he may request a ruling from the rules committee. When a request for a ruling is made, the rules committee shall make such inquiry as it deems necessary and shall recommend by majority vote whether the member should or should not vote on the bill in question.

[Ref: Mason's § 522]

#### 12-4 Call for Ayes and Noes.

(a) When a question is about to be taken, it shall be in order for any two members to call for the recording of the ayes and noes for entry in the journal and the names of the members shall be called in alphabetical order.  
[Ref: Mason's § 530]

- (b) Except as provided by House Rule 6-6(b), only after a voice vote in which the ayes have prevailed, the ayes and noes shall be taken on the motion to adopt any amendment to a mirror budget bill which directly increases or decreases an appropriation by a specific dollar amount of at least one hundred thousand dollars (\$100,000.00) or more.
- 12-5 Interruption of Voting Prohibited. When the ayes and noes are being taken, the call shall not be interrupted for any purpose whatsoever and members shall answer the call from their seats, if possible. [Ref: Mason's §§ 122.4, 523.2]
- 12-6 Vote Changing. Any member may change his vote on a roll call of ayes and noes only after the call is completed and only before the announcement that the vote is closed. [Ref: Mason's § 535.6]
- 12-7 Vote Explanation. Immediately after the vote on any question has been announced and at no other time, any member may explain his vote. [Ref: Mason's §528]
- 12-8 Presiding Officer May Vote. The presiding officer shall be entitled to vote on any matter under consideration.
- 12-9 The Previous Question.
- (a) Any member may move the previous question, and if it is seconded by three other members, the previous question shall be put in this form: "The previous question is demanded". The object of this motion is to bring the House to a vote on the pending question without further discussion. (The motion is carried with an affirmative vote by two-thirds of the elected membership.)
- (b) If the motion fails, the discussion may proceed the same as if the motion had not been made; if carried, all debate on the main question or on the amendment to the main question as may be specified by the member offering the motion shall cease and the presiding officer shall immediately put the question to vote without debate or further amendment. [Ref: Mason's §§ 345 to 361]
- (c) A motion to adjourn and a call of the House shall each be in order after the "previous question" has been sustained, and before the main question is put. No other motion or call shall be in order, except to receive the report of the Sergeant-at-Arms, or to dispense with the proceedings under the call and all motions and proceedings authorized by this rule shall be decided without debate whether on appeal or otherwise.
- (d) If a motion to move the previous question is carried during the consideration of an amendment offered on the third reading of a bill that deletes the enacting clause of the bill, the amendment shall be immediately withdrawn, and the question shall be put to final passage of the bill as provided in House Rule 7-10.

12-10 Call for Division. It shall be in order for any member or the presiding officer to order a vote by division to verify a voice vote. Should there be doubt about the voice vote, the motion from the floor is simply to call "Division" immediately before or after the announcement of the vote. When the call is made, the presiding officer orders a standing vote, first the ayes and then the noes. [Ref: Mason's § 533]

12-11 Reconsideration of the Vote.

- (a) When a roll call vote on an action (other than on procedural motions and on introduction of other than budget bills during budget sessions) has been taken, any member who voted on the prevailing side may give notice of the intention to move for reconsideration of the vote. Procedural motions include: to adjourn, lay on the table, previous question, postpone to a certain date, refer, suspend the rules, reconsider the vote, recess and withdraw.
- (b) The motion or the notice may be made only when the subject of the vote is in the control of the House.
- (c) Notice of intention to move for reconsideration of the vote shall specify a time on the next legislative day for making the motion. During the last 10 legislative working days of the session, votes on motions to reconsider shall be taken no later than the last item of business on the day of the original vote. When such notice is made, the bill shall not be taken from the House. Once notice is given, a motion for earlier reconsideration is out of order. The notice shall be entered in the journal and shown on the calendar and action sheet.
- (d) The motion to reconsider shall take precedence over all motions except to adjourn.
- (e) The motion cannot be debated or amended and when disposed of, cannot be renewed. It is adopted or rejected by a simple majority vote regardless of the vote required to pass the original question.
- (f) On adoption of the motion, the original question is in exactly the same condition as it was when the vote being reconsidered was originally ordered which means no

discussion, debate or amendment is allowed on the question and the presiding officer shall put the original question exactly as was done for the original vote.

(g) The motion shall not be made in committee of the whole.

[Ref: Mason's §§ 450 to 473]

12-12 Call of the House. A call of the House shall be ordered only upon demand of five members, one making the motion and four others seconding the same by rising. The motion shall state the purpose of the call and the proceedings to be considered under the call. Upon a call of the House, the names of the members shall be called and the absentees noted and the names of the absentees shall again be called. The doors shall then be shut and those not excused under the provisions of Rule 3-2 or not excused by the member making the motion may, by order of those present, be taken into custody as they appear, or may be sent for and taken into custody by the sergeant-at-arms wherever to be found, or by a special messenger, to be appointed for that purpose. A call shall not be made in a committee. A call of the House is terminated by completion of the proceedings under the call as listed in the original motion or the motion to terminate a call of the House which shall be made by the person who demanded the call. The motion to adjourn shall not be in order during a call of the House. [Ref: Mason's §§ 190 to 197]

### **13.0 Rules for the Budget Session**

13-1 In General. For the introduction of any bill (other than the budget bill or a bill to apportion the legislature), the following procedure will be followed:

- (a) All bills shall be printed and distributed to all members, or posted on the legislative website with written notice of posting distributed to all members, at least 12 hours prior to consideration, except that bills sponsored by the joint interim committees may be considered on the opening day of the session;
- (b) The prime sponsor, or his designee, will be granted two minutes to address the body as to the need and timeliness of his (or her) particular bill;

- (c) A one minute rebuttal is allowed to a member who is in opposition to introduction of the bill. No more than two minutes will be granted for rebuttals. The prime sponsor, or his designee, will have thirty seconds to give the final response to the rebuttal;
- (d) Upon approval of two-thirds of the elected members by a roll call vote a bill will be accepted by the body and assigned by the Speaker to the appropriate committee.

13-2 Introduction Deadline. For the introduction of any bill, other than the budget bill, the following will apply:

- (a) No bill will be accepted for consideration except by consent of two-thirds of the house membership after twelve o'clock noon of the third legislative day of the session. (Bills that have been signed, submitted and accepted by the Legislative Service Office prior to the twelve noon cutoff date for consideration of bills but are still at the printer's office will be considered as being within the cutoff deadline. Such a list of bills will be delivered by the Legislative Service Office to the Speaker at the cutoff hour.)
- (b) No bill shall be considered for introduction after six o'clock p.m. (6:00 p.m.) the fifth legislative day of the session except by consent of two-thirds of the membership.

13-3 Limit on Sponsorship. No member shall sponsor more than five (5) bills in any Budget Session. This limitation shall not apply to joint interim committees, the Management Audit Committee, the Management Council, the Select Water committee and any other Committee designated by the Management Council.

13-4 Administering Bill Sponsorship Limit. For the purpose of administering House Rule 13-3 which limits the number of bills which a member may sponsor, the following shall apply:

- (a) There shall be no limit on the number of bill drafts which a member may request be drafted by the Legislative Service Office;
- (b) The Legislative Service Office shall assign a bill number and jacket for introduction bill drafts in the order that the sponsor approves and submits the drafts for final processing;

- (c) The Legislative Service Office shall immediately advise the member when that member has approved and submitted bill drafts for introduction in an amount equal to the limit prescribed by the applicable rule. If the member thereafter submits an approval for an additional bill draft for final processing so as to be assigned a bill number and jacketed, the Legislative Service Office shall not process the bill further unless the member withdraws a bill that the member previously approved and submitted for sponsorship. For the purpose of this paragraph, a member withdraws a bill previously approved and submitted for sponsorship by:
  - (i) If the session has not convened, directing the Legislative Service Office to cancel the previously approved bill;
  - (ii) If the session has convened, submitting the jacket of the bill to be cancelled to the Chief Clerk with a written and signed notation on the jacket to cancel the bill.
- (d) If the legislator wishes to request that the rule on limits be suspended for the purpose of introducing a bill in excess of the number authorized, the member shall have the bill draft as prepared by the Legislative Service Office distributed to the membership and then make the motion to suspend the rules. If the motion passes, the Legislative Service Office shall immediately jacket the bill, assign it a number and submit it to the Chief Clerk.

