

Wyoming Manual of Legislative Procedures

Prepared by
Legislative Service Office

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DRAFT – 02.09.2023

WYOMING MANUAL

OF

LEGISLATIVE PROCEDURES

INTRODUCTION

The Wyoming Manual of Legislative Procedures is prepared by the Legislative Service Office under the direction of the Management Council with recommendations by the Chief Clerks of the House and Senate. The manual is reviewed by the Management Council at least every four years and proposed changes are recommended to the Rules Committees of the House and Senate pursuant to Rule 10-1 of the Joint Rules of the House and Senate. The current version of this manual was approved by the House and Senate during the ~~2008 Budget~~ 2023 General Session.

This manual governs procedural matters for the House and Senate not otherwise covered by House and Senate Rules and not inconsistent with the Constitution, including relations between the two houses. see Rule 10, Joint Rules of the House and Senate.

Unless otherwise specified, the procedures described in this Manual apply both to the Wyoming Senate and the House of Representatives.

Suggestions for changes or improvements to this Manual should be addressed to the director of the Legislative Service Office.

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WYOMING MANUAL OF LEGISLATIVE PROCEDURES

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PART I

The Wyoming Manual of Legislative Procedures

The authority of the Wyoming Manual of Legislative Procedures is specified in Joint Rule 10 and Senate Rule 1-1. House Rule 1-1 addresses the nomenclature for the Wyoming Manual of Legislative Procedures. The precedence of this Manual is also addressed in its introduction.

1. The provisions of the Wyoming Manual of Legislative Procedures may be suspended as to a particular action of a house by a majority vote of the elected members of the House or elected members of the Senate for actions in their respective bodies.
2. A ruling of a presiding officer based upon an interpretation of the Wyoming Manual of Legislative Procedures or based upon application of a provision of the Wyoming Manual of Legislative Procedures which is noted within that Manual as precedent or practice of the Wyoming Legislature shall be subject to appeal to the body of the House or Senate and a majority vote thereof.
3. Nothing in this section, shall be interpreted to supersede the required vote to rescind, change, add to or suspend a rule of the Senate as specified in S.R. 1-3, a rule of the House as specified in H.R. 1-3 or a joint rule as specified in J.R. 11-4.

PART II

STEPS IN THE LEGISLATIVE PROCESS

1. BILL DRAFTING.

All bills and resolutions must be prepared in proper form for introduction by the Legislative Service Office (LSO). (S.R. 4-2; H.R. 4-2) For information relating to requesting and processing of bill drafts, please refer to Appendix N and the Wyoming Legislative Handbook.

2. PRE-FILING AND ASSIGNMENT OF BILL NUMBERS.

Getting a bill assigned a bill number requires finalization of the fiscal note and receipt by the LSO of all sponsor/co-sponsor ~~approval forms~~ approvals. Sponsor and co-sponsor approvals may be submitted through the legislative extranet, by electronic and telephonic or direct verbal communications. Co-sponsor requests sent through the extranet are limited to fifteen. If sponsor or cosponsor approvals are submitted through means which do not provide an electronic record, the sponsor or cosponsor approval must be provided in a hard copy written form to the legislative service office. Additional procedures regarding bill pre-filing are found in Appendix N.

Bills receive numbers in the order in which approval forms are received, except that bill numbers are "reserved" for general appropriations bills and bills for appropriations for the legislature.

A bill which is assigned a number and "pre-filed" before the commencement of a Session is placed on the Legislature's website, distributed to requesting legislators and is available to the public upon request.

Bills may be pre-filed only by an incumbent legislator who will be a member of the next session of the legislature, a legislator-elect, or a legislative committee. An incumbent legislator who will not be a member of the next session of the legislature may have bills prepared by the LSO, but the bill shall not be pre-filed unless an incumbent legislator who will be a member of the next session of the legislature or a legislator-elect files a sponsor approval form for the bill with the LSO.

Legislative committees which may sponsor legislation include only committees as specified in W.S. 28-8-104(e). No committee, task force or other entity which includes non-legislators as voting members shall sponsor legislation.

3. BILLS IN THE HOPPER: FORMAL FILING FOR INTRODUCTION.

Following the opening of the Session, bills are formally filed with the appropriate Chief Clerk by the sponsor. Bills and resolutions that have been filed and assigned a number are said to be "in the hopper" and ready for further legislative action.

4. TIME LIMIT FOR INTRODUCTION OF BILLS.

Wyoming Constitution Article 3, Section 22 provides that no bill for the appropriation of money except for the expenses of the government shall be introduced within five days of the close of the session, except by unanimous consent of the body in which introduction is attempted. It has been the past custom of the legislature that this constitutional provision only applies to a regular general or budget session of the legislature, not to a special session.

As a matter of practice, both bodies provide by rule that no bill, other than the general appropriations bills, may be introduced after a specified deadline except by a 2/3 majority vote. (See, H.R. 4-5; S.R. 4-5.)

During a budget session, no bill shall be accepted for consideration (that is, signed and in final form to the LSO) after noon on the third legislative day except by unanimous consent of the membership in the Senate and by two-thirds of the membership in the House. No bill shall be considered for introduction (i.e., presented to the Senate or House for an introductory vote) after 5:00 p.m. (Senate) or 6:00 p.m. (House) on the 5th legislative day except by unanimous

consent of the membership in the Senate and by 2/3rds of the membership in the House. (See H.R. 13-2(a) and (b); S.R. 13-2.)

5. THREE READINGS OF BILLS: GENERAL REQUIREMENT.

While not constitutionally required, the rules of the House and Senate require that all bills be read three times with each reading on a different day. First reading takes place when the bill is introduced. The bill is then assigned to a standing committee which determines whether to return it for debate in Committee of the Whole. Second reading takes place after the bill has been favorably acted upon by the Committee of the Whole. Third reading usually takes place on the legislative day following second reading. Each step in this process is discussed in detail in the following sections. (H.R. 7-1, S.R. 7-1.)

6. FIRST READING.

When a bill is introduced or when it comes to the body from the other body, the Reading Clerk reads its catch title and sponsor(s) name only. The Presiding Officer immediately refers it to a Standing Committee. This is considered the first reading of the bill. Sometimes a bill is so important it requires immediate consideration, and in such cases it is referred directly to the Committee of the Whole. The Joint Rules provide for direct reference to Committee of the Whole for the general appropriations bill. (J.R. 14-1). Reference to the Committee of the Whole has been deemed by both bodies as compliance with the Constitutional restriction that no bill shall become law unless referred to a committee and returned therefrom. (Wyo. Const. Art. 3 § 23) (J.R. 14-1(b)). Direct referral to Committee of the Whole, other than for the general appropriations bill, requires suspension of the rules.

7. STANDING COMMITTEE ACTION ON BILLS.

Committee Review of Bills. Each body has a number of parallel Standing Committees. (See H.R. 2-2 and S.R. 2-6.) ~~Most members serve on more than one Committee.~~ Each Committee meets periodically, and its members review bills, invite interested persons to appear and present testimony, discuss the proposed legislation among themselves, and in general seek to inform themselves concerning all features of the measure.

Committee Recommendation. When the Standing Committee is ready for a decision, a vote is taken. If a majority is in favor of the bill's passage, it is returned to the body with a recommendation that it "DO PASS" (or if the Committee approves amendments to the bill, the recommendation is "DO PASS as amended"). If a majority opposes the bill but still wants to report it out of Committee, a motion may be made that the Committee report the bill with a "DO NOT PASS" recommendation. The bill can also be returned "WITHOUT RECOMMENDATION." Bills which are disposed of by adoption of a motion "DO NOT PASS" or "WITHOUT RECOMMENDATION" are required to be reported to the chief clerk. But there is no specific timeframe for those reports to be submitted to the chief clerk. As a

matter of practice, "DO NOT PASS" or "NO RECOMMENDATION" bills are generally not immediately reported out of Committee. In addition, bills on which no action has been taken are also not immediately reported out of the Committee and are required by rule to be reported 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. (See H.R. 5-4 and S.R. 5-4. ~~Mason's 635(3))~~ These bills "die in committee" and are subject to a motion to indefinitely postpone upon session adjournment. (See~~H.R.5-4 and S.R. 5-4~~ Mason's 635(3).)

See discussion in Appendix A regarding the propriety of a motion to "indefinitely postpone" as a Standing Committee action on a bill.

Substitute Bills. A Standing Committee may so heavily amend a bill that a "substitute bill" incorporating all the Committee's proposed amendments is prepared as part of the Standing Committee Report. "Draft" or final substitute bills may be requested only by a committee or a chairman and are to be prepared only by the LSO. The substitute bill will continue to carry the original bill number, however, ~~this~~ the final version of the substitute bill will have the designation "Substitute No.___" in the upper right-hand corner of the first page. The committee chair may wish to discuss with the House or Senate attorneys the possibility of preparing a substitute bill which incorporates the committee's amendments. Detailed procedures for preparation and committee consideration of substitute bills are provided in Appendix P. Because the introduced bill has been posted on the Legislature's website and followed by the public, the substitute bill process (which changes page and line numbers) should be used sparingly by committees and only when the amendments to a bill cannot with reasonable effort be tracked into the original bill and understood by the Legislature.

Recalling a Bill From Committee. Rules of the House and Senate provide that "after a reasonable time," any bill may be recalled from a Standing Committee upon regular motion supported by seconds of three Senators or by five House members. In the House the motion requires the approval of a majority of the elected members. The Senate requires approval by a simple majority of those present. (H.R. 5-6; S.R. 5-5)

Return of Committee Report. After the Standing Committee has ~~concluded its deliberations concerning the~~ acted on a bill by adopting one of the motions specified in rule, the Committee Chairman signs the report and returns it to the Chief Clerk. ~~, together with the Committee's recommendations.~~ (S.R. 5-4(b) and H.R. 5-4) (There is a difference between the House and Senate regarding who delivers bill jackets and reports to the front desk. See Appendix - A paragraph (6)). Committee members' votes are recorded as part of the Standing Committee report. A check list for use by Committee Chairmen in preparing the Standing Committee Report is provided in Appendix – A. If the Committee recommends amendment of the bill, the chief clerk shall provide the bill and report to the House or Senate Attorneys for preparation of the standing committee amendments. The Attorney's Office confers with the Committee Secretary or Chairman as necessary concerning any questions regarding the report. Technical amendments to conform or correct Committee amendments may be made

by the House and Senate Attorneys but any substantive deviation from the submitted report shall require approval of the standing committee amendment by the Committee Chairman and no substantial, substantive deviation shall be made without return of the bill jacket to the Chief Clerk and then to the Committee for further action. On occasion, a standing committee amendment will need such extensive rewrite that the chairman may ask the house to vote against the standing committee amendment and prepare a committee of the whole or a second reading amendment to achieve the desired result of the committee.

The Attorney's Office shall submit the standing committee amendment and committee report to the chief clerk. If the Committee has failed one of the motions specified in House and Senate rule 5-4(b), the Chairman shall sign the Committee report and report the vote to the legislative service office. If none of the motions specified in rule 5-4(b) is adopted the bill is to be reported to the chief clerk in accordance with rule 5-4(c).

For all other bills in a Committee's possession, the Chairman or Secretary shall return the bill jacket directly to the Chief Clerk, as provided in House Rule and Senate Rule 5-4(c).

Bill Placed on General File. Following reading of the Standing Committee report, the bill is then placed on what is known as "General File" pending further legislative consideration in Committee of the Whole.

Consideration Given Standing Committee Report. Recommendations of the Standing Committee are not binding on the body or upon any of its members. Such recommendations only amount to the opinions of a majority of Committee members. The members at large must satisfy themselves as to whether the bill ~~is good or bad~~ has merit. Recommendations of Standing Committees are, however, given serious consideration because the Committee has had special opportunity to study the proposal in detail.

8. GENERAL FILE.

This is the name which is used to indicate the status of a bill awaiting debate by the Committee of the Whole.

~~Early in the session, several days may elapse with no bills on General File, but during the last days of the session, there are often so many bills on General File awaiting consideration, that all of them cannot be considered. This situation~~ The number of bills on General File results in the Standing Committees exercising considerable power since bills which have a favorable recommendation from the Standing Committee are considered ahead of bills which are reported out unfavorably. (H.R. 6-2; S.R. 6-2) As a matter of general practice in the House, only bills with a favorable recommendation are immediately reported out of Committee. (H.R. 6-2 provides that on general file, "Do Pass" bills are considered first, then bills "Without Recommendation," then "Do Not Pass" bills. S.R. 6-2 provides the same for general file after the twentieth legislative working day of the session.) As a matter of historic practice,

throughout the session the Senate generally considers bills with favorable Committee recommendations prior to bills with unfavorable recommendations, but this is subject to determination by the Senate majority floor leader in determining the order of bills to be considered on general file.