13-5 Budget Session Consent List. Notwithstanding Rule 13-1, the Speaker in consultation with the minority floor leader may propose a Consent List of bills to be voted upon for introduction under the following procedure:

- (a) The Speaker shall distribute the proposed Consent List to all members at least 24 hours prior to consideration. No bill shall be included on the Consent List unless the bill has been printed and distributed to all members before the proposed Consent List is distributed. No bill shall be added to the Consent List without the approval of the Speaker.
- (b) Subject to subsection (a) of this rule, and at the appropriate order of business, the majority floor leader

shall move the Consent List. No debate shall be had on the Consent List, but any member may remove any bill from the Consent List upon request before the vote. A roll call vote shall be taken and the results applied to each bill on the list except that opportunity shall be made for any member to request a redesignation of his vote on any bill on the list before the Chief Clerk announces the vote.

- (c) Notwithstanding subsection (a) of this rule, a Consent List of joint interim committee bills may be considered on the opening day of the session provided the list has been posted on the legislative website at least 24 hours prior to consideration. No bill shall be added to the Consent List without the approval of the Speaker.

13-6 Schedule of Bills for Introduction Vote. To the extent practicable, a tentative list of bills to be considered for introduction vote will be posted on the Legislative website or otherwise made available to the public at the time the list is provided to members of the House. The list will clearly note that the list is tentative only and is subject to last minute additions, deletions and changes in the order of bill consideration.

#### **14.0 House Journal and Records**

14-1 Journal Committee Duties. The journal committee shall meet each day prior to the opening of the session for the purpose of examining the House journal and making recommendations thereto in the form of a written report to the House. [Ref: Mason's §§ 694 to 703]

14-2 Reading of Journal. The journal shall be read in full or in specific parts if so moved by one member and approved by a majority of members present. [Ref: Mason's § 698]

14-3 Journal Entries. Journal entries shall show:

- (a) Each successive step relative to every bill, shown by number and title only, from introduction into the House up to and including final disposition including all proposed amendments and action on them except in the committee of the whole.
- (b) The full bill title shall be shown in the journal at time of bill introduction and when the bill is next shown

in the journal after the title has been amended. All other reference to the bill shall be shown by number and catch line title only.

- (c) Messages from the Governor and the Senate.
- (d) A true and accurate account of the proceedings and roll calls of the House.

[Ref: Mason's §§ 694 to 697]

14-4 Expunge from the Journal. In the rare instance when it is desirable to express strong disapproval of matter in the journal, a member may move that it be expunged. The motion must be carried by the affirmative vote of two-thirds of the elected membership. When matter is ordered expunged from the record, the clerk shall have a line drawn through the matter and writing across each line "Expunged by order of the House membership". Each line must be dated. The expunged matter must not be blotted as to be unreadable as otherwise it would be impossible to determine whether more was expunged than was ordered. If the matter to be expunged relates to a bill or file, it must be ordered while the bill or file is in the possession of the House and must relate to action previously taken by the House on the bill or file. [Ref: Mason's § 444]

14-5 Proceedings to be Recorded.

- (a) The proceedings of the House shall be electronically recorded to the extent practicable. The legislative service office shall retain all recordings made during the session and then transfer them to the secretary of state not later than the beginning of the second business day for the office of the secretary of state following the date on which the session adjourned. Upon transfer to the secretary of state, the recordings shall become a public record; however, the contents of any recording made under this rule shall not be construed to supersede the Journal.
- (b) To the extent practicable, the proceedings of the House shall be broadcast over the internet via RealAudio or similar capability. Contents of any audio broadcast of proceedings under this rule shall not be construed to supersede the Journal. Failure of audio broadcast

capability under this rule shall not delay the proceedings of the House.

## **15.0 Maintaining Public Order in the House**

### 15-1 Persons Admitted Within Bar of House.

(a) No person shall be admitted within the bar of the House except members or ex-members of the House, members of the Senate, employees of the House and Senate, state officers, those specifically invited by House members individually and those authorized by a majority of the members elected to the House. The Speaker shall have the House cleared of all persons except members and employees when requested by a majority of the members of the House. Except for members, no other person shall engage in influencing the passage or defeat of legislation in the House chambers. [Ref: Mason's §§ 684.4, 705]

(b) No ex-member of the House who is currently registered as a lobbyist with the secretary of state shall be granted privilege of the floor while the House is in session to address members of the House on any issue.

15-2 Disturbances. The presiding officer shall direct any force needed to remove any and all persons who are in the galleries, rooms, hallways, stairways, entrances or grounds near the House chambers who in any way hinder the orderly progress of the House of Representatives. [Ref: Mason's §§ 575(m), 577]

15-3 Smoking Prohibited. Smoking and use of vaping products and electronic cigarettes shall not be permitted in the House chamber or in the seating area on the floor of the House while the House is in session. However, cuspidors shall be provided for those members desiring same.

15-4 House Lounge. The House legislative lounge room is for legislators, legislative staff and legislators' guests only.

15-5 Cell Phone Usage. Members shall not conduct a verbal conversation on a cellular telephone or similar device on the floor of the House chamber while the House is in session.

### 15-6 Prohibition on Campaign Contributions.

(a) No person shall knowingly solicit, offer, deliver or accept by

affirmative act a campaign contribution within any area under the control of the Speaker of the House at any time.

- (b) No member of the House shall knowingly solicit a legislative campaign contribution, or accept a legislative campaign contribution by affirmative act, on any day during which the House is in regular or special session.
- (c) This section shall not apply where a campaign contribution is received by a member of the House under circumstances where the member took no affirmative act to solicit the contribution nor to receive the contribution other than discovering that the contribution was made. HEINER, YIN

## JOINT RULES

### JOINT RULES OF THE HOUSE AND SENATE

#### 1. DEFINITIONS

- 1-1 Whenever the word "bill" is used in these rules, it shall be understood to include Senate Files, House Bills, Senate and House Joint Memorials and Resolutions unless otherwise specified. Also, the Wyoming Manual of Legislative Procedures, Revised, will be referred to as the "Manual".
- 1-2 As used in these Joint Rules, "budget bill", "mirror budget bill" or "general appropriations bill or bills" refers to the "general appropriations bill" specified in Joint Rule 14-1(a) which contains appropriations for the ordinary expenses of the three branches of state government and may include other appropriations allowed by Article 3, Section 34 of the Wyoming Constitution.

#### 2. CONFERENCE COMMITTEE

##### APPOINTMENT; LIMITATIONS

- 2-1 (a) In every case of amendment to a bill agreed upon in one house and dissented from in the other, the latter house shall appoint a committee of three (3) to confer on the matter and request the other house to appoint a like committee. Appointments shall be made by the President of the Senate and Speaker of the House pursuant to Sections 769 and 770 of "Mason's Manual of Legislative Procedure" generally, and to Paragraph 5 of Section 769, specifically.
- (b) A first joint conference committee is not a free committee, however, in addition to recommending that the houses adopt or delete amendments previously adopted by either house, a first committee may propose additional amendments to:
- (i) Correct technical errors in a previously adopted amendment;
  - (ii) Make minor language changes in a previously adopted amendment provided the modified amendment is substantially the same as the original amendment; or

- (iii) Propose an alternative which reflects a compromise position on an issue on which the two houses have adopted inconsistent positions, provided the compromise lies between the positions taken by the two houses.
- (c) If the first conference committee report is not adopted, each committee appointed thereafter shall be a free conference committee as defined in Section 773 of "Mason's Manual of Legislative Procedure". [Ref: Mason's §§ 766 to 775]
- (d) Chapter 71, Section 766, Paragraphs 6 and 7 of "Mason's Manual of Legislative Procedure" shall not apply.

CONFERENCE PROCEDURES; MEETING NOTICES

- 2-2
- (a) Such conference committees shall meet at a convenient hour to be agreed upon by their respective chairmen and shall confer upon the differences between the two houses. As soon as possible, the respective houses shall move for the adoption of the Joint Conference Committee report. Adoption of the report must be by vote of a majority of the elected members of each house unless a greater majority is required to pass a measure such as is the case with constitutional resolutions.
  - (b) No Conference Committee shall meet to consider any bill referred to it unless notice of the date, time and place of the meeting and the bill to be considered has been announced in open session on the floor of the House and Senate no later than adjournment on the day the meeting is to be held. This section does not apply to:
    - (i) Continued consideration of a bill by a Conference Committee after the Committee has begun consideration at a meeting for which notice was provided in compliance with this section so long as the date, time and place of the continuation of the meeting is announced by the chairman;
    - (ii) Conference Committee meetings held on the day scheduled by the officers of the House and Senate to be the last day of the session.
  - (c) When practical, after the Conference Chairman has set a date, time and place for a conference committee meeting,

the Chairman shall report to the Chief Clerk from the house of the bill's origin. The Chief Clerk shall request the Legislative Service Office to post notice of the meeting on the Legislative website. Failure to comply with this subsection shall not invalidate or constitute cause for objection to the report of the conference committee.

#### REPORT OF CONFERENCE COMMITTEE

- 2-3 (a) Report of a conference committee shall be made with two original copies. A majority of the conferees from each house are to sign both copies in the proper places with the chairman from each house signing the top line of their sections. The chairman from the house of the bill's origin shall deliver the two (2) signed copies to his Chief Clerk for processing and approval as to form. The house of origin shall consider the report first. [Ref: Mason's § 771]
- (b) An objection that a first conference committee has not confined itself to the scope of its authority to propose amendments pursuant to Joint Rule 2-1(b), or that a conference committee failed to provide notice of a meeting as required by Joint Rule 2-2(b), shall be made from the floor prior to the vote on the report, and if not made at that time is not in order at a later time.

#### RECEDING FROM NON-CONCURRENCE

- 2-4 (a) If the house of the bill's origin adopts a conference committee report that adopts all of the amendments of the second house and makes no other amendment to the bill, the house of origin shall be deemed to have receded from its non-concurrence and to have concurred in the amendments of the second house. The action of the house of origin in adopting the conference committee report constitutes final passage of the bill with the amendments of the second house.
- (b) Notwithstanding Senate Rules 10-8, 12-10, 12-11 or 14-4 and House Rules 10-10, 12-11 or 14-4, and any other rule to the contrary, if the second house fails to appoint a first or subsequent conference committee or if a majority of the conferees appointed by the second house fail to sign a conference committee report described in

subsection (a) of this rule, the house of the bill's origin may at any time while the bill is in its possession consider a motion to recede from its non-concurrence. Only the motion to recede from non-concurrence shall be in order. The action of the house of origin in adopting a motion to recede from non-concurrence constitutes final passage of the bill with the amendments of the second house.

- (c) Upon adoption of a conference committee report described in subsection (a) of this rule or the adoption of a motion to recede from non-concurrence under subsection (b) of this rule, the bill shall thereupon be sent for enrollment. A message that the house of origin has receded from its non-concurrence shall be sent to the second house.

### 3. MESSAGES

#### MESSAGES, BY WHOM

- 3-1 Messages shall be sent by persons each house determines to be proper. [Ref: Mason's §§ 761, 763]

#### MESSAGES ON ACTION TAKEN

- 3-2 Notice of action of either house to the other shall be in writing and over the signature of the chief clerk of the house from which the notice is sent and addressed to the presiding officer of the other house. [Ref: Mason's § 761]

#### MESSAGES ON REJECTED BILLS

- 3-3 When a bill, which has passed in one house, is rejected by the other, a message shall be immediately given to the house in which the bill had passed and the bill transmitted with the message. [Ref: Mason's §§ 761, 769]

#### MESSAGES OF FINAL ACTION ON A BILL

- 3-4 When a bill has been finally acted upon by either house, the chief clerk thereof shall, by message, inform the other house of such final action and of any unengrossed amendments thereto. The message, upon receipt, shall be entered upon its journal. Messages shall identify the bill covered thereby by referring to the number and giving a short title, setting

forth in a general way the subject thereof. [Ref: Mason's § 761]

#### MESSAGES, RECEIPT OF

- 3-5 A receipt shall be taken from the person to whom messages and bills are delivered when same are conveyed from house to house or from one area of responsibility to another. [Ref: Mason's § 763]

#### 4. ENGROSSING AND ENROLLING

##### ENGROSSING

- 4-1 When a bill has passed the house of origin with amendments, it shall first be delivered to the Legislative Service Office to be engrossed with all adopted amendments before the bill is forwarded to the second house for action. A bill delivered to and in the possession of the Legislative Service Office for engrossing shall not be recalled for further action by the first house without the consent of the second house.

##### ENROLLING

- 4-2 Every bill which has passed both houses shall be delivered by the house which last took action on the bill to the Legislative Service Office which shall promptly prepare the enrolled act to include all adopted amendments in proper form and deliver the act to the chief clerk of the house of origin. A bill received by the Legislative Service Office under this rule shall not be recalled by the second house without the consent of the house of origin. The chief clerk shall endorse on the back of the last sheet of each enrolled act a certificate specifying the house of origin. [Ref: Mason's §§ 702, 738]

##### ENROLLED ACT SIGNING

- 4-3 When enrolled acts are presented to the presiding officer for signing, they shall be the first order of business after the current order and be signed immediately after their titles have been publicly read and the fact of signing shall be entered in the journal. [Ref: Mason's §§ 738, 739]

##### PRESENTMENT TO GOVERNOR

- 4-4 When both presiding officers have signed an enrolled act, the messenger shall present the act to the governor for approval

and exchange the act for a signed receipt which gives the day and hour of presentation to the governor. [Ref: Mason's §§ 740]

5. RE-INTRODUCTION OF REJECTED BILLS

5-1 When a bill has been passed in one house and rejected by the other, it shall not be brought in again during the same session, without a notice of three (3) days and approval by a majority of the house in which it is to be renewed. However, the same bill shall not be presented more than twice in either house.

6. BOTH HOUSES RECEIVE ALL BILLS

6-1 The Legislative Service Office shall distribute a sufficient quantity of bills to both houses for the use of members and staff.

7. JOURNAL ENTRIES

7-1 Journal entries shall show:

(a) Each successive step relative to every bill, shown by number and title only, from introduction into the house up to and including all proposed amendments and action on them. Substitute bills when offered as amendments shall be referenced in the journal by title only;

(b) The full bill title shall be shown in the journal at time of bill introduction and when the bill is next shown in the journal after the title has been amended. All other reference to the bill shall be shown by number and catch line title only;

(c) Messages from the governor and the other house.

[Ref: Mason's §§ 694 to 703]

7-2 At the conclusion of each legislative work day the chief clerk of each house shall have prepared a journal of actions as required by the Constitution, statutory laws and these rules.