If a bill is rereferred to the Appropriations Committee, for purposes of prioritization, the recommendation of the first standing committee to report on the bill controls. (H.R. 4-8(c); S.R. 4-8(c)).

9. COMMITTEE OF THE WHOLE.

In order to expedite business by making procedures less formal, and to give all members opportunity for nearly unlimited discussion and debate on bills just as in a Standing Committee meeting, the device of "resolving into the Committee of the Whole" is moved by the Majority Floor Leader to consider bills on General File. The Majority Floor Leader specifies the order in which bills will be considered in Committee of the Whole. Both bodies have rules specifically prohibiting the usual parliamentary means of suppressing debate. (See H.R. 6-6(a) and (c); S.R. 6-5.)

When a simple majority adopts the floor leader's motion, the Presiding Officer calls a member to the Chair, and thereupon the entire group becomes a Committee, free from many of the restrictions which apply to deliberations of the formal legislative body. Eventually, this "Committee" agrees by a majority vote of those present on a report to the regular body in regard to recommendations on bills considered by the Committee of the Whole.

A Committee of the Whole report to the regular body may recommend that a bill be passed without change, or that certain amendments be added, and that the bill as amended "DO PASS", or that further consideration of the bill be indefinitely postponed pursuant to either S.R. 6-5 or H.R. 6-6.

10. PROCEDURE IN COMMITTEE OF THE WHOLE.

Proceedings in committee of the whole, as for other sessions of each house, are required by the Constitution to be open unless the business is such as requires secrecy. Wyo. Const. Art. 3 § 14.

Detailed procedures for Committee of the Whole debate are set out in Appendix B; however, scripts provided by the Chief Clerk of each house more precisely set forth the appropriate terminology to be used.

11. SECOND READING OF BILL.

If the bill ~~survives action~~ is recommended for passage in the adopted Committee of the Whole report, there is no further floor action on it until the next legislative day, unless laid back under H.R. 7-3 or S.R. 7-3 or accelerated by motion to suspend the rules requiring reading on three separate days. ~~It~~ A bill on second reading appears on the calendar under an order of business called "SECOND READING." It is read by catch title (H.R. 7-4, S.R. 7-5) only. It is proper for any member to offer amendments at this point, or to move to recommit the bill to a Standing Committee, or to the General File, or to take ~~any~~ other action. Since this order of business is an official and formal matter of the Legislature, all actions are recorded and freedom of debate is restricted by rules. On second reading, rather than taking a formal vote to pass the bill to third reading, the presiding officer generally states, "Having been read two separate times, the question is shall the bill be read a third time? There being no objection, it is so ordered.". As a matter of general practice, the procedure set forth in Appendix – H is utilized unless there are amendments or objections to the bill being read a third time. Senate Rule 7-6 specifies that only "procedural objections" to the bill being read a third time are in order on second reading. Historic practice in the House has been to only allow those types of objections to a bill being read a third time

In the House, the practice of amending a bill by deleting the constitutionally required enacting clause has been ruled out of order when proposed on second reading.

12. THIRD READING OF BILL.

The next legislative day, unless laid back under H.R. 7-3 or S.R. 7-3 or accelerated to a third reading on the same day as second reading under H.R. 7-7, all bills which have passed Second Reading are up for "Third Reading and Final Passage". Bills may be accelerated to third reading on the same day as second reading. In the House the rules provide that this may be done pursuant to a list endorsed by the majority floor leader in consultation with the minority floor leader. (H.R. 7-7). The House rule for doing so addresses the procedure for each step. The Senate has historically done the same by suspending the rules which call for reading of bills on separate days and for third reading to be at least one day after second reading. (S.R. 7-1). As a matter of historic practice, the Senate list is compiled by the majority floor leader. Individual bills on third reading may also be accelerated one day by motion of any member. All such actions require a two-thirds vote of the elected members. (H.R. 1-3 and 7-1; S.R. 1-3 and 7-1). While the House rule provides that a single member's objection results in removal of a bill from the "acceleration" list, a motion to suspend the rules for purposes of reading an individual bill twice on the same day would not be subject to that restriction as the motion could simply also suspend H.R. 7-7(c) to the extent it is applicable to the motion.

In the Senate, the rules specify motions allowed on third reading. (S.R. 7-9). The practice of the Senate has been to allow only those motions (postpone to a certain date (subject to S.R. 7-3), recommit, and amend) during third reading, in addition to allowing the rules to be suspended to accelerate third reading of bills on the same day as second reading. The House

does not specify motions allowed on third reading and thus amendment and any other action is permitted.

After the Presiding Officer announces that order of business, "Bills on Third Reading and Final Passage," he hands each bill to the Reading Clerk who reads the bill's number, catch title, name of sponsor(s), and enacting clause. If there are amendments to bills on third reading they are automatically considered before the Presiding Officer puts the question as to final passage of the bill (see Appendix H). If there are other motions or objections, they must be presented before the question is put inasmuch as H.R. 7-10 and S.R. 8-2(b) together with S.R. 7-11 state that after the question is put no motion shall be in order until after the roll call is completed.

The practice of amending a bill on third reading by deleting the constitutionally required enacting clause has been followed in the House in order to allow debate on the merits of the bill. Regardless of the number assigned to the amendment, that amendment is the last taken up in the House on the bill's third reading. The amendment allows full debate on the merits of the bill, as opposed to limited debate on the subject of other amendments. After the amendment is debated the amendment is withdrawn by the sponsor. The Senate has no such practice but simply allows debate on final passage of the bill regardless of whether any amendments are proposed.

Final passage of a bill is by roll call vote. It requires a majority vote of all those elected to the body to pass a bill, not merely a majority of those present, as in the case of action in the Committee of the Whole. Thus if any member is absent, or is not desirous of declaring himself and leaves the Chamber, his vote has the same effect as a vote of "No". Under S.R. 12-1(c) and H.R. 12-2 if a member is present and refuses to vote, his vote is recorded as an "Aye" vote.

13. CONSENT LIST ON THIRD READING.

To expedite action on uncontested bills on Third Reading, the House and Senate Rules provide a procedure for use of a "Consent List." (H.R. 7-8 and S.R. 7-7). Detailed procedures for use of the Consent List are set out in Appendix –C.

14. AMENDING BILLS

Bills may be amended in Committee of the Whole, second or third reading. There are special rules for amendments to the general appropriation bill prohibiting amendments on Committee of the Whole and providing other requirements for amendments which differ from usual practices. See J.R. 14-1. Similar rules have on occasion been adopted by the House and Senate for other mirror bills and/or special sessions.

Senate and House rules provide that the bodies shall take no action on any proposed amendment until the amendment has been reduced to writing, approved by the appropriate House or Senate attorney and distributed to members of the body. (H.R. 11-2; S.R. 11-1 and 11-4(e)). The House rule allows, and Senate historic practice has been to allow, amendments to be proposed orally on the floor if done to make technical corrections. The House rule has been interpreted to allow the amendment to be submitted to the House attorneys in forms other than in writing as long as the amendment is provided in writing to the body. (H.R. 11-4 (e)).

Amendments to a bill must be germane and cannot alter the bill so as to change its original purpose. These are constitutional requirements which cannot be waived by action of the body. To be germane an amendment to a bill must relate to the single subject of the bill as expressed in its title. Wyo. Const. Art. 3 § 24, Mason's § 402(3). Mason's provides that it is not within the province of the chair to decide the constitutionality of an amendment and that a point of order may not be raised on the ground that a bill does not conform to the subject matter as stated in its title as these are questions to be decided by the body. Mason's § 242. But the general historic practice of the House and Senate has been to allow a point of order raising either question to amendments to bills. Further, Senate Rule 11-6 has been amended to include a recitation of the Constitutional provision on altering a bill to change its original purpose. As a result, in the Senate, an argument that an amendment changes the original purpose of a bill is now available as a point of order based on the fact that the amendment could constitute a violation of S.R. 11-6.

The historic practice of the House has been to limit co-sponsors of an amendment to three. The historic practice of the Senate limits co-sponsors of amendments to four (in order to allow a full Senate Committee to sponsor an amendment). Further details on amendments, including debate on amendments are provided in Appendix E paragraph 6.

15. ENGROSSING

When a bill has passed the house of origin with amendments, it is delivered to the LSO to be engrossed with all adopted amendments before the bill is forwarded to the second house for action. A bill in the possession of the LSO for engrossing cannot be recalled for further action by the first house without the consent of the second house. (J.R. 4-1, H-R. 7-11). Return to the house of origin for purely technical corrections, and not by further action of the body has been allowed without consent of the second house under these rules.

This engrossing requirement does not apply to the mirror general appropriations bill. (J.R. 14-1 (d))

~~14~~ 16. CONCURRENCE REQUEST.

Motion to Concur. After a measure has passed one body and goes to the other, it is often amended or altered in the second body. The bill then comes back to the first body with the request that the first body "concur" in the amendments. If the original body wishes to approve the amendments of the second body, it can do so by a motion and a roll call vote, which requires a majority vote of all those elected.

~~15~~ 17. CONFERENCE COMMITTEE.

Appointment of Conference Committee. If the original body refuses to accept amendments to a bill by the second body, Conference Committees ~~are~~ may be appointed from both bodies by the Presiding Officer. These Committees, in joint meetings, iron out the differences by adding, striking and compromising amendments. The Conference Committee's report goes back to both bodies for approval or rejection. Joint Rule 2-3 requires the body of origin to vote first on the report.

Conference committee actions. The authority of conference committees is specified in Joint Rule 2-1. The authority of the first conference committee is limited. In applying the limitation of proposing an alternative which reflects a compromise position on an issue on which the two houses have adopted inconsistent positions, the interpretation given the rule in situations in which one house makes no mention of an issue and the second house has addressed the issue is that the first conference committee may propose an alternative which lies between nothing and the position of the second house. The application is less difficult for dollar amounts than for language. For example, if one house makes no provision for an appropriation and the second house appropriates $1,000 for a certain purpose, any amount between zero and $1,000 likely is an appropriate compromise. If both houses appropriate funds for the same purpose, one with conditions and one without, a compromise eliminating some of the conditions might well be within the positions of the two houses. If there were no appropriation for the purpose in one house and an appropriation with conditions in the second, an alternative proposing an appropriation without all conditions likely would not be a compromise within the positions of the two houses.

Conference Committee Report. Detailed instructions for preparing Conference Committee Reports are provided in Appendix – D. If a Conference Committee Report recommends receding from nonconcurrence, and the report is adopted by the house of origin, this constitutes final passage and the bill is sent to LSO for enrolling. There is no vote on the Conference Committee Report in the second house (see J.R. 2-4).

Receding from nonconcurrence. The act of receding from nonconcurrence can be taken by the first house regardless of whether a conference committee has been appointed by the second house, or whether a conference committee report has been agreed to by a majority of the members of both houses. J.R. 2-4(b).

Mason's suggests that the second house may recede from amendments it made by sending a message to that effect to the first house and the bill has then been passed in the form prior to amendments made by the second house. (Mason's §§ 767 and 768.) J.R. 2-4 specifically provides nonconcurrence by the house of origin, but neither the House nor Senate rules, nor the Joint Rules, explicitly address the procedures referenced in Mason's §§ 767 and 768. (Mason's § 766, paragraphs 6 and 7 are explicitly stated not to be applicable for conference committees). The provisions found in Mason's §§ 767 and 768 have not been applied in the Wyoming Legislature. Instead the Wyoming Legislature follows the general rule that it is not within the authority of a body to consider a bill not in its possession. Mason's § 761 (8). House and Senate rules for reconsideration or expungement of action by a house require a bill to be in possession of the house. (H.R. 14-4, S.R. 12-10 and 14-4). Joint Rule 14-1 requires a request by one house for return of a bill for corrective action to be approved by a two-thirds vote of the house in possession of the bill. These rules and precedent result in the procedures provided in Mason's §§ 767 and 768 being inapplicable in the Wyoming Legislature. (See Mason's § 4(2)).

~~16~~ 18. BILLS PRESENTED TO GOVERNOR; VETO; OVERRIDE.

Before any bill passed by the Legislature becomes law it must be presented to the Governor. If he approves the bill, he signs it. If he disapproves it, he returns it to the body of origin with his objections.

If both bodies then wish to pass the bill again, it may be passed over the Governor's veto by a vote of two-thirds of the members elected to each body.

If any bill sent to the Governor is not signed by him and is not returned within three days (Sundays excepted) it becomes law without his signature~~. If the Legislature adjourns before the three days have passed then it~~ unless the legislature by its adjournment, prevent its return within three days. If that occurs, the bill becomes law, unless the Governor, within fifteen days after the Legislature adjourns, files his objections to the bill with the Secretary of State. Detailed procedures for handling and processing gubernatorial action on enrolled acts are contained in Appendix ~~–~~K. The Legislature has taken the position that if the Legislature has not adjourned sine die, the chief clerks shall make themselves available for the Governor's return of the bill to the appropriate house pending the return of the body prior to the expiration of the three day period. Further, the Legislature has not contested the opinion of the Attorney General that the constitutional three day period includes three full twenty-four hour periods commencing at 12:01 a.m. on the day after delivery to the governor's office.

~~17~~ 19. EFFECTIVE DATE OF ACTS OF THE LEGISLATURE.

W.S. 8-1-108 provides each law shall take effect ninety days after adjournment of the session, unless the bill fixes some other date.

Bills typically provide for an effective date of July 1, following adjournment of the Session or provide for an "immediate" effective date which means the bill will become effective upon completion of all acts necessary for a bill to become law (i.e., on the date the Governor approves the bill, or if not approved by the Governor then on the date his authority to veto the bill expires, or on the date his veto is overridden by the Legislature.)

~~18~~ 20. PUBLICATION OF LEGISLATIVE ENACTMENTS.

After each legislative session, bills that become law are published as part of the laws of Wyoming and are known as "The Session Laws of Wyoming 20__".

PART III
MOTIONS

1. PRIORITY OF MOTIONS.

Parliamentary procedure in the Legislature is governed by the House and Senate Rules, this Manual and "Mason's Manual of Legislative Procedures" (unless inconsistent with some particular rule of the Legislature itself). (J.R. 10)

One of the basic principles of parliamentary practice is that various motions are classified in accordance with their importance, i.e., that each motion has a rank or priority. When a certain motion has been recognized, any other motion of higher rank or priority may be received, but a motion of equal or lower priority is out of order.

The motion of highest priority, or with the highest rank, is the motion to adjourn. When that motion is recognized, everything else is out of order and no other motion will or can be considered. The motion of lowest rank or priority is the motion to kill a bill, or, as it is styled, the motion to "indefinitely postpone". When that motion has been made, any other motion is in order. Between these two extremes are various other motions, each with its own priority.

Appendix - E contains a list of common parliamentary motions and their priority.

2. GENERAL PROCEDURAL MOTIONS.

When no question is being debated, there is no necessity for giving particular priority or rank to motions. Each motion is simply considered on its own merit and for the purposes for which it is offered. While the rules of priority apply to a certain extent, e.g., a "motion to adjourn" is always in order and takes precedence over everything else, the question of priority or rank of general procedural motions is generally not an issue.

A number of general procedural motions are described in Appendix – F.

3. MOTION TO RECONSIDER. (H.R. 12-11 and S.R. 12-10)

The motion to reconsider deserves special discussion.

Purpose of the Motion. A motion to reconsider a roll call vote means that the member making the motion desires another opportunity to vote on the same question; that is, to reconsider the "vote" -- not the measure itself. It is a reconsideration of the vote only, and calls for a new vote. If the motion carries, then the main question is right back where it was before, just as though the first vote had never been taken. There is no debate on either the motion to reconsider or on the original question should the motion to reconsider pass. (H.R. 12-11(a), S.R. 12-10)

Examples of When the Motion is Used. The question of reconsideration rarely arises except in cases of an extremely close vote, and when the losing side believes that it can win on a new vote. That possibility may arise because of the absence of members whose vote would reverse the decision, or perhaps because someone might be persuaded to a change of mind. Or, the losing side may believe or hope that if another vote is taken, possibly someone on the prevailing side may be absent, and all their own supporters will be present, thus changing the final result.

Procedure Relating to Motion to Reconsider.

(a) *Who May Make the Motion.* The only person who can ask for reconsideration of a vote is one who actually was present and who voted with the side that prevailed. That is, if the majority vote was to kill a bill, then only a member who voted against the bill can move to reconsider the vote. Likewise, if the vote was to pass the measure, then only a person who voted "Aye" can ask to have the vote reconsidered. So in order for a person on the "losing" side to move for reconsideration, that person resorts to the following tactics:

As the roll call proceeds, members individually tally the vote for and against and know the result as soon as the roll call is complete. Before the result is announced, a member originally on the "losing" side rises and announces that he is changing his vote. That member is now on the "winning" side, and as soon as the vote is announced, he is in a position to move for reconsideration, because he voted with the prevailing side.

(b) When the Motion is Made. A vote may be reconsidered only if the bill jacket is still in the possession of the body.

House. House rules require the mover to specify that the motion will be made at a specific time on the next legislative day. (NOTE: In the session's last ten days, reconsideration in the House is to be no later than the last item of business on the day of the original vote.) Although there is no requirement to do so, in the House the vote is taken by roll call and not on a voice vote.

Senate. In the Senate, the motion must be made either on the day when the original vote was taken, or on the next legislative day. A Senator may make the motion to reconsider immediately, or may announce that later on that day or the next day, he may move for reconsideration.

Delaying the motion gives opportunity to the member to muster forces, whereas another vote, taken immediately, might not change the result. However, announcing a later reconsideration does not prevent someone else, who was also on the winning side, from making the motion to reconsider immediately (not allowed in the House).

Since the motion to reconsider takes precedence over all other motions (except a motion to adjourn) it is voted on at once. Once a motion to reconsider has been made and acted upon, it cannot be made again. This makes it possible for a united majority, by acting immediately, to prevent a later attempt at reconsideration by the minority. This procedure disposes of the bill with finality.

A motion to reconsider may be acted upon by voice vote and requires only a majority of those voting to pass, regardless of the vote required to pass the original question. (H.R. 12-11(f) and S.R. 12-10 require a "simple majority vote" regardless of the vote required of the original question. Ref: Mason's 510.)

A motion to reconsider cannot be withdrawn without leave of the Senate. (S.R. 10-4).

4. SECONDING MOTIONS.

Motions need not be seconded, except for "Recalling Bills from Committee", "Call of the House", "The Previous Question" and, in the Senate only, to seek to change a ruling by the Rules Committee on a personal or private interest, and in the House only, the "Call For Ayes and Noes". ~~It should be noted that H.R. 6-65(b) and S.R. 6-5 specifically set forth that during Committee of the Whole the ayes and noes shall be taken only when a motion for passage of a bill has failed a voice vote (and in the House followed by a vote by standing division), which requirement, in effect, prohibits the call for ayes and noes at any other time during Committee of the Whole.~~ (See generally S.R. 10-3 and H.R. 10-1; and for exceptions S.R. 5-5, 12-2(c), 12-8, 12-12 and H.R 5-6, 12-4, 12-9, 12-12).

5. WITHDRAWAL OF MOTIONS.

In the House, H.R. 10-2 provides that any motion may be withdrawn at any time before a decision or ordering of ayes and noes if no member objects. In the Senate, with the exception of the motion to reconsider, S.R. 10-4 also allows withdrawal of any motion if no member objects prior to decision, amendment, or the ordering of the ayes and noes.

PART IV

MISCELLANEOUS PROCEDURES

1. ROLL CALL VOTES.

On a roll call, every member within the Chamber is required to vote and must either vote "Aye" or "No". Members cannot abstain or explain how or why they are voting, nor can they interrupt the voting while it is in progress. They may change their vote if they wish before the result has been announced. But after the result has been announced, they may only explain their vote if they so desire.

A member who is in the Chamber must vote (or declare a conflict of interest). A member who is in the Chamber and refuses to vote, is recorded as voting "Aye" (H.R. 12-2 and S.R. 12-1(c)) unless excused from voting per H.R. 12-1 and S.R. 12-1(a).

2. CALL OF THE HOUSE OR SENATE.

The fact that a member can escape voting by merely leaving the Chamber gave rise to a device whereby a member is required to vote with no alternative. The method is to move a "Call of the House (or Senate)."

Procedures. (See H.R. 12-12; S.R. 12-12.)

(a) The motion is made by one member and must be seconded by four other members in the House. (Two seconds in the Senate.)

(b) A roll call is made and absentees noted. No one is permitted to leave the Chamber until the call is lifted.

(c) The Sergeant-at-Arms is directed to locate all absent members and bring them into the Chamber, by force if necessary.

(d) The motion cannot be made in Committee of the Whole. (See H.R. 6-6(a); S.R. 6-5(d).) If full attendance is desired for a meeting of the Committee of the Whole, the procedure is to move a "Call of the House (or Senate)" just before the body plans to resolve itself into the Committee of the Whole. When the members are all present, and none can leave, the body resolves itself into a Committee of the Whole.

(e) After business for which the call was made has been completed, it is proper for the person who moved the call to move that the call be lifted, which when carried ends the call.

3. POINT OF ORDER AND APPEAL FROM DECISION OF CHAIR.

The theory of all debate is that members must talk to the point or question being considered. Sometimes, however, it is difficult to draw a clear line. For example, assume a bill is being discussed relative to the establishment of an orphans' home at Cheyenne. There is a decided difference of opinion as to whether the State should have such a home at all. Someone then moves an amendment to the bill, seeking to have the home maintained at Sheridan. This amendment is then before the body for consideration, and the sole question is whether the home should be established at Cheyenne or Sheridan -- not the original question of whether or not there should be an orphans' home. If, therefore, while the amendment is before the body, some member begins to debate the general question of whether there should be an orphans' home he is clearly "out of order".

It is then the right of any member to rise and announce: "I rise to a point of order," and explain the objection. The Chair then must make a ruling declaring the member to be "out of order" or "in order".

In either case, anyone may rise and appeal from the decision of the Chair. It is then the duty of the Chair immediately to call for a voice vote, in which those present vote either to "sustain" the appeal or to "overrule" it. ~~The decision of the~~ A majority of those present is ~~final~~ required to sustain an appeal from a ruling of the chair. (See H.R. 8-4; S.R. 8-6.)

4. PERSONAL PRIVILEGE.

Generally speaking, every speech and each remark of a legislator while the House or Senate is in session must be pertinent to the business then being discussed or before the body. However, if a member wishes to convey a personal message to the body, or mention something not germane to the matter before the body, he or she may ~~arise~~ rise and say: "I rise to a point of personal privilege," and if there is no objection, may proceed. The usual practice is to ask, "May I have the privilege of the floor?" (See H.R. 9-2; S.R. 9-3.)

5. ADOPTION OF JOINT RULES

The houses, voting separately, adopt the Joint Rules of the previous legislature as the permanent rules of the new legislature by a majority vote of those elected to each body. Any amendment, suspension or rescission of a Joint Rule requires a two-thirds vote in each house. (J.R. 11-2 through 11-4.)

On one occasion, the houses have taken final action adopting language which is not identical as a "joint rule." As a result, the LSO has included the version adopted by each house in publishing the rules of that legislature, denoting the version adopted by each house. The director of the LSO informed the members of each house how the office will interpret the

actions taken in providing support to the Legislature. The interpretation is subject to direction by action prescribed by both houses of the Legislature during regular or special sessions and to the direction of Management Council when the legislature is not in session. (W.S. 28-8-104).

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APPENDIX - A

STANDING COMMITTEE REPORT CHECK LIST

General Procedures. Committee Chairmen report only those recommendations agreed upon by a majority vote of the Committee membership. Deliver the completed report with the jacketed bill to the Chief Clerk. List bills in the proper receipt book for the Chief Clerk's signature. Keep a copy of the Standing Committee Report for your use.

Specific Procedures for Completing Report:

1. Committee secretaries create a standing committee report using a computer generated form (See sample attached). The form is completed by the secretary to identify the bill, the committee's recommendation and the vote of the individual committee members.

2. The Committee secretary will select one of the following as the Committee's recommendation on the bill:
   - Do pass
   - Do not pass
   - Do pass with the following amendment(s)
   - Return without recommendation

   Note: Committee actions of "Do not pass" or "Return without recommendation" require an affirmative motion. The mere fact that a motion to "Do pass" fails does not mean that the committee has agreed upon a "Do not pass" recommendation nor does the failure of such a motion result in the generation of a standing committee report.

   A motion to "indefinitely postpone" is generally not an appropriate standing committee action on a bill. See paragraph 10 of this Appendix concerning end of session action on bills that die in standing committee.