8. STATUS SHEETS AND CALENDAR

8-1 The Legislative Service Office shall distribute, each evening, lists showing all action on bills during that day

and showing on the next day's calendar the position of each bill in the possession of the appropriate house.

9. JOINT SPONSORSHIP OF BILLS

9-1 Bills may be cosponsored-sponsored by members of both houses. [Ref: Mason's § 618]

9-2 Any standing committee of the Senate and corresponding committee of the House may, by vote of the majority in each house, act together as a joint committee for the preparation and introduction of bills or for the consideration of bills assigned to the committees.

10. PROCEDURAL AUTHORITY

10-1 The "Wyoming Manual of Legislative Procedures" shall govern procedural matters for the Legislature not shown elsewhere in these rules and not inconsistent with those found in the Wyoming Constitution. Changes to this manual shall be made only with the consent of the rules committees of the Senate and House. [Ref: Mason's § 2]

10-2 All relations between the houses which are not covered by these rules, the Wyoming Statutes and Constitution or the above Manual shall be governed by Mason's "Manual of Legislative Procedure". [Ref: Mason's §§ 30 to 32]

11. ADOPTION OF RULES

11-1 Adoption of separate Senate and House rules shall be accomplished independently by the affirmative vote of the majority of those elected to each body. The joint rules governing relations between the houses shall be adopted by a similar majority as the bodies vote separately on the same question. [Ref: Mason's §§ 10 to 12]

TEMPORARY RULES

11-2 As early as possible, each house of each new legislature shall adopt by a majority of those elected, the rules of the previous legislature as the temporary rules of the new legislature.

### PERMANENT RULES

11-3 By the close of business on the 5th day of each new legislature, the separate rules committees shall submit their recommendation of permanent rules for consideration and adoption in each house by a majority of those elected. A joint meeting of Senate and House rules committees shall make recommendations on the joint rules for each new legislature before adoption of permanent rules. These permanent rules shall govern all sessions of a legislature unless changes are properly adopted.

### SUSPENSION OR CHANGE OF RULES

11-4 No joint rule shall be changed, suspended or rescinded except by a vote of at least two-thirds of the elected members of the House and Senate. [Ref: Mason's §§ 279 to 286, 407]

### AMENDMENTS

11-5 All amendments, failed or adopted, shall be retained in the bill jacket after action has been taken on the proposed amendments, to be preserved in the Secretary of State's office as a permanent record.

## 12. ADMINISTRATIVE RULE ORDERS

12-1 On or before the final day for bill introduction each house shall schedule Committee of the Whole action on administrative rule reports and proposed legislative orders disapproving specified administrative rules, together with expressions of legislative intent, received from the Legislative Management Council as required by W.S. 28-9-107. Members of the Management Council in each house shall present the recommendations contained in the reports. The proposed orders are subject to debate, amendment, three readings and roll call votes in each house and conference committees in the same manner as bills except that it shall be referred directly to the Committee of the Whole and that there shall be no requirement for a two-thirds affirmative vote for introduction during the Budget Session. Recommendations receiving the approval of each house shall be denoted Legislative Orders, signed by the Speaker of the House and President of the Senate, entered in the Journal and presented to the Governor as prescribed by Article 3, Section 41, Wyoming Constitution.

13. STANDING COMMITTEE REPORTS

13-1 When a standing committee has adopted a recommendation of Do Pass on a bill or resolution, the committee report shall be presented to the Presiding Officer for placement on General File within two (2) working days of the standing committee vote unless given leave otherwise by the Presiding Officer.

14. GENERAL APPROPRIATIONS BILL

14-1 (a) An identical bill titled the general appropriations bill shall be introduced in both the Senate and the House as identical or "mirror" bills. Only one (1) of the introduced mirror bills shall be enacted into law. This rule applies to the supplemental general appropriations bill introduced during a General session in the same manner as the general appropriations bill introduced during a Budget session.

(b) (i) During committee of the whole, second reading or third reading of a mirror budget bill, each section of the bill or portion of a section, including any amendments to that section or portion of a section, shall be considered only once during that reading even though that reading may be extended beyond one day. For the purpose of this subsection, a section of the bill means a separately numbered section dealing with an agency's budget or a complete, separate numbered section, such as a "Section 200". A portion of a section means a separately listed line item within that section. The sequence in which the sections of the budget bills are considered shall be the same for both houses;

(ii) Following introduction in the first house, the mirror budget bill shall be referred to the committee of the whole;

(iii) Notwithstanding Senate Rule 7-8 and House Rule 7-9, third reading of a mirror budget bill in the first house shall be conducted on the second legislative working day following the day second reading is completed.

(c) An amendment may refer to or affect a section or portion of a section of the bill previously considered on the same reading when it is necessary for conformance or

when it is essential to the intent of the amendment to the section under consideration. Any amendment which deals with a section that was previously considered on the same reading is not divisible as to that previously considered section.

- (d) Notwithstanding House Rule 7-11 or Joint Rule 4-1, upon passage by the house of origin, a mirror budget bill shall be delivered directly to the second house for action without engrossing, but shall be accompanied by amendments adopted by the first house. A bill so delivered to, and in the possession of, the second house shall not be recalled for further action by the first house without the consent of the second house.
- (e)
  - (i) When a mirror budget bill has passed the house of origin, the bill shall be referred to the standing appropriations committee of the second house. The standing committee shall identify amendments from the house of origin which are identical to amendments adopted by the second house with respect to its own mirror budget bill. The standing committee shall submit a list of those amendments so identified to the second house. No action shall be taken regarding this list;
  - (ii) As to all other amendments from the house of origin, the committee shall provide a list of them in the committee's report, but shall not recommend adoption or rejection and shall not propose any modifications to those amendments. It shall be out of order for the standing appropriations committee to propose any other amendment to the mirror budget bill.
- (f)
  - (i) Notwithstanding Senate Rules 7-1 and 6-1, House Rules 7-1 and 6-1, and any other rule to the contrary, the mirror budget bill passed by the house of origin shall, after the standing appropriations committee of the second house has reported the bill back to the second house, be placed and considered by the second house on third reading. Each amendment on the list specified in paragraph (e)(ii) of this rule in the standing committee report from the house of origin shall be explained on the floor by a member of the

appropriations committee designated by the chairman;

- (ii) Consideration on third reading in the second house of the mirror budget bill passing the house of origin shall be limited to an explanation of, or, at the direction of the presiding officer, a non-binding ("straw poll") vote regarding each of the amendments adopted by the house of origin which are not identical to amendments adopted by the second house on its own mirror budget bill. Any other amendment shall be out of order. If a "straw poll" vote is taken, Senate Rule 8-1(a) and House Rule 8-1 do not apply to debate on amendments to the mirror budget bill being considered on third reading in the second house to the extent those rules limit members to speaking no more than twice on the same issue. Third reading may be extended beyond one (1) day to consecutive days to permit explanation of, or "straw poll votes" on amendments. Non-binding ("straw poll") votes shall be taken by roll call only at the direction of the presiding officer. The purpose of these "straw poll" votes are solely to provide non-binding guidance to members of the conference committee from the house in its deliberations on developing a conference committee report.
- (g) After all third reading amendments have been considered, no third reading vote will be taken, and the bill shall not be sent back to the house of origin for concurrence. Rather, both mirror budget bills will be immediately referred to the same joint conference committee appointed by the presiding officers of both houses.
- (h) Notwithstanding Senate Rule 2-9, House Rule 2-5 or Joint Rules 2-1 through 2-3, the following rules shall govern joint conference committee action on mirror budget bills:
  - (i) Both mirror budget bills shall be referred to a single joint conference committee on the budget as soon as third reading in the second house is completed;
  - (ii) The presiding officers of each house shall, in accordance with these rules and "Mason's Manual of