3. If the Committee adopts an amendment to the bill, the report form simply states "That HB___ do pass with the following amendments: See Schedule A".

4. The Committee secretary will mark up a copy of the bill by hand (physically cut and paste if necessary) to include all adopted Committee amendments. Additions to and deletions from the bill will be made so as to be clear to the attorneys.

5. The secretary then submits the report form and the marked up copy of the bill to the Chairman for review.

6. In the House, the Chairman signs the report and delivers the bill jacket, the report and the marked up copy of the bill to the front desk. In the Senate, the procedure is the same except the Committee secretary delivers the bill jacket, report and marked up copy to the front desk.

7. For bills with committee amendments, the Chief Clerk sends the report and the marked up bill to the attorneys who prepare the "Schedule A" amendment in proper form and return the report to the front desk to be read in. The marked up copy of the bill is retained in the attorneys' office until the end of the session.

8. Chairmen watch the Calendar (General File) to know when bills reported out by ~~your~~ a Committee are scheduled for Committee of the Whole action. When the Chairman of Committee of the Whole says "You have heard the reading of the bill - what is your pleasure?" ~~you are~~ the Standing Committee Chairman is responsible to move ~~your~~ the Committee's recommendation and explain the bill. However, ~~you~~ the chairman may yield the floor to another member of the Committee, often a sponsor or co-sponsor of the bill, for fuller explanation by prearrangement ~~with him~~.

9. If ~~your~~ the Committee has recommended amendments, ~~you~~ the Committee Chairman first moves a DO PASS recommendation on the bill and then moves the adoption of the Committee amendment. See Committee of the Whole Procedure, Appendix B.

10. A bill is said to "die in committee" if it fails on a do pass motion or if the bill is never brought up for standing committee action.

    Senate Rule 5-4 and House Rule 5-4(c) provide that if a bill dies in committee (i.e., if it is not reported out of committee with one of the 4 possible recommendations listed in paragraph 2 of this Appendix), then after the deadline for regular consideration of bills the Chairman returns all bills then in his possession to the chief clerk with a record of specified votes taken in committee. The return of bills under S.R. 5-4 or H.R. 5-4(c) does not constitute a formal standing committee report on the bills. Bills returned under these rules are listed in the journal as "died in committee".

    Note: These rules imply that a motion to postpone consideration of a bill may be made during debate in a standing committee. However, that motion is unnecessary for a bill to "die in committee". Furthermore, whether such a motion passes or fails it does not result in the generation of a committee report back to the floor of the Senate or House.

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THE LEGISLATURE OF THE STATE OF WYOMING
HOUSE OF REPRESENTATIVES

February 04, 2014

Mr. Speaker:

Your committee **#1, Judiciary**

to whom was referred **HB0041-Emergency medical technician pension plan.**

respectfully reports same back to the House with the recommendation that it

DO PASS

Legislator	Aye	No	Absent	Excused	Conflict
Baker	X				
Connolly	X				
Gingery	X				
Halverson	X				
Kroeker	X				
Krone	X				
Miller	X				
Walters	X				
Watt	X				

Ayes = 9

Total = 9

_____

Gingery, Chairman

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APPENDIX - B

PROCEDURE FOR COMMITTEE OF THE WHOLE

(Also see Order of Business Appendix - H)

When the Presiding Officer invites a member to be the Committee of the Whole Chairman, the member goes to the Chair and the Presiding Officer goes to his own desk on the floor. The new Chairman raps the gavel and states words to the effect but subject to script provided by Chief Clerk:

1. "The Committee of the Whole will please come to order. The first bill for our consideration is (Bill No.). The Reading Clerk will read it."

After the bill and its jacket notes have been read at length by the Reading Clerk, it is handed back to the Chairman who states:

2. "You have heard the reading of the bill. What is your pleasure?"

Generally the Chairman of the Standing Committee which considered the bill moves:

3. "I move we recommend (Bill No.) DO PASS (or DO NOT PASS)."

If no amendments are offered by the Standing Committee, the Standing Committee Chairman may yield to another member of the Committee, often the sponsor or co-sponsor of the bill for an explanation immediately after making the DO PASS motion. If there are amendments from the Standing Committee, the Standing Committee Chairman will add the following motion to the one above:

4. "And I further move adoption of the Standing Committee amendments."

~~He~~ The Chairman or the Chairman's designee now explains these amendments after which the Committee of the Whole Chairman asks:

5. "Are you ready for the question." If no one rises, he proceeds to PUT THE QUESTION; that is:

6. "All those in favor of .....'s motion to adopt the Standing Committee amendments please say Aye. Those opposed, No."

A voice vote is taken unless the Committee of the Whole Chairman hears a call for division. Then Chairman must ask members to stand and be counted - first the ayes then the noes. He announces the vote by saying:

7. "The motion to adopt the Standing Committee amendments to (Bill No.) has passed (or failed to pass). We are now considering the main motion." (Or, as some prefer, "We are back on the bill.")

Now the Standing Committee Chairman or the Chairman's designee can explain the bill or more generally yield to its sponsor.

After debate and amendments are disposed of, the Chairman asks:

8. "Are you ready for the question?" If no one rises with further discussion, the Committee of the Whole Chairman PUTS THE QUESTION; that is:

9. "All those in favor of .....'s motion that when the Committee of the Whole rises to report that it do so with a favorable recommendation on HB/SF say 'Aye.' Those opposed, 'no'."

The Chairman announces the results of the voice or division vote:

10. "HB/SF has passed the Committee of the Whole. The next bill for our consideration is:" (OR IF THE VOICE VOTE FAILS) The Chairman calls for a standing division vote. If the standing division vote fails, the Chairman automatically calls for a roll call vote pursuant to S.R. 6-5/H.R. 6-6(b). If the roll call vote fails, the Chairman then announces: "HB/SF, having failed a roll call vote, pursuant to H.R. 6-6(b)/S.R. 6-5, is deemed indefinitely postponed."

When all the bills on the General File have been considered or when the time allotted for that order of business is gone, the Floor Leader moves:

11. "I move that the Committee of the Whole rise and report."

The Chairman puts the question and a voice vote always carries the motion. The report which has been prepared by the Assistant Chief Clerk (or other clerk so designated) is ready for the Chairman to sign before returning to the floor (in the House). In the Senate, the report is signed by the Chairman before adjournment for the day.

The Presiding Officer takes the chair to call the body into regular session. The first order of business then is to adopt the Committee of the Whole report. The Presiding Officer calls the body to order and states:

12. "The Reading Clerk will read the Committee of the Whole Report."

As soon as the report is read, the member who was Chairman rises and moves:

13. "I move the adoption of the Committee of the Whole Report."

The Presiding Officer puts the question, takes the voice vote and notes that a majority of the members present carried the vote. The next order of business is then in order.

14. Recommendations of the Committee of the Whole may be considered and treated in the same manner as other reports of committees. (Mason's §689(6). The House has allowed a motion to divide the Committee of the Whole Report, which has been made on very rare occasions. Unlike the motion for reconsideration, any member may move to amend the motion to adopt the Committee of the Whole Report, dividing from that main motion those Committee of the Whole actions with which the member disagrees. The time for making that motion is immediately after the Chairman of Committee of the Whole moves to adopt the report, as the motion to divide is an amendment to the motion to adopt the report as read by the reading clerk. The motion is debatable and subject only to a majority vote. If the motion to divide prevails, action taken in Committee of the Whole on the bill subject to the motion is not final and the bill remains on general file. The Senate has not entertained a motion to divide a Committee of the Whole report.

15. It should be noted that H.R. 6-6(b) and S.R. 6-5 specifically set forth that during Committee of the Whole the ayes and noes shall be taken only when a motion for passage of a bill has failed a voice vote (and in the House followed by a vote by standing division), which requirement, in effect, prohibits the call for ayes and noes at any other time during Committee of the Whole (except upon a motion for reconsideration in the Senate (see S.R. 12-10(a) allowing for reconsideration of a vote in Committee of the Whole).

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APPENDIX - C

PROCEDURE ON USE OF SENATE RULE 7-7 AND HOUSE RULE 7-8 (Uncontested Bills)

When deemed appropriate, the rules allow for the use of a Consent List on third reading.

1. House Procedure.

(a) The Majority and Minority Floor Leaders develop the Consent List by reviewing all bills passed on second reading (on a list furnished to them by the Chief Clerk) and lining out bills to be eliminated from the list. This Consent List of uncontested bills is then published by the Chief Clerk in the Third Reading Calendar for the next day.

(b) Prior to third reading, any member may object (for amendment or other purposes) to any bill on the Consent List and upon that objection being made to the Chief Clerk, the bill is removed from the Consent List and considered separately in its proper numerical order on third reading. Any bill which has an amendment is automatically removed from the Consent List by the Chief Clerk.

(c) At the beginning of third reading, the Majority Floor Leader moves for consideration of all Consent List bills. The Presiding Officer asks if there is any objection. It is in order for any member to request removal of any bill from the list at that time.

(d) The Presiding Officer asks the Reading Clerk to read all the Consent List bills through the enacting clause in the usual manner.

(e) The Presiding Officer identifies all bills in numerical order and puts the question on final passage: "Shall the bills pass? The Chief Clerk will please call the roll."

(NOTE: The initial roll call shall be the basis for "Aye", "Excused" and "Absent" marks on the following Consent List roll calls. ~~Generally,~~ Members are requested not to vote "No" ~~votes are not made at this time~~ to the entirety of the consent list.)

(f) After the initial roll call the Chief Clerk asks, on a bill by bill basis, if there are any who wish to change their vote or be excused by reason of a conflict of interest. Each member who wishes to do so then stands and identifies himself. The Chief Clerk records the vote change and signifies its recording by responding with the voter's name.

When all changes on each bill have been recorded, the Chief Clerk announces the final vote for that bill.

(g) When all roll calls for the Consent List have been completed, the Presiding Officer announces passage or failure of each bill.

2. Senate Procedure.

The Senate procedure is similar to the House procedure with the following changes:

(a) Shortly before third reading the Chief Clerk provides the Majority Floor Leader and the Minority Floor Leader with a list of all bills on third reading which have no amendments pending. If amendments are subsequently prepared, the bill is automatically removed from the list.

(b) The Majority Floor Leader moves the list by reading the bill numbers and catch title and the Presiding Officer repeats the list and asks if any member wishes to have a bill removed from the list. Full bill titles are not read. If request is made for removal, the bill is automatically removed from the list.

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APPENDIX - D

CONFERENCE COMMITTEE REPORT CHECK LIST

1. The Chairman from the body of the bill's origin obtains from the Chief Clerk a copy of the message containing all amendments ~~causing the disagreement~~ made by the second house.

2. Conference Committees work from the bill engrossed as passed by the body of origin.

3. On complex bills, the Chairmen may wish to request that staff from the House or Senate Attorney's office attend the conference to assist in technical drafting. If time permits and it is convenient for explanation of a complex bill, an "engrolled" copy of the bill with all amendments made by the second house may be prepared by the LSO. Any "engrolled" copy is provided to the JCC members and is not replicated on the website as it is not an official version of any legislative action but is used only for subsequent review and explanation to the JCC members. On extremely complex bills the Chairmen may ask the LSO to produce a copy of a proposed conference committee report reflecting all of the JCC's adopted motions.

4. After final JCC action, the report will be typed into the computer by the Attorneys ~~or their Secretary~~ in the body of the bill's origin. Committee members will then sign two ~~computer~~ printouts (Chairmen sign on the top lines in red or blue ink so the documents may be identified as originals.)

5. The format of the report shall be:
   a) First, specifically adopt or delete each of the "second body" amendments to the engrossed bill.
   b) Avoid adopting or deleting only a part of an amendment, e.g., the report should not read: "Adopt HB0999SW006/A except amendments to Page 1-line 8 and Page 2-line 4." The better practice is to delete the whole amendment and then incorporate any portion the Joint Committee wants to keep in the last section of the report where it "further amends".
   c) Avoid amending amendments.
   d) In the final section of the report, the Joint Committee may wish to further amend the engrossed copy of the bill.
   e) ~~Do not~~ In no case shall the JCC directly adopt or delete amendments adopted by the body of origin since their line and page references do not fit the engrossed bill. To change the content of such amendments, do it by further amendment to the engrossed bill.
   f) The provisions of b and c above may not be followed in extremely rare instances. These exceptions are made due to a lack of time at the end of a session or a very unusual situation in which deletion of an amendment and further amendment of the engrossed bill makes it difficult to track the changes agreed to by conference committee, e.g., following the general format would result in a ten page report while

deviating from that format would result in a one or two page report in which the change is clear.

6. Make sure the report includes instructions for title changes if necessary.

7. In case no recommendation is agreed to by a majority of the Committee members, make such a statement as your report and request a new Conference Committee. No written report is required when no recommendation can be agreed to. The chairman of the conference committee orally reports to the body and requests that a new committee be appointed.

8. Deliver two signed copies of the report to the Chief Clerk in the body of the bill's origin.

9. The first vote on whether to adopt the Joint Conference Report shall be made in the body of the bill's origin. If it is adopted, the Chief Clerk of the second body shall be advised and given the other "original" copy of the report for consideration there.

   Note: If a Conference Committee Report recommends receding from nonconcurrence, and the report is adopted by the house of origin, this constitutes final passage and the bill is sent to LSO for enrolling. There is no vote on the Conference Committee Report in the second house. (See J.R. 2-4)

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APPENDIX - E

PRIORITY OF MOTIONS ON QUESTIONS

1. MOTION TO ADJOURN (H.R. 10-5; S.R. 10-6)

PURPOSE: To dismiss the meeting. May either be a "recess", or an adjournment to the next day. A motion in the Committee of the Whole to "rise and report" is, in effect, a motion to adjourn that meeting.

LIMITATIONS: Not debatable, cannot be amended, is out of order during roll call, Committee of the Whole and during call of the House or Senate. (S.R. 6-5(d), 10-5, H.R. 6-6(c), 10-5, 12-12).

VOTE: Voice vote.

TO CARRY: Majority of those present.

2. TO LAY ON THE TABLE (H.R. 10-3, 10-6; S.R. 10-5)

PURPOSE: To lay business aside in such a manner that it may be considered later.

LIMITATIONS: Not debatable, cannot be amended, cannot be made in Committee of the Whole, and, in the House, a motion to reconsider or for previous question are not subject to a motion to lay on the table.

VOTE: Voice vote.

TO CARRY: Majority of those present.*

3. MOTION FOR THE PREVIOUS QUESTION (H.R. 10-3, 12-9; S.R. 10-5, 12-8)

PURPOSE: To stop debate and order an immediate vote without further discussion. If the motion prevails, a call of the House (or Senate) may be had before the vote is taken. Also a motion to adjourn is in order.

LIMITATIONS: This motion must be seconded by three other members. The motion is not debatable. As a practical matter, this motion is rarely used, as the same result is achieved by a call of "Question!" and if enough "Questions" are called, debate ordinarily stops, and the Chair puts the question. Not allowed in the Committee of the Whole.

VOTE: Voice vote or by "Ayes" and "Noes" on a roll call.

TO CARRY: Majority of Senators present (2/3 majority of those elected in the House).

4. POSTPONE TO A CERTAIN DATE (H.R. 10-7; S.R. 6-3 and 13-2)

PURPOSE: To set a definite time when a matter must be considered.

LIMITATIONS: Debatable only as to the propriety of postponing. In the House it can be applied only to main motions (see Masons' §§ 365, 441). In the Senate it is allowed in Committee of the Whole and during third reading. (Mason's §§ 365-374)

VOTE: Voice vote.

TO CARRY: Majority of those present.

5. MOTION TO COMMIT OR REFER (H.R. 4-7, 10-~~1~~9; S.R. 10-7)

PURPOSE: To place the matter in a Committee for further consideration.

LIMITATIONS: May be debated only as to the propriety of committing. May be amended. By House rule may be applied to main motions only. (H.R. 10-9) Per Mason's may be applied to any main motion. (Mason's §380, see generally Mason's §§ 378-390)

VOTE: Voice vote.

TO CARRY: Majority of those present.

6. MOTION TO AMEND (H.R. 11-4; S.R. 11-4, 11-6)

PURPOSE: To amend the immediately preceding question, whether it be the main question or another amendment. ~~An amendment must be germane; the Constitution allows only one subject to be embraced in a single bill.~~

LIMITATIONS: An amendment must be germane; the Constitution allows only one subject to be embraced in a single bill. No bill shall be so altered or amended on its passage so as to change its original purpose. S.R. 11-6, Wyo. Const. Art. 3 § 20. The debate must be confined to the merits of the particular amendment. Discussion not relating to the amendment even though pertinent to the main question is not permissible until action upon the amendment has been completed. An amendment to an amendment cannot be amended. Senate rules provide that the Senate shall take no action on any proposed amendment until the amendment has been reduced to writing. (S.R. 11-1) The House provides that amendments to any bill shall be in written form when submitted. (H.R. 11-4(e)) The historic practice of the House and Senate has been to allow amendments to amendments to be proposed orally on the floor if done to make technical corrections.

VOTE: Voice vote or by "Ayes" and "Noes".

TO CARRY: Majority of those present.

7. MOTION TO PASS

PURPOSE: To approve a question.

LIMITATIONS: Practically no limitations. As this is the main question, amendments are, of course, in order.

VOTE: In Committee of the Whole, voice vote or if motion fails, in the House by standing division and then by roll call vote. In the Senate by voice vote; if voice vote fails then by roll call vote. On third reading, roll call vote is required for a bill's passage. Wyo. Constitution Art. 3 § 25 (S.R. 7-11, H.R. 7-10).

TO CARRY: In Committee, majority of those present. On third reading, a majority of all those elected unless a greater majority is required by statutes or Constitution.

8. TO INDEFINITELY POSTPONE (H.R. 10-8)

PURPOSE: To finally dispose of a bill for the current session.

LIMITATIONS: Debatable. If a motion "to pass" has been lost, such action does not necessarily dispose of the question, and it may be revived or reconsidered. After the failure to carry a "DO PASS" motion, a motion to "indefinitely postpone" should be put and carried and the bill is thus definitely killed. Any further consideration of the same or similar subject matter could then be accomplished only by introduction of a new bill. Cannot be made during Committee of the Whole. (S.R. 6-5(a), H.R. 6-6(b)).

VOTE: Voice vote or by "Ayes" and "Noes".

TO CARRY: Majority of the elected members (House). Majority of members voting (Senate) (see Mason's § 435).

* The references to a "majority of those present" reflect the language of the House rules. It should be noted in regard to each such reference, throughout this manual and the Rules, that Wyoming Constitution, Article 3, Section 11, states: A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each house may prescribe. The list of vote requirements in Appendix I following reflects this Constitutional provision.

  The Senate rules generally are not as specified regarding the vote required for each motion. The appropriate rules are referenced and those rules reference Mason's Manual of Legislative Procedure for specific motions. Mason's section 510 provides general rules for votes required when not otherwise specified. Appendix I lists vote requirements.

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APPENDIX - F

General Procedural Motions

1. SUSPENSION OF RULES (H.R. 1-3; S.R. 1-3; J.R. 11-4)

PURPOSE: To take action ~~prohibited~~ contrary to that provided by the rules.
LIMITATIONS: This motion must include reason for suspending rules.
VOTE: Roll call or by a standing vote.
TO CARRY: Two-thirds of those elected. (Mason's §§ 279-286.)

2. CALL OF THE HOUSE (OR SENATE) (H.R. 12-12; S.R. 12-12)

PURPOSE: To secure a 100% attendance and require every member to vote. (See page 16 of this Manual for detailed discussion.)
LIMITATIONS: In the House, motion must be seconded by four members; by two members in the Senate. Cannot be made in Committee of the Whole. (S.R. 6-5(d), H.R. 6-6(c)).
VOTE: Voice vote (Roll call vote is standard in Senate).
TO CARRY: Majority of those present.

3. MOTION TO RESOLVE BODY INTO A COMMITTEE OF THE WHOLE (H.R. 6; S.R. 6)

PURPOSE: To make a less formal situation in which debate can go on without the restrictions or regular legislative rules.
LIMITATIONS: This motion is usually made by the Majority Floor Leader but can be made by any member. It is not in order until the body reaches that order of business: "Consideration of Bills on General File".
VOTE: Voice vote.
TO CARRY: Majority of those present.

4. REQUEST TO CONCUR; FAILURE TO CONCUR; MOTION TO ADOPT REPORT OF CONFERENCE COMMITTEE (J.R. 2; H.R. 10-10; S.R. 10-8)

PURPOSE: To reconcile differences in the content of a bill which has passed both bodies, but which has been amended in the body last considering the measure.
LIMITATIONS: Rules of consideration are identical to those relating to "Third Reading and Final Passage".
VOTE: Roll call.
TO CARRY: Majority of those elected unless a greater majority is required by statutes or Constitutional authority.

5. OVERRIDING GOVERNOR'S VETO Art. III, Sec. 41 (See Appendix – K.)

PURPOSE: To again pass a bill which both bodies have approved, but which the Governor has disapproved and vetoed. (See pages 5 and 6 of Appendix K for detailed discussion.)

LIMITATIONS: This motion is debatable only as to whether the veto should be sustained or overridden. No changes or amendments are permitted in the bill as enrolled.

VOTE: Roll call.

TO CARRY: Two-thirds of those elected.

6. CONFIRMATION OF APPOINTMENTS (S.R. 16)

PURPOSE: The statutes require that many appointments be made "by and with the advice of the Senate".

LIMITATIONS: The Senate resolves itself into an "Executive Session" before confirmations are voted upon. An "Executive Session" is one where the Senate sits, not as a lawmaking body, but for the purpose of acting in an "executive" capacity or for doing something not connected with its power of making laws.

VOTE: Roll call.

TO CARRY: Majority of those present.

7. MOTION TO RECONSIDER (H.R. 12-11; S.R. 12-10)

PURPOSE: To vote again on the same proposition which has already been voted on. (See page 13 of this Manual for detailed discussion.)

LIMITATIONS: * Motion must be made on the same or succeeding legislative day. Bill must still be in possession of the body. Person making motion must have voted with the prevailing side. This motion takes precedence over all other motions, except motion to adjourn. Once made and disposed of, cannot be renewed. It cannot be made in regard to procedural motions and cannot be made for other actions as specified by rule. By House Rules 6-6(c) and ~~24-12~~ 12-11(g), it cannot be made in Committee of the Whole in the House. The Senate does not have a corresponding rule, but requires that a motion to reconsider a vote in committee of the whole must be made before the adoption of the committee of the whole report. (S.R. 12-10(a)). This follows the general rule that a vote taken in Committee of the Whole may not be reconsidered on a proposal that is no longer in possession of Committee of the Whole. (Mason's § 687)
A motion to reconsider cannot be withdrawn without leave of the Senate. (S.R. 10-4).

VOTE: Voice vote or by "Ayes" and "Noes" on roll call.

TO CARRY: Majority of those present.

* There are different requirements in each house. See pages 13-15 and applicable rules.

8. MOTION FOR LATE INTRODUCTION of a BILL or RESOLUTION (General session)*

PURPOSE:	To allow a bill to be accepted for consideration or introduction after the rule deadlines in a general session. (For Senate: Deadline for acceptance for consideration is noon on 10th legislative working day. For consideration for introduction, 5 o'clock on the 12th legislative working day. S.R. 4-5). For House: Deadline for acceptance for consideration is noon on 12th legislative day. For consideration for introduction, 6 o'clock on the 15th legislative day. H.R. 4-5).
LIMITATIONS:	Cannot be made in Committee of the Whole.
VOTE:	Roll call or by a standing vote.
TO CARRY:	Two-thirds of those elected.

9. MOTION FOR LATE INTRODUCTION of a BILL or RESOLUTION (Budget session)*

PURPOSE:	To allow a bill to be accepted for consideration or introduced after the rule deadlines in a budget session. (For Senate: Deadline for acceptance for consideration after noon on 3rd legislative day. Deadline for consideration for introduction, 5 o'clock on the 5th legislative day. S.R.13-2). For House: Deadline for acceptance for consideration after noon on 3rd legislative day. Deadline for consideration for introduction, 6 o'clock on the 5th legislative day. H.R. 13-2).
LIMITATIONS:	Cannot be made in Committee of the Whole.
VOTE:	Roll call or by a standing vote.
TO CARRY:	Senate – unanimous consent. House: Two-thirds of those elected.

* While considered a procedural motion, the House has allowed debate on the motion.

10. MOTION TO CORRECT ADOPTED REPORT

PURPOSE:	To correct the adoption of an erroneous joint conference committee report, without expunging the record.
LIMITATIONS:	Cannot be made in Committee of the Whole.
VOTE:	Roll call.
TO CARRY:	Same vote as required for passage of the bill or resolution.