Legislative Procedure," appoint a conference committee of five (5) to confer on the two mirror budget bills. A majority of each conference committee shall be appointed from the prevailing side on the vote for third reading and final passage of the mirror budget bill originating in that house. During the Budget Session, the chairmanship of any joint conference committee on the mirror budget bills shall alternate between the house and Senate for each day the joint conference committee meets with the Senate having the chairmanship on the first meeting day;

- (iii) The first joint conference committee appointed is not a free committee, but each successive committee appointed thereafter shall be a free conference committee as defined in Section 773 of "Mason's Manual of Legislative Procedure";
  - (iv) The joint conference committee shall consider and dispose of each adopted Senate amendment to the Senate mirror budget bill and each adopted House amendment to the House mirror budget bill. Only one (1) report shall be submitted for both mirror budget bills and only one (1) of the two (2) mirror budget bills referred to the committee shall be reported back to both houses. The mirror budget bill not reported back to both houses shall be regarded as automatically tabled;
  - (v) The signed joint conference committee report shall be simultaneously referred to both houses for concurrence.
- (j) Notwithstanding Senate Rule 12-10, House Rule 12-11 or Part II (3) of the Wyoming Manual of Legislative Procedures, a motion for reconsideration of a vote on a mirror budget bill shall be in order only on the same day that the original vote was taken and only if the bill is still in the possession of that house. The vote on the motion to reconsider shall be taken no later than the last item of business on the day of the original vote. If a vote to reconsider has passed or failed on a motion under this subsection, it shall not be in order to move to rescind the vote on that motion.

- (k) In the event one house fails to pass on third reading the mirror general appropriations bill originally introduced in that house, the following shall apply:
- (i) The mirror general appropriations bill passed in the opposite house shall be engrossed with all amendments passed by that house and shall be delivered to the second house. That bill shall thereafter be referred to as the "state general appropriations bill" and shall be deemed to be the general appropriations bill for all purposes;
  - (ii) Subsections 14-1(b) and (c) of this rule shall apply to consideration of the state general appropriations bill in the second house;
  - (iii) Notwithstanding Senate Rule 2-9, House Rule 2-5 or Joint Rules 2-1 through 2-3, the following rules shall govern joint conference committee action on the state general appropriations bill:
    - (A) The presiding officers of each house shall, in accordance with these rules and "Mason's Manual of Legislative Procedure," appoint a conference committee of five (5) to confer on the state general appropriations bill. A majority of each conference committee shall be appointed from the prevailing side on the vote for third reading and final passage of the bill. During the Budget Session, the chairmanship of any joint conference committee on the state general appropriations bill shall alternate between the house and Senate for each day the joint conference committee meets with the Senate having the chairmanship on the first meeting day;
    - (B) The first joint conference committee appointed is not a free committee, but each successive committee appointed thereafter shall be a free conference committee as defined in Section 773 of "Mason's Manual of Legislative Procedure";
    - (C) The signed joint conference committee report shall be simultaneously referred to both houses for concurrence.

(iv) Except as otherwise provided in Joint Rule 14-1(k)(2), the provisions of Joint Rule 14-1(a) through (j) shall not apply to the state general appropriations bill.

(m) Amendments to Mirror Budget Bills.

(i) It shall be out of order to propose an amendment to a mirror budget bill during committee of the whole consideration in the first house;

(ii) No amendment shall be considered on second reading of a mirror budget bill in the first house unless:

(A) The amendment has been submitted to the legislative attorneys for preparation not later than the conclusion of consideration of the mirror budget bill during committee of the whole; and

(B) The sponsor has approved the text of the amendment and authorized the amendment to be numbered and distributed not later than 10:00 a.m. on the succeeding legislative working day.

(iii) Except as provided in Joint Rule 14-1(m)(iv), no amendment shall be considered on third reading of a mirror budget bill in the first house unless:

(A) The amendment has been submitted to the legislative attorneys for preparation not later than the conclusion of second reading of the mirror budget bill; and

(B) The sponsor has approved the text of the amendment and authorized the amendment to be numbered and distributed not later than 10:00 a.m. on the succeeding legislative working day.

(iv) Only the following amendments shall be submitted to the legislative staff for preparation on the day third reading of a mirror budget bill is to begin in the first house:

- (A) Amendments to correct errors identified in the bill, correct errors in previously adopted amendments and to transfer funds necessary to support the total appropriations contained in the bill; and
  - (B) Amendments sponsored by the chairman of the standing appropriations committee or his designee.
- (v) The legislative service office shall distribute to the members and the public all approved amendments as soon as practicably possible after the amendment approval deadlines specified by Joint Rule 14-1(m)(ii)(B) and (iii)(B). A reading of the budget bill shall start not earlier than twenty-four (24) hours after the deadline to approve amendments for that reading.

#### 15. ELECTION CONTESTS

- 15-1 (a) Upon receipt of notice of election contest and supporting documents from the secretary of state pursuant to W.S. 22-17-112, the presiding officer of the Senate if the contest is for the office of state Senator, or the presiding officer of the house if the contest is for the office of state representative, shall, as soon as possible, appoint a special committee to hear the contest. A special committee in the Senate shall consist of five (5) members and a special committee in the house shall consist of nine (9) members. Committee appointments shall be apportioned as nearly as possible to reflect the percentage of the elected members of the majority and minority parties of the appropriate house. The presiding officer of the appropriate house shall also appoint a chairman of the committee.
- (b) (i) The appointed committee shall hear the election contest as expeditiously as possible;
- (ii) Each party to the proceedings may be represented by counsel and shall be afforded reasonable opportunity to be heard and to present oral argument. In accordance with W.S. 22-17-111, any party may, under procedures applicable to a civil action, take the deposition of any witness at any time after service of notice of intent to contest

pursuant to W.S. 22-17-110. For purposes of this rule, "party" means any contestant and any person who is certified as elected by the state canvassing board whose election is being contested;

- (iii) The burden of proof is on the contestant to prove at least one (1) of the grounds specified under W.S. 22-17-101(a) by a preponderance of the evidence. If the contest is based upon grounds specified under W.S. 22-17-101(a)(iv) or (v), the contestant also has the burden of proving that any irregularities shown were of such a nature that, if not for the irregularities or for any illegal votes counted for the person declared elected, that person would not have been elected;
  - (iv) In proceedings before the committee, irrelevant, immaterial or unduly repetitious evidence shall be excluded and no recommendation shall be made unless supported by the type of evidence commonly relied upon by reasonably prudent men in the conduct of their serious affairs. Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. A party may conduct cross-examinations required for a full and true disclosure of the facts and a party is entitled to confront all opposing witnesses.
- (c)
- (i) All proceedings of the committee concerning election contests shall be electronically recorded. The committee shall provide all parties advance notice of each meeting, hearing or other proceeding of the committee concerning the election contest;
  - (ii) The chairman of the committee shall have the power to administer oaths and to compel the attendance of witnesses and the production of documents relevant to the contest, as authorized by W.S. 28-1-107 through 28-1-112. Any testimony made at any committee hearing or before the appropriate house which purports to establish matters of fact shall be made under oath.
- (d) Not later than the fourth legislative day following the date the committee was appointed, the committee shall report its findings and final recommendation to the appropriate house. The final recommendation of the

committee shall be to either sustain or reject the election contest.

- (e) (i) As soon as practicable but not later than the second legislative day following receipt of the committee report pursuant to subsection (d) of this rule, the appropriate house shall consider the committee findings and final recommendation. Only a motion to sustain or reject the election contest shall be in order. The motion is debatable;
  - (ii) Debate on the motion to sustain or reject the election contest shall be limited as follows:
    - (A) No member may speak more than twice on the motion; and
    - (B) No member shall occupy the floor more than five (5) minutes each time that he speaks; and
    - (C) There shall be no extensions of time under this rule.
  - (iii) Once deliberations begin on a motion to sustain or reject the election contest, the house or Senate, as applicable, shall not adjourn until the contest is decided;
  - (iv) If a quorum to transact business is present, a majority of the members of the appropriate house who are present may sustain or reject the election contest.
- (f) Following a determination under subsection (e) of this rule, the presiding officer of the house or of the Senate, as applicable, shall inform the governor and the secretary of state of the decision.
  - (g) A decision of either house under this rule is final and shall not be subject to appeal.
  - (h) If the election contest is rejected by the applicable house, the individual whose election was contested shall, for purposes of salary, per diem and mileage, be treated as if the contest had not been initiated.

16. STANDING COMMITTEE RECORDS

- 16-1 (a) Except for the following designated records, no written document in the possession of a standing committee and no minutes or other record purporting to reflect an action or recommendation of a standing committee shall be deemed to be an official record of the Wyoming Legislature:
- (i) Standing committee reports;
  - (ii) Record of votes reported pursuant to Senate Rule 5-4 and House Rule 5-4(c);
  - (iii) Rulings by the Senate Rules and Procedure committee under Senate Rule 12-2(b);
  - (iv) Reports of recommendations on confirmation of appointments required by Senate Rule 16-1(c);
  - (v) Other written records reflecting formal committee action or recommendation which are approved and signed by the committee chairman and which are reported to the full body of the House or Senate and are made a part of the journal.
- (b) Except as provided by subsection (a) of this section, all other documents and records developed by, presented to, or in the possession of, a standing committee during a Legislative session are deemed to be unofficial temporary working papers of the standing committee and shall not be preserved as an official record of the Wyoming Legislature following adjournment of the session.

17. JOINT INTERIM COMMITTEE RULES

- 17-1 (a) Subject to subsection (b) of this section, the standard rules for joint interim committees, attached as Appendix "A" to the Joint Rules of the House and Senate, shall be the rules of each joint interim committee of the Legislature.

**JR 17-1(b) as Adopted by the House:**

- (b) Subsection (a) of this section shall not apply to a joint interim committee which adopts alternative rules at its first regularly scheduled meeting following adjournment of the general session.

**JR 17-1(b) as Adopted by the Senate:**

- (b) Subsection (a) of this section shall not apply to a joint interim committee which adopts alternative rules at its first regularly scheduled meeting following adjournment of the general session. Adoption of alternative rules by a joint interim committee under this subsection shall require a majority vote of the appointed members from each house serving on the committee.

18. SPECIAL SESSIONS

- 18-1 (a) The legislature may call itself into special session if a majority of the membership elected to both houses responds in the affirmative to a written poll of the membership conducted by the Legislative Service Office at the joint direction of the presiding officers of each house.
  - (b) The presiding officers of each house:
    - (i) May initiate the written poll of the membership under subsection (a) of this rule by their joint agreement; and
    - (ii) Shall initiate the written poll of the membership under subsection (a) of this rule upon the written request of not less than thirty-five percent (35%) of the membership elected to each house, signed by those members.
  - (c) When a majority of the membership elected to both houses responds in the affirmative to the written poll conducted pursuant to subsection (a) of this rule, the President of the Senate and the Speaker of the House shall jointly announce the results of the poll and establish a date for the convening of the special session.
  - (d) In responding to a written poll conducted pursuant to subsection (a) of this rule, or in signing a written request to the President and Speaker under paragraph (b)(ii) of this rule, a facsimile signature of a legislator may be accepted provided it is followed by a written document bearing the legislator's manual signature.

## 19. RELATIONS BETWEEN HOUSES

### REQUEST FOR RETURN OF BILL

19-1 Upon a motion to return a bill from one house to the other for corrective action, or for the purpose of reconsideration, which is adopted by two-thirds (2/3) of the members elected to the requesting house, the presiding officer shall direct the chief clerk to send a message to the presiding officer of the house currently in possession of the bill requesting that the bill be returned for necessary action. Upon the affirmative vote of two-thirds (2/3) of the elected members of the house having possession of the bill, the bill shall be returned to the requesting house. [Mason's Sec. 762]

## 20. PRESIDENTIAL ELECTION CONTEST

20-1 (a) Upon receipt of a notice of an election contest pursuant to W.S. 22-17-114, the Legislative Service Office shall forward a copy of the notice to the President of the Senate, the Speaker of the House of Representatives and to each member of the Legislature.

(b) (i) The President and Speaker shall as expeditiously as possible investigate the allegations contained in the notice to determine whether there appears to be a substantial factual basis for the allegations and whether, if proven, the alleged irregularities or illegal votes complained of would likely have affected the final outcome of the contested election. In carrying out this investigation the President and Speaker may direct the Management Council or a subcommittee of the Council to meet, take evidence and testimony, and provide a recommendation to the President and Speaker on the question of calling a special session of the Legislature pursuant to Wyoming Constitution, Article 3, Section 7(a)(ii);

(ii) If, following investigation, the President and Speaker determine that it would be appropriate, they shall jointly issue a proclamation calling and establishing a date for the convening of a special session to resolve the election contest.

(c) (i) On the date set for convening a special session under this rule, the Senate and House of

Representatives shall meet in joint session in the House Chamber at which time the members will be advised of the nature of the election contest and shall be provided with any information and supporting documentation presented to the President and Speaker during the course of their preliminary investigation. The President of the Senate shall preside at the Joint Session;

- (ii) At the conclusion of the joint session, the Senate shall withdraw and the two houses shall separately deliberate on the issues presented.
- (d) (i) At the direction of the presiding officer, the House or Senate may conduct its investigation sitting as the entire body or may appoint a select committee to hear the election contest and present a recommendation. If a select committee is appointed, its membership shall be apportioned as nearly as possible to reflect the percentage of the elected members of the majority and minority parties of that house;
- (ii) The party initiating the election contest shall be provided with advance notice of each meeting, hearing or other proceeding of the House, Senate or any select committee concerning the election contest. The party may be represented by counsel and shall be afforded reasonable opportunity to be heard and to present oral argument;
- (iii) In conducting its investigation, each house shall determine whether the allegations giving rise to the election contest are supported by substantial evidence and whether any irregularities shown were of such a nature that, if not for the irregularities or for any illegal votes counted the final results of the election which is the subject of the election contest would have been different;
- (iv) In proceedings before the House or Senate, or their select committees, irrelevant, immaterial or unduly repetitious evidence shall be excluded and no recommendation shall be made unless supported by the type of evidence commonly relied upon by reasonably prudent men in the conduct of their serious affairs. Documentary evidence may be

received in the form of copies or excerpts, if the original is not readily available.

- (e) (i) All proceedings of each house and any select committee concerning election contests shall be electronically recorded;
- (ii) The Presiding officer or the chairman of the select committee shall have the power to administer oaths and to compel the attendance of witnesses and the production of documents relevant to the election contest. Any testimony made at any committee hearing or before the appropriate house which purports to establish matters of fact shall be made under oath.
- (f) (i) Upon conclusion of its investigation, each house shall separately consider a motion to sustain or reject the election contest. No other motion shall be in order. The motion is debatable;
- (ii) Debate on the motion to sustain or reject the election contest shall be limited as follows:
  - (A) No member may speak more than twice on the motion;
  - (B) No member shall occupy the floor more than five (5) minutes each time that he speaks; and
  - (C) There shall be no extensions of time under this rule.
- (iii) Once deliberations begin on a motion to sustain or reject the election contest, the House or Senate, as applicable, shall not adjourn until the election contest is decided;
- (iv) If a quorum to transact business is present, a majority of the members of the appropriate house who are present may sustain or reject the election contest.
- (g) (i) Upon conclusion of their deliberations, the House and Senate shall again meet in Joint Session in the House Chamber at which time the presiding officer of each house shall announce the results of the

final vote taken by their body on the question of sustaining or rejecting the election contest;

- (ii) An election contest shall be deemed to be sustained by the Legislature only if a motion to sustain the election contest has been adopted by both the Senate and the House of Representatives.
- (h) Following a determination under this rule, the presiding officers of the House and Senate shall jointly certify the decision of the Legislature to the governor and the secretary of state.
- (j) A determination of the election contest by the Legislature under this rule is final and conclusive and is not subject to judicial review.