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APPENDIX - G

GLOSSARY OF WORDS AND TERMS

ADJOURNMENTS, KINDS OF:

1. Adjourn.
   A motion of highest priority, which may be made at any time (except during roll call, Committee of the Whole, call of the Senate or House) by any member. It is not debatable, and must be voted upon at once. Used to close each day's session with intent to resume on a given date and time.
2. Recess.
   A motion of similar priority used with intent to resume session at a later time that day.
3. At Ease.
   An announcement from the Chair indicating a short break in affairs, usually pending action by a Committee, etc.
4. Adjourn sine die.
   A motion at the end of the Legislative Session to adjourn "without date" for resumption of Session.
5. Rise and Report.
   A motion to adjourn the Committee of the Whole.

CALENDAR:

A daily listing showing bills ready for each action today.

CALL OF THE HOUSE OR SENATE:

Action compelling all members to be present in the proper Chamber.

COMMITTEE OF THE WHOLE:

A Committee of the Whole body. Usually assembled by a move to consider bills on General File and to make amendments thereto, and to recommend action to be taken by the body.

ENGROSS, TO:

To incorporate all adopted amendments into the text of the bill. Done in the Legislative Service Office.

ENROLL, TO:

To revise a bill after passage by both bodies of the Legislature, by incorporating therein all amendments adopted by both bodies. Done in the Legislative Service Office. The Enrolled Act becomes Law after being signed by Presiding Officers of each body and the Governor, or upon expiration of the time for the Governor to veto a bill.

FIRST READING:

Done when a bill is introduced. Catch Title and the name(s) of the sponsor(s) are read.

GENERAL FILE:

Position of bills after having been considered by the Standing Committees to which they were assigned. From this position, bills can go either to Committee of the Whole or back to Standing Committee.

INDEFINITELY POSTPONE, TO:

If the motion carries, its effect is to remove any future possibility for reconsideration of the bill in a session except by reintroduction as a new bill. See discussion in Appendix A regarding the propriety of a motion to "indefinitely postpone" as a Standing Committee action on a bill.

INTRODUCE A BILL, TO:

The only way to pass a law is to introduce a bill for an act in its proper form for consideration, amendment and passage by both bodies and approval by the Governor.

JOINT CONFERENCE COMMITTEE:

Composed of three members from each body appointed by the Speaker and President respectively. Its purpose is to reconcile the differences in the content of a bill which has been amended in the body last considering the measure, which amendments are not acceptable to the original body. Its report goes back to both bodies for debate and vote on adoption (the house of origin voting first). NOTE: Pursuant to J.R. 14-1(h)(2), joint conference committees on budget bills consist of five members from each house. Each body votes on the JCC report for the budget bill simultaneously.

LAY BACK, TO:

A motion to lay back a bill may be made and must carry by a majority of a quorum. The bill may be on General File in Committee of Whole, or on Second or Third Reading. It may be laid back to a specified position for a specified time.

"QUESTION" (CALL OF):

An informal use of the motion "Previous Question". Both are used to stop debate and force consideration of the main question and all amendments to it.

"QUORUM":

The majority of the membership of a body constituted of a definite number of members.

RECONSIDER, TO:

A motion to retake a roll call. Carried by majority vote of members present. Must be made by a member who voted on the prevailing side and must be made and be acted on the same or the next legislative day. Cannot be made once the bill in question has passed out of possession of the body. Announcement of reconsideration holds bill in possession of the body until a new vote can be taken. In the House, by tradition, the vote is taken by roll call rather than by voice. (See H.R. 12-11; S.R. 12-10.)

RECOMMIT, TO:

A motion made by any member to return a bill to the Committee which has already considered it.

REQUEST TO CONCUR:

When a bill has been amended in the second house and passed with the amendment, it is returned to the house of origin with a message stating the facts and requesting the house of origin to concur in the amendment.

REREFER, TO:

A motion made by any member to assign a bill to a Committee other than the one which has already considered it. Bills containing an appropriation, or which require an appropriation or change in funds shall be re-referred to the appropriations committee if initially referred to another committee. (S.R. 4-8; H.R. 4-8)

SECOND READING:

Usually is ordered at least a day after adoption of recommendation of Committee of Whole. Catch Title of bill is read only. This reading serves primarily as a notice to members that the bill will be up for Third Reading and final passage the following day. No action is required, but any action, including amendment, may be moved on the bill by any member. In the House, an amendment on second reading to delete the enacting clause of a bill has historically been ruled out of order.

THIRD READING:

Usually is ordered on the next legislative day following Second Reading. Bill number, catch title, sponsor(s) and the enacting clause are read, and roll call is taken for final passage.

WITHDRAW:

A motion to remove a bill from further consideration by the member who introduced the bill can only be made when the bill is in possession of the body, and must carry by unanimous consent of the members.

WITHOUT RECOMMENDATION:

A Committee may return a bill without recommendation, which indicates neither approval nor disapproval.

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APPENDIX - H

STANDARD ORDER OF BUSINESS PROCEDURES
(H.R. 3 and S.R. 3-5)

1. ROLL CALL (S.R. 3-2)

   (a) Presiding Officer declares, "The _____ will please come to order".
   (b) "The Chief Clerk will call the roll". (Note: Members not answering are absent unless excused - See H.R. 3 and S.R. 3-5.)

2. PRAYER BY THE CHAPLAIN

3. JOURNAL COMMITTEE REPORT

   (a) Presiding Officer asks Reading Clerk to read the Journal Committee Report.
   (b) After the reading, Presiding Officer asks, "Are there any objections?", then, "There being none, the Report is adopted.", or if there is objection, proper action is taken.

4. MESSAGES

   (a) "Messages from the Governor".
   (b) "Messages from the .....". (the other body)

5. UNFINISHED BUSINESS

   Other announcements and business not listed here.

6. INTRODUCTION, READING AND REFERENCE OF BILLS
   (in numerical order)

   (a) Newly introduced bills are handed to the Presiding Officer by the Chief Clerk.
   (b) In the House the Speaker announces, "..... No. ....." and hands it to the Reading Clerk.
   (c) In the House the Clerk reads "..... No. ....., introduced by ....." and pauses. The Speaker taps gavel and announces "First reading of the bill".

   In the Senate the President announces, "…. No. …., first reading of the bill," and hands it to the reading clerk who reads "…. No. …., introduced by." The Reading Clerk continues with reading in accordance with Appendix L and then returns the bill to the Presiding Officer.

   NOTE: Roll call is required on non-budget bills during Budget Sessions.

(d) Presiding Officer announces the reference of the bill to the proper Standing Committee, giving name and number of the Committee. Bill is then handed to the Chief Clerk or Assistant Chief Clerk.

7. SENATE FILES OR HOUSE BILLS ON FIRST READING
(in other than body of introduction)

Same procedure as in 6 above except that in the Senate the vote on third reading of the measure in the originating body is read after reading the catch title and sponsor(s).

8. REPORTS FROM STANDING COMMITTEES

These reports are read by the Reading Clerk in their entirety including the vote by name. (NOTE: If amendments are in the report, they need not be read since they have been distributed.) (See Appendix L.)

9. REPORTS FROM SELECT COMMITTEES

~~9~~ 10. BILLS ON SECOND READING

(a) The Presiding Officer receives the bills in their proper numerical order, handing one at a time to the Reading Clerk, who reads the number, and the catch title of the bill.

(b) The Presiding Officer announces "..... No. ..... having been read two separate times, the question is shall the bill be read a third time?" (Pause to allow for amendment if any) Continue by saying, "There being no objection, it is so ordered".

~~10~~ 11. BILLS ON THIRD READING AND FINAL PASSAGE

(a) The Presiding Officer hands each bill, name of sponsors in its proper numerical order to the Reading Clerk and asks the Reading Clerk to read the bill. The Reading Clerk reads the bill number, the catch title of the bill, name of sponsor(s) and the enacting clause. (See Appendix L.)

(b) If there are amendments, the Presiding Officer states: "There are amendments," and calls upon the sponsor of the first amendment to be considered. Upon completion of all amendments, or if there are no amendments, the Presiding Officer states: "SF/HB having been read three separate times, the question is: 'Shall the bill pass?' The Chief Clerk will call the roll." (Two-thirds is inserted if required for the proposal.)

(c) If a majority votes in the affirmative, the Presiding Officer announces, "..... No. ..... having received the affirmative vote of a majority of the members elected to the ....., ... No. ..... has passed the .....". If a majority affirmative vote is not received, the Presiding Officer announces, "..... No. ..... having failed to receive the affirmative vote of a majority of the members elected to the ....., ... No. ..... has failed to pass the .....". (Two-thirds is inserted if required for the proposal.)

~~11~~ 12. CONSIDERATION OF BILLS ON GENERAL FILE

(See also Appendix - B)

(a) The Floor Leader moves the body resolve itself into the Committee of the Whole for the purpose of considering bills on General File.

(b) The Presiding Officer puts the motion before the body and it always carries by voice vote without dissension as a matter of course. The Presiding Officer then asks the member preselected by the Majority Whip in the House or the Senate Vice-President to take the Chair as Chairman of the Committee of the Whole.

(c) At the proper time, the Floor Leader moves that the Committee of the Whole rise and report. The motion carries on a voice vote and the Presiding Officer returns to the Chair and asks the Reading Clerk to read the report which is then adopted by the proper motion (made by the member who was just Chairman) and vote of the membership.

(d) In the event of an interruption deemed brief in nature but which requires the Presiding Officer, the Floor Leader makes this motion, "Mr. Chairman I move the Committee of the Whole rise for the purpose of ..... and to sit again". The motion carries by a voice vote and the Committee rises with the Presiding Officer in the Chair again.

13. ACTION ON ADMINISTRATIVE RULE ORDERS

The Joint Rules provide that "[o]n 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. (J.R. 12-1) A legislative order disapproving an administrative rule is handled in the same manner as a bill, except that the order is referred directly to the Committee of the Whole and is not subject to an introductory vote in a budget session. Legislative orders are extremely rare.

~~12~~ 14. SPECIAL ORDERS AND COMMITTEE ANNOUNCEMENTS

~~13~~ 15. RECESS/ADJOURNMENT

~~14~~ 16. SIGNING OF ENROLLED ACTS Senate Rule 3-5 places this order of business after consideration of general file. The Joint Rules provide that signing of enrolled acts shall be the first order of business after the current order and be signed immediately upon presentation to the presiding officer. (J.R. 4) Both houses follow this joint rule as a matter of practice to a large extent.

(When Acts are brought to the Presiding Officer)

(a) The Presiding Officer announces "We are at that order of business signing of Enrolled Acts".

(b) Presiding Officer announces the number of the Act and hands it to the Reading Clerk and says, "The Reading Clerk will read the Enrolled Act". (Sec. 28, Art. 3.)

(c) Reading Clerk reads and returns Act to the Presiding Officer.

(d) Presiding Officer then announces, "I am about to sign Enrolled Act No. ....., being original ..... No. .....".

(e) After signing Act, Presiding Officer taps his gavel and announces, "I have so signed".

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APPENDIX - I

LEGISLATIVE VOTE REQUIREMENTS

Note: "M" refers to Mason's Manual of Legislative Procedures.

1. Unanimous consent of elected members is required to:
   a. Withdraw a motion. H.R. 10-2; S.R. 10-4; M. 537.
   b. Sponsor a bill for the appropriation of money, excluding the expenses of government, within five days of the close of a general or budget session. Art. 3, Sec. 22.

2. Two-thirds vote of elected members required to:
   a. Introduce a bill after noon of the 15th day. H.R. 4-5; (12th day in the Senate) S.R. 4-5.
   b. Suspend rules. H.R. 1-3; S.R. 1-3; M. 279-286.
   c. Carry the previous question in the House of Representatives. H.R. 12-9; M. 345-352. (Senate Rule 12-8 requires three seconds but does not require two-thirds vote.)
   d. Pass a Constitutional Resolution. Art. 20, Section 1.
   e. Expunge from the Journal. H.R. 14-4; S.R. 15-5; M. 444.
   f. Override a Governor's veto. Art. 3, Section 41.
   g. Expel a member. Art. 3, Section 12.
   h. To rescind a vote in the Senate. S.R. 12-11.
   i. Amend, suspend or rescind a joint rule. J.R. 11-4. A two-thirds vote is required in each house. This rule has been interpreted to apply to the Joint Rules after adoption of the Joint Rules as permanent rules for that legislature. The adoption of the Joint Rules of the previous legislature as the temporary rules of the new legislature pursuant to Joint Rule 11-2, is not the adoption of a joint rule which requires a two-thirds vote to amend, suspend or rescind. (Interpreting J.R. 11-2 through 11-4).