#### 21. FORMAT OF BILLS AND AMENDMENTS

- 21-1 (a) In the preparation of each bill amending any chapter, article, section, subsection or other portion of an existing Wyoming Statute or adding to such Statutes, the following provisions shall govern:
- (i) *LINE OUT DELETIONS*. Whenever any word or combination of words in any existing statute or any portion thereof is omitted in the drafting of a bill therefor, such omission shall be indicated by showing it in full with a line through all material to be omitted;
  - (ii) *UNDERLINE ADDITIONS*. Whenever any new word or combination of words appears in a bill therefor, whether or not substituted for any word or combination of words in any existing statute or statutes, such new words shall be so indicated by being underlined;
  - (iii) *NEWLY CREATED STATUTE*. When a new statute is being created in a bill, new language will not be underlined.
- (b) In the preparation of an amendment amending any chapter, article, section, subsection or other portion of an existing Wyoming statute or adding to such statutes, the following provisions shall govern:

(i) *AMENDMENT BY USE OF DIRECTIVE WORDS.*

- (A) Omission of words from an existing statute shall be indicated by the directive to "strike" the identified word;
- (B) Addition of words to an existing statute shall be indicated by the directive to "insert" the new word which shall be shown as underlined;
- (C) Omission of words from a newly proposed statute shall be indicated by the directive to "delete" the identified word;
- (D) Addition of words to a newly proposed statute shall be indicated by the directive to "insert" the new word which shall not be shown as underlined.

(ii) *AMENDMENTS IN CONTEXT.*

- (A) An amendment may also delete specified lines of a bill and insert new lines indicating, in the insertion, deletions and additions in the same manner as provided in Joint Rule 21-1(a);
- (B) When engrossing or enrolling an adopted amendment prepared pursuant to Joint Rule 21-1(b)(2)(A), the legislative service office shall give effect only to those words added to an existing statute that are specifically indicated by underlining and to the deletion of words from an existing statute that are specifically indicated by line out.

22. ETHICS COMPLAINTS

22-1 (a) The legislature finds that:

- (i) The ethics complaint procedure under this rule allows for receipt and investigation of complaints alleging legislative misconduct by members of the House and Senate;
- (ii) The House and Senate have authority to determine the rules of their proceedings and to punish

members for contempt or disorderly behavior in their presence and for conduct that seriously impugns the integrity and general order of the houses;

- (iii) An ethics investigation instituted for the purposes of advancing political interests, not connected with intended legislation or any matters upon which a house should act, or instituted merely to subject a member of the House or Senate to public animadversion, is not a proper legislative proceeding;
  - (iv) The right of the electors to be represented by the candidate of their choosing is essential for the preservation of all other rights and shall be recognized by the houses when considering ethics complaints;
  - (v) The ethics complaint procedure under this rule shall be reserved for substantiated allegations of legislative misconduct and in all other circumstances, the members of the House and Senate shall be ultimately responsible directly to the electorate.
- (b) Nothing in this rule shall prohibit the House and Senate from taking any action or adopting any procedure to preserve order and decorum in the houses pursuant to the authority granted in the Wyoming Constitution.
  - (c) The Speaker or President, as appropriate, shall receive written, signed complaints alleging legislative misconduct by a member of the House or Senate.
  - (d) Legislative misconduct is defined as conduct involving legislative duties that constitutes:
    - (i) A violation of Article 3 of the Wyoming Constitution;
    - (ii) A violation of the Ethics and Disclosure Act, W.S. 9-13-101, et seq;
    - (iii) A violation of any of the Wyoming Conflict of Interest Statutes;

- (iii) Violence or disorderly conduct during legislative meetings, sessions, or during the performance of legislative duties; ~~or~~
  - (iv) Bribes or offers of bribes;
  - (v) A violation of the rules of the House or Senate pertaining to ethical standards for legislators or preventing disorderly conduct; or
  - (vii) Any other conduct that constitutes a felony.
- (e) A complaint alleging legislative misconduct by a member of the House or Senate shall meet the following criteria:
- (i) The complaint shall be in writing;
  - (ii) The complaint shall:
    - (A) Be based on unique personal knowledge;
    - (B) State detailed facts;
    - (C) Specify the actions of the named member which form the basis for the complaint;
    - (D) Attach all documentation on which the complaint is based; and
    - (E) Identify how the specific alleged violation constitutes legislative misconduct.
  - (iii) The complaint shall be signed by the person alleging the legislative misconduct.
- (f) A copy of the complaint shall be provided to the member against whom the complaint is filed.
- (g) The presiding officer, after consultation with the majority and minority floor leaders, shall summarily dismiss any complaint which:
- (i) On its face appears to be frivolous or submitted for any improper purpose;

- (ii) Alleges facts that if taken as true and construed in the light most favorable to the complainant do not constitute legislative misconduct;
  - (iii) Is insufficient as to form.
- (h) Notice of summary dismissal shall be provided to the complainant.
- (j) All records, findings and proceedings including the filing of the initial complaint shall be considered confidential information, but the complaint shall be available for public inspection upon the dismissal of the complaint, a referral of the complaint for formal investigation or other final dispositive action regarding the complaint.
- (k) Except as provided in subsection (g) of this rule, whenever a complaint is received pursuant to this rule, the presiding officer shall forward the complaint to the appropriate subcommittee of Management Council to review the complaint, determine whether there is probable cause that legislative misconduct has occurred and make recommendations to the presiding officer. The subcommittee shall consist of those members of Management Council who serve in the same house as the member against whom the complaint is filed. The subcommittee's review shall be subject to the following:
  - (i) The test for determining the existence of probable cause is whether a factual situation is sufficient to warrant a reasonably prudent person, informed of legislative procedures and duties, to believe that legislative misconduct has occurred;
  - (ii) The Council subcommittee shall notify the member against whom the complaint was brought that it is reviewing the complaint. The member complained against may submit a written answer to the subcommittee. The subcommittee shall have the discretion to determine what additional evidence, if any, is presented during the course of its review;
  - (iii) Unless specifically invited, neither the complainant nor the member against whom the complaint has been filed shall have the right to

attend or present evidence at any meeting of the Council subcommittee;

- (iv) The review by the Council subcommittee shall be conducted in executive session and no record of the hearing will be kept;
  - (v) No determination of the Council subcommittee concerning probable cause is appealable by any person;
  - (vi) If the Council subcommittee determines that the complaint alleges criminal activity, the subcommittee may recommend that further proceedings under this rule be held in abeyance pending completion of any criminal investigation;
  - (vii) A finding of probable cause of legislative misconduct or any dispositive action shall require the affirmative vote of a majority of the Council members serving on the subcommittee;
  - (viii) If the Council subcommittee does not find probable cause of legislative misconduct the complaint shall be dismissed and the complainant and member will be so advised;
  - (ix) If the Council subcommittee finds probable cause of legislative misconduct but determines that the interests of justice and the house would not be furthered by a formal investigation under subsection (m) of this rule, it shall make an appropriate recommendation to the presiding officer for remedial action. In all other circumstances where it determines probable cause exists, the Council subcommittee shall refer the complaint for formal investigation in accordance with this rule.
- (m) Upon a referral for formal investigation under subsection (k)(ix) of this rule, a special committee shall be appointed to formally investigate the complaint. If the Legislature is not in session, the special committee shall be appointed by the Management Council subcommittee that conducted the review. If the Legislature is in session the special committee shall be appointed by the presiding officer of the appropriate

house. A special committee shall be subject to the following:

- (i) A special committee investigating a complaint against a senator shall consist of 5 senators and a special committee investigating a complaint against a representative shall consist of 9 members of the House of Representatives. Committee appointments shall be apportioned as nearly as possible to reflect the percentage of the elected members of the majority and minority parties of the appropriate house. The appointing authority shall designate the chairman of the committee;
- (ii) Proceedings of the special committee shall be subject to the following:
  - (A) All meetings of the committee will be open to the public;
  - (B) The member against whom the complaint is filed and the complainant shall be entitled to appear, present evidence, cross-examine witnesses and be represented by counsel;
  - (C) In proceedings before the committee, irrelevant, immaterial or unduly repetitious evidence shall be excluded and no recommendation shall be made unless supported by the type of evidence commonly relied upon by a reasonably prudent person, informed of legislative procedures and duties, in the conduct of their serious affairs;
  - (D) The chairman of the committee shall have the power to administer oaths and to compel the attendance of witnesses and the production of documents relevant to the complaint, as authorized by W.S. 28-1-107 through 28-1-112. Any testimony made at any committee hearing which purports to establish matters of fact shall be made under oath.
- (iii) The special committee may dismiss the complaint if a majority determines that the complaint is not substantiated or does not substantiate legislative misconduct without requiring further action by the

appropriate house. If not dismissed, the committee shall make recommendations to the appropriate house based upon the investigations conducted and hearings held pursuant to this rule. The committee may recommend dismissal of the complaint, reprimand, censure, expulsion or other discipline it deems appropriate. The appropriate house may dismiss the complaint, expel, censure, reprimand or otherwise discipline the member as it deems appropriate. Expulsion of a member shall require the affirmative vote of two-thirds of the members, as provided by Article III Section 12 of the Constitution. Reprimand or censure of a member shall require the affirmative vote of a majority of the elected members;

- (iv) If the legislature is not in session, the recommendation of the special committee shall be acted upon by the appropriate house during the next following special or regular session.
- (n) If the written signed complaint concerns legislative misconduct of:
  - (i) The presiding officer, then the duties of the presiding officer in this rule shall be the duties of the Senate Vice-President or the House Speaker pro tem as applicable;
  - (ii) A member of Management Council, then the presiding officer shall appoint another member to fill that member's role on the Management Council subcommittee investigating the complaint pursuant to subsection (k) of this rule.

## APPENDIX A

### SAMPLE INTERIM COMMITTEE RULES

#### I. OFFICERS.

##### A. Chairman. The chairman shall:

1. Call the committee together at the times and places necessary to enable the committee to properly perform its duties.
2. Preside over meetings of the committee and put all questions.
3. Maintain order and decide all questions of order subject to appeal to the committee present.
4. Prepare, or supervise the preparation of, reports of the committee and submit the reports to the legislature.
5. Authorize and approve or disapprove all committee expenditures and sign all vouchers for committee expenses to be presented to the Management Council.

##### 5. Vice Chairman. The vice chairman shall:

1. Perform all duties of the chairman in the absence of the chairman.

#### II. MEETINGS.

##### A. Call.

The chairman, the vice chairman in the absence or incapacity of the chairman, or a majority of the members of the joint interim committee, may call a meeting of the committee by sending by regular mail to each member of the committee written notice fifteen (15) days prior to the meeting. Written notice may be waived by unanimous consent of the entire committee. Attendance at any meeting constitutes waiver of written notice. Notwithstanding any other provision of this subsection, less than a quorum of the joint interim committee may meet and transact business provided the absent members are subsequently polled and asked to vote by written ballot on any action taken and further provided the action taken at the meeting is thereby approved by a majority of the members of the full committee.

B. Time and Place.

The time and place of meeting of the joint interim committee shall be designated by the chairman or by the vice chairman or members calling the meeting.

C. Agenda.

Notice of meetings of the joint interim committee shall contain an agenda of business to be considered, or state the purpose of the meeting. Reasonable efforts shall be made to give prior notice of all subjects to be acted upon.

**Sample Rules II.D. as Adopted by the House:**

D. Quorum.

The quorum necessary for the joint interim committee to transact business shall be a majority of the members. A majority of the quorum may act on any matter.

**Sample Rules II.D. as Adopted by the Senate:**

D. Quorum.

The quorum necessary for the joint interim committee to transact business shall be a majority of the members from each house who are appointed to serve on the committee. Except as provided herein, a majority of the quorum may act on any matter. A majority vote of the appointed members from each house serving on the committee is required to sponsor legislation. A majority vote of the appointed members from each house serving on the joint appropriations committee or another joint interim committee considering the general appropriations bill or the state capital construction bill is required to approve amendments to those draft bills.

E. Minutes.

Minutes of any meeting of the joint interim committee shall be approved and signed by the secretary before distribution to and approval by the members of the full committee.

### III. ORDER OF BUSINESS.

#### A. Standard Order of Business.

1. Roll call.
2. Reading and approval of minutes.
3. Motion to reconsider.
4. Unfinished business.
5. Subcommittee reports.
6. New business.
7. Adjournment.

#### B. Motion to Reconsider.

A motion to reconsider or to rescind actions of the committee, unless made at the same meeting at which the action was taken, may only be made upon fifteen (15) days prior written notice to each member of the committee, stating what action is to be reconsidered or rescinded.

### IV. SUBCOMMITTEES.

#### A. Composition.

1. Membership on subcommittees shall be distributed among House and Senate members to ensure nearly proportional representation. Further, membership on each subcommittee shall be apportioned to reflect as nearly as possible the same percentage of the majority and minority political parties as on the joint interim committee.
2. Subcommittees shall have a number of members as designated by the full committee, but no subcommittee shall have less than three (3) appointed members.

#### B. Quorum.

A quorum of a subcommittee with an even number of members shall be one-half (1/2) of the members, who may act on any question. A quorum of a subcommittee with an odd number of members shall be a simple majority of the membership, who may act on any question.

#### C. Duties.

Subcommittees shall perform the duties assigned to them and shall report on all matters referred to them. Actions of a subcommittee shall be reported in the form of proposals or recommendations to the full committee only,

and shall have no force or binding effect except by action of the full committee.

D. Rules.

1. Rules relating to the full interim committee shall be followed by subcommittees, except with regard to a quorum.
2. Subcommittees shall not call public hearings without the prior approval of the interim committee or the interim committee chairman.

E. Meetings.

1. The chairman of a subcommittee shall schedule meetings only with the prior approval of the interim committee chairman.
2. The chairman of a subcommittee shall authorize and approve or disapprove all subcommittee expenditures and sign all vouchers for subcommittee expenses.
3. A member of the joint interim committee may attend a meeting of any subcommittee of the joint interim committee whether or not he is a member of the subcommittee, but the person shall not have a vote in any action of the subcommittee. The chairman of the joint interim committee may authorize payment of expenses to the person.

V. ATTENDANCE AT OTHER MEETINGS.

The chairman of the joint interim committee may attend or designate a member of the joint interim committee to attend meetings of interest or concern to committee activities.

VI. PROCEDURAL GUIDELINES.

Mason's Manual of Legislative Procedure shall govern procedural matters for the joint interim committee and its subcommittees not covered elsewhere in these rules.