3. Majority vote of elected members required to:
   a. Constitute a quorum. Art. 3, Section 11.
   b. Make final passage of a bill. Art. 3, Section 25.
   c. Concur or not concur on second body amendments. Art. 3, Section 25.
   d. Adopt or not adopt a Joint Conference Committee Report. Art. 3, Section 25.
   e. U.S. Constitution ratification of amendments. Art. V, U.S. Const.
   f. Recall bill from Committee. H.R. 5-6 (5 seconds).
   g. Postpone indefinitely (House only). H.R. 10-8.
   h. Adopt Senate and House rules-each house voting separately. J.R. 11-1; Wyo. Const. Art. 3 § 12.
   i. Adopt Joint Rules, each house voting separately. J.R. 11-1.

4. Majority vote of a quorum required to:
   a. Adjourn (a majority of those present).
   b. Adopt reports.
   c. Amend.

d. Commit.
e. Confirm appointments (Senate only).
f. Lay on the table.
g. Pass.
h. Postpone to a certain date (both).
i. Recommit or rerefer.
j. Reconsider.
k. Resolve body into a Committee of the Whole.
1. Sustain an appeal from the decision of the chair.

5. "Ayes and noes" and names of those voting must be entered in the Journal on final passage and, in Budget Session, upon introduction of bills other than appropriations bills. Art. 3, Sections 6 and 25. The standard practice is that all "ayes and noes" votes are entered in the Journal.

6. Call of the House can be made by five members. Call of the Senate can be made by three members. H.R. 12-12; S.R. 12-12.

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APPENDIX - J

AMENDMENT NAMING PATTERN

Names are designated by the Attorney or Chief Clerk and are applied to an amendment on receipt from the sponsor.

~~Design of the approach is such that the name is meaningful to anyone who knows the system as well as being a standardized computer code for the full text of the amendment.~~ The name tells the reader when and where an amendment was acted upon and its disposition.

HB = House Bill, SF = Senate File, HJ = House Joint Resolution, SJ = Senate Joint Resolution.

For example: Analyze the amendment name of SF0015S2001/ACE

1. SF0015 = Bill name and no. - Senate File 0015
2. S = Initial of amending house - Senate amendment
3. 2 = Order of business - during second reading
4. 001 = Sequence of amendment on each reading - it's amendment #1 on second reading
5. / = End of original name - before floor action
6. A = Code showing adopted or failed - Was adopted
7. C = Corrected copy of amendment (if applicable) (A second "C" indicates that the amendment was corrected more than once)
8. E = Engrossed copy of bill (if applicable)

In 3. above, there are five possible order of business codes in each house:

-S- for Standing Committee amendments
-W- for Committee of the Whole amendments
-2- for 2nd reading amendments (as in the example above)
-3- for 3rd reading amendments
-JC- for joint conference committee report amendments

Many combinations of letters and numbers are possible and can cover all situations of amendment action. Sample names in the five orders above, are:

SF - SS001/A Senate Standing Com. Amend to SF adopted
HB - SW003/F Senate Com. of Whole Amend. #3 to HB failed
HJ - H2002/A House 2nd reading amendment #2 to HJR adopted
SJ - H3001/A House 3rd reading amendment #1 to SJR adopted
SF - JC002/A Adopted report of second Joint Conf. Com. on SF

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Divided Amendments

If, during floor action, an amendment is divided into two or more parts, some of which pass and some of which fail, an additional two-digit amendment code (e.g., .01, .02, etc.) is added to the amendment name to identify each of the divided parts. For example, if an amendment originally coded SF0015S2001 is divided into two parts during floor debate and one part passes and one part fails, the two parts of the divided amendment would be renumbered:

SF0015S2001.01/AC = Code name assigned to that part of the amendment which passed.
SF0015S2001.02/FC = Code name assigned to that part of the amendment which failed.
A divided amendment always carries the "C" coding as the division modifies the distributed amendment.

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APPENDIX - K

ENROLLED ACTS/GUBERNATORIAL ACTION

Delivery of enrolled acts to Governor's office

- After the original copy of an Enrolled Act (green copy) is signed by the presiding officer of the house of origin, the original Enrolled Act and the receipt book of the house of origin are sent to the second house. The bill jacket remains in the house of origin.

- Whether the Enrolled Act is subsequently approved or vetoed by the Governor, the bill jacket remains in the house of origin until it is turned back to LSO at the end of the session.

- The original Enrolled Act (green copy) is receipted for in the second house and, to save time, the receipt book from the house of origin remains in the second house for later transmittal with the Enrolled Act to the Governor.

- After the Enrolled Act is signed by the presiding officer of the second house, the original Enrolled Act (green copy), together with the receipt book from the house of origin, are sent by the Chief Clerk of the second house to the Governor's office via messenger.

- The receipt book is signed and dated by designated staff in the Governor's office and is then returned by the messenger to the house of origin.

Receipt and review of enrolled acts by Governor's office

- The Governor's office is open to receive Enrolled Acts at all times that the Legislature is in session. One member of the Governor's staff is designated to receive Enrolled Acts.

- The Governor's office receives only the Enrolled Act (green copy), never the bill jacket.

- The messenger from the House or Senate delivers the Enrolled Act to the Governor's office and has the appropriate member of the Governor's staff sign the receipt book and enter the date and time received in accordance with House and Senate Joint Rule 4-~~3~~ 4.

- The Governor's staff also enters the date and time of receipt of the Enrolled Act in the Governor's office log.

- The Governor's office makes a copy of the Enrolled Act and sends the **copy** ~~(beginning in 1997)~~ to the Attorney General for confidential review. Notations are made in the Governor's

office log as to when the act is sent to and returned from the Attorney General. The Governor requests that this review be completed within 24 hours.

- During the session, the Governor has three days, excluding Sundays, in which to act on an Enrolled Act.

  [Wyoming Constitution Article 4, Section 8 provides that the Governor has 3 days (Sundays excluded) to veto a bill after its presentation to him, otherwise it becomes law. If the legislature adjourns before the 3 day period expires, the Governor may veto the bill within 15 calendar days (Sundays not excluded) after the date of adjournment.]

Governor's office procedures relating to approved acts

- During the Session, notice of the Governor's approval of Enrolled Acts is provided to both houses of the Legislature. This notice may be via an individual letter or message from the Governor, or by delivery of an updated "Enrolled Act" status report prepared by the Governor's staff and furnished to both houses at the end of each legislative day.

- Upon approval, the Governor's office delivers the original Enrolled Act (green copy) to the Secretary of State and requires that office to receipt for the Act in the Governor's log indicating the date and time delivered.

- If, during the Session, an Act is allowed to become law without the Governor's signature, or is approved but with comments or reservations, a letter of explanation addressed to the presiding officer is sent by the Governor to the presiding officer of the house of origin and a copy is sent to the other house and to the Secretary of State. ~~Beginning in 1997,~~ The Governor's office will also provide a copy of any such notice to the Chief Clerk of the house of origin.

  After the close of the Session, explanatory letters of this type are addressed and delivered by the Governor's office to the Secretary of State (copies to the two presiding officers, Legislators and LSO.)

Secretary of State's procedure for receiving approved acts during the session

- The original (green copy) of each Enrolled Act approved by the Governor is delivered to the Secretary of State (SOS) by staff of the Governor's office.

- Staff in the Secretary of State's office ensure that the Enrolled Act bears all the appropriate signatures. If a letter of explanation does not accompany a bill allowed to become law without the Governor's signature, SOS staff inquire as to the status of the letter. SOS staff then date and time stamp the Enrolled Act on the signature page and sign and date the Governor's office log.

- If multiple bills are delivered to the Secretary of State at the same time they are arranged according to the date and time of the Governor's signature and are then assigned a Chapter number which is written on the front page of the Enrolled Act.

- Any accompanying explanatory letter is annotated with the Chapter number of the Act it relates to and is stored with the Enrolled Act.

- SOS staff complete a data entry form (log) maintained by the Secretary of State's office setting out identifying information relating to the Act, the date of approval and the effective date. In the case of an Act allowed to become law without the Governor's signature, an entry of "no signature" is made in the log.

- The LSO is notified that the Act has been assigned a Chapter number and is provided a copy of the Secretary of State's log together with a copy of any explanatory letters delivered by the Governor's office. LSO staff enter the assigned Chapter number in the Legislature's bill tracking system.

- The original Enrolled Act is then sent by the SOS staff to be ~~microfilmed at Archives where the microfilm is~~ scanned and retained. The original Enrolled Act is returned to the Secretary of State and is stored in a three ring notebook until after the Session at which time it is moved to vault storage in the Secretary of State's office.

Governor's office procedures relating to vetoes

During Session: non-budget bills:

- Following a Gubernatorial veto, the original Enrolled Act (green copy) and the original veto letter addressed to the presiding officer are delivered to the house of origin and a copy of the veto letter is sent to the second house.

- ~~Beginning in 1997,~~ The Governor's office will ensure that a copy of each veto letter sent to the presiding officer is also provided directly to the Chief Clerk.

- To facilitate the Secretary of State's ability to respond to public inquiries concerning pending legislation, the Governor's office ~~(beginning in 1997)~~ will provide a copy of the Enrolled Act

and a copy of the veto message to the Secretary of State at the same time notice of the veto is provided to the house of origin.

- The Legislature has taken the position that if the Legislature has not adjourned sine die, the chief clerks shall make themselves available for the Governor's return of the bill to the appropriate house pending the return of the body prior to the expiration of the three day period.

After Session: non-budget bills:

- The original Enrolled Act and the original veto letter addressed to the Secretary of State are delivered to the Secretary of State.

- A copy of the veto letter is sent by the Governor's office to the presiding officers of each house, legislators and LSO.

During Session: budget bill line item vetoes:

- The Governor lines out vetoed provisions.

- The original Enrolled Act (green copy) is delivered to the Secretary of State with a copy of the veto letter.

- A copy of the Enrolled Act (or vetoed portions thereof) and the original veto letter addressed to the presiding officer (with a copy to the Chief Clerk) are delivered by the Governor's office to the house of origin in conformance with Wyoming Constitution Article 4, Section 9. A copy is also sent to the second house.

After Session: budget bill line item vetoes:

- The original Enrolled Act (green copy) and the original veto letter addressed to the Secretary of State are delivered by the Governor's office to the Secretary of State.

- A copy of the veto letter together with a copy of the vetoed portions of the budget bill are sent by the Governor's office to the presiding officers of each house, Legislators and LSO.

House and Senate procedures relating to vetoes

- The original Enrolled Act (green copy) and the original veto letter are sent by the Governor's office to the presiding officer of the house of origin.

  ~~Beginning in 1997,~~ The Governor's office will also provide a copy to the Chief Clerk of the house of origin. The Chief Clerk will have copies of the veto letter distributed to the members of the house of origin.

- Once the presiding officer brings the matter up for consideration, the original veto message is placed in the journal in the house of origin.

House of origin fails to override veto:

- If the house of origin fails to override the veto, a message to that effect is sent to the Governor and to the second house.

  ~~Beginning in 1997,~~ A copy of this message will also be sent to the Secretary of State and the original Enrolled Act (green copy) will be sent by the house of origin to the Secretary of State for permanent storage.

House of origin votes to override:

- If the house of origin votes to override the veto, a message to that effect is sent to the second house along with the **original** Enrolled Act (green copy) and the roll call on the override vote taken in the house of origin.

  ~~Beginning in 1997~~ A copy of the message indicating a successful override in the house of origin together with a copy of the roll call vote taken in the house of origin will be sent by the house of origin to the Governor and to the Secretary of State.

- Following receipt of the message indicating the house of origin voted to override the veto, a vote on override is taken in the second house.

- If the second house also votes to override, a message to that effect is sent by the second house to the Governor and to the first house and the original Enrolled Act (green copy) is sent by the second house to the Secretary of State.

- If the second house does not vote to override the veto, a message to that effect is sent to the first house and to the Governor.

  ~~Beginning in 1997~~ A copy of this message will also be sent to the Secretary of State and the original Enrolled Act (green copy) will be sent by the second house to the Secretary of State for permanent storage.

House or Senate fails to act on veto:

- ~~On rare occasion, the house of origin or the second house may fail to attempt an override of a gubernatorial veto.~~ Each house has determined that the language of the Constitution does not require the house of origin to consider each veto of an individual bill or of items of bills containing appropriations. (Wyo. Const. Art. 4 § 8). (This may be due to time constraints at the end of the session, or because there appears to be a clear lack of the votes necessary for override.)

- ~~Beginning in 1997,~~ If the House or Senate fails to act on a gubernatorial veto, the house having possession of the Enrolled Act at the end of the session will send the original Enrolled Act (green copy) to the Secretary of State for permanent storage, together with a message to the effect that no action was taken on the veto.

House and Senate action on ~~budget bill~~ line item vetoes in bills with appropriations:

- Procedures in the House and Senate are the same as for ~~non-budget~~ bills without multiple appropriations except that the original Enrolled Act (green copy) is sent by the Governor to the Secretary of State and a copy of the Enrolled Act (or the portions vetoed) is sent to the house of origin along with the original veto message. The chief clerks maintain scripts for the legislature's consideration of "line item" vetoes.

- If the Legislature overrides any portion of the Governor's veto of a budget bill, a message is sent to the Secretary of State indicating the portions overridden.

- If the Legislature fails to override any portion of the Governor's veto of a budget bill:

  ~~Beginning in 1997:~~ To provide a complete record in the Secretary of State's office, the last house voting on the attempted veto override will send a message to the Secretary of State indicating the action taken by the Legislature even if all portions of the veto override attempt fail.

Secretary of State procedures relating to vetoes

During session: non-budget bills:

- To facilitate the Secretary of State's ability to respond to public inquiries concerning pending legislation, the Governor's office ~~(beginning in 1997)~~ will provide a copy of the Enrolled Act and a copy of the veto message to the Secretary of State at the same time notice of the veto is provided to the house of origin.

- If the Legislature overrides a veto, the original Enrolled Act (green copy) together with a record of the roll call votes in the House and Senate are delivered to the Secretary of State for permanent storage.

- If the veto override attempt fails:

  ~~Beginning in 1997,~~ If either the house of origin or the second house fails to override a veto, a message to that effect, together with the roll call vote, will be sent to the Secretary of State and the original Enrolled Act (green copy) will be sent (by the last house acting on the veto) to the Secretary of State for permanent storage.

During session: budget bill line item vetoes:

- The original Enrolled Act (green copy) is delivered to the Secretary of State by the Governor's office together with a copy of the veto letter.

- If the Legislature overrides any item vetoed by the Governor, the Secretary of State's office annotates "Veto overridden by House and Senate (date)" at the appropriate place in the original Enrolled Act (green copy).

After Session:

- The Secretary of State receives the original Enrolled Act (green copy) and the original veto letter addressed to the Secretary of State.

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APPENDIX - L

READING OF BILLS

Basic Reading

The "basic" reading approach is to have the Reading Clerk read the following items:

(a) Bill Number.

(b) Catch Title.

(c) Prime Sponsor. If there are additional sponsors the Reading Clerk can say "et al."

(d) "AN ACT" followed by the "relating to" clause, e.g., "relating to state parks;". At the first semicolon after the "relating to" clause the Reading Clerk will stop reading.

Reading Required for Various Orders of Business

Following is a list of the various orders of business at which reading is relevant. Each has a description of the reading to be used with reference to the "basic" reading of the bill as described above.

1. Introduction in house of origin. Read the bill number, catch title, and sponsor(s).

2. Introduction in opposite house. Read the bill number, catch title, sponsor(s) (and in the Senate the third reading vote).

3. Standing Committee reports. The bill is not read at this time. Generally the Standing Committee reports procedure is fairly short with the key being the reading of the votes of the individual Committee members.

4. Committee of the Whole. The bill number, catch title, an act relating to, sponsor(s) and standing committee report(s) are read.

5. Second Reading. The bill number and catch title are read.

6. Third Reading. In the House, the basic reading is used along with the "Be It Enacted" clause. In the Senate read the bill number, catch title, sponsor and the enacting clause. If bills are on a consent list, the Reader does not read the bill.

7. Enrolling. In the House, the basic reading is used. In the Senate read "___Enrolled Act No. _____, being original __HB/SF No. ___. An act relating to (read to the first semicolon).

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APPENDIX – M

~~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.~~

~~B. Vice Chairman. The vice chairman shall:~~

~~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.~~

~~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.~~

~~E. Minutes.~~

Minutes of any meeting of the joint interim committee shall be approved and signed by the chairman 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.~~

1. The Joint Rules provide the rules for interim committees are those provided in Appendix A of the Joint Rules unless the committee adopts alternative rules at its first regularly scheduled meeting following adjournment of the General Session. (J.R. 17-1). The sample rules also control the actions of select committees as applicable. The houses have adopted different versions of that Joint Rule, with the Senate version requiring a majority vote of each house to adopt alternative interim committee rules. The House version contains no such language. (J.R. 17-1(b)). Under this scenario, the LSO has advised committees that they are free to determine the vote required to adopt alternative rules. In the absence of adoption of alternative rules, the LSO has advised that a majority of a committee's membership constitutes a quorum, and a majority of the quorum can take any action.

2. Proxy and absentee voting in Joint Interim Committees.

   Proxy voting shall not be permitted in joint interim committees. Absentee voting in joint interim committees is subject to the discretion of the Chairmen. In exercising discretion, the Chairmen shall announce the standard at the first regularly scheduled meeting of the committee and apply the same standard throughout the biennium. If the Chairmen fail to announce the standards at the first regularly scheduled committee meeting of the biennium, absentee voting shall be permitted. Absentee voting in joint interim committees shall only be allowed for members who have attended a substantial portion of the committee's discussion of the issue.

APPENDIX - N

SPONSOR APPROVAL OF BILL DRAFTS/CO-SPONSORS

(a) Standard Sponsor Approval Procedures:

(i) As soon as a bill draft is in final form and the fiscal note, if any, is complete, the LSO sends the prime sponsor an approval form through the legislative extranet which the prime sponsor holds until he or she has received approvals from his or her co-sponsors through the legislative extranet.

(ii) Co-sponsors provide their approval directly to the prime sponsor. If a co-sponsor has suggested changes for the bill, he or she contacts the prime sponsor who then decides whether to direct the LSO to make the changes.

(iii) After collecting the co-sponsor approvals (**note:** the prime sponsor may wait as long as he or she desires), the prime sponsor forwards them, together with his or her approval, to the LSO through the legislative extranet.

(iv) When the draft and fiscal note, if any, are approved without changes, the bill is pre-filed and assigned a bill number. If the sponsor requests substantive changes to the bill draft, the LSO will redraft the bill or fiscal note as applicable, and resend the revised version to the prime sponsor and the approval process begins again. A substantive change shall be interpreted as a change which could foreseeably affect a legislator's decision to be a co-sponsor. Technical and grammatical changes are not substantive changes. In implementing this provision in questionable situations, the LSO shall err on the side of determining that other changes are substantive changes.

(b) Limit on Number of Co-Sponsors: The LSO shall limit the extranet so that not more than 15 co-sponsor approvals may be sent unless the prime sponsor obtains approval for a greater number from the leader of the prime sponsor's party in the house of which the prime sponsor is a member (*i.e.*, the Speaker or President in the case of the majority party, otherwise, the Minority Floor Leader).

(c) Adding Late Co-Sponsors: Co-sponsor names will appear on the introduced version of a bill only if an approval for that co-sponsor accompanies the prime sponsor's approval sent to the LSO. No co-sponsor name shall be added on the **initial printed bill** after the sponsor approval is received by the LSO.

Note: With the approval of the prime sponsor, co-sponsors may be added by signing the bill jacket after the bill has been numbered, in which case their names

shall appear as a co-sponsor in the Journal and on subsequent engrossed copies of the bill, but will not be printed on the original introduced bill.

(d) "Held" Bill Drafts: At a point in time immediately preceding each legislative session, as determined by the LSO the extranet process for approving bill drafts shall be supplemented by the LSO using the following special sponsor approval procedures:

(i) When the sponsor arrives in Cheyenne for the session, the LSO provides him or her a combined sponsor/co-sponsor approval form. The sponsor is then responsible for obtaining the signatures of co-sponsors on the form.

(ii) The bill will not be processed further until the form is submitted in hard copy or the bill is approved through the extranet. Once the form or extranet approval is submitted by the sponsor, the bill is numbered and no additional co-sponsors may be added (*see* limited exception under 5(c) above). The LSO shall accept co-sponsor approvals submitted through the extranet or by hard copy under this subsection.

(iii) If the prime sponsor decides to make a substantive change in the bill after beginning to collect co-sponsor signatures, under this subsection, the same process for changes stated in (a)(v) above is followed by the LSO.

5. Fiscal notes for bill drafts

(a) W.S. 28-8-105(d) requires the LSO to provide a fiscal note for each bill "having a fiscal impact, indicating fiscal and personnel impact and revenue generated or required" by the bill. Fiscal notes quantify estimated revenue generated or required by the legislation at the state level and also reflect any changes to the total amount of revenue distributed from the state to local governments under a statutory formula. Fiscal impacts on government entities below the state level are not reflected in fiscal notes.

(b) In preparing fiscal notes, the LSO submits a copy of the draft bill to State agencies affected by the bill for input. Agencies are afforded a limited time from the date of request to develop information. The bill sponsor's name is not released to the agency unless specifically authorized by the sponsor.

(c) If a bill is determined to have fiscal impact, sponsor/co-sponsor approval is not distributed and cannot be completed until the fiscal note is complete. The statutory requirement that "fiscal notes shall be submitted to the sponsor of the bill for review and approval prior to attachment to the bill" is interpreted to mean the sponsor receives the fiscal note for review and approval prior to the bill being numbered .

(d) The LSO does not begin preparing fiscal notes until November of each year. In the case of bills drafted before that date, a working draft of the bill is sent to the sponsor with a notation that the fiscal impact analysis is pending. Subsequently, after the fiscal note is completed, a final copy of the bill is distributed to the sponsor together with the appropriate sponsor approval form.

(e) Submission of sponsor approval of a bill draft to the LSO is also approval of the fiscal note attached to the draft. The sponsor should contact the LSO if he or she disapproves of the estimated impact reflected in the fiscal note. The LSO works with the sponsor to ensure the fiscal note provides accurate estimates of revenue generated or required by the draft bill. If the LSO and sponsor cannot agree on the estimated fiscal impact, the fiscal note should reflect that the estimate of fiscal impact was not approved by the sponsor. Fiscal notes approved by the sponsor are corrected if the estimate is clearly erroneous. Fiscal notes are not updated or modified based on proposed or adopted amendments to a bill.

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APPENDIX - O

AMENDMENT PROCEDURES

1. Requesting an Amendment:

(a) There is no particular formality in submitting amendment requests. A request may be communicated orally or in writing (hard copy or electronically) to one of the staff in the House or Senate attorneys' offices. Sufficient instructions should be given to enable the staff member to clearly understand what is trying to be accomplished.

2. Amendment Drafting Priorities:

(a) Except as authorized in this paragraph amendments to the same bill are to be drafted in the order submitted to the House and Senate attorneys. The House or Senate attorney may process amendments to the same bill in an order different than receipt in order to maximize efficiency of floor proceedings, including arranging amendments to minimize the number of prior or subsequent amendments that must be modified or deleted or numbering less complex amendments received after receipt of request for complex amendments in order to allow floor debate to proceed. Amendments to different bills shall be drafted in the order the House or Senate attorney determines best meets the needs of the floor proceedings and maximizes efficiencies of the office, giving due consideration to the order of submission. The House or Senate attorneys advise the chief clerk and the requestor of requested amendments that have been received and not numbered and distributed if the attorney foresees that completion of the amendment may delay floor proceedings.

3. Confidentiality of Amendments:

(a) General rule – implied waiver of confidentiality. Unless confidentiality is specifically requested, the LSO staff will assume the legislator has waived confidentiality regarding requests for amendments during the session as to other legislators. A subsequent legislator asking for a substantially similar amendment will be advised of the name of the first legislator who is working on a similar proposal.

(b) Exception – If specifically requested, the staff will treat a proposed amendment as confidential in which case the amendment is not numbered and distributed until authorized by the legislator.

(c) Neither the existence of an amendment nor the text of an amendment is released by the LSO to the public until the amendment is approved by the sponsor for numbering at which point the amendment is released to the public.

(d) Distribution of Amendments: Amendments that are approved by the sponsor for numbering are numbered and are then available on the Legislature's website. Numbered amendments are distributed on the floor and made available to the public immediately upon completion of the previous reading of the bill, *i.e.*, 3rd reading amendments are distributed after 2nd reading on the bill is finished.

(e) Amendment Co-Sponsors: Unless the legislator has specifically instructed the LSO not to include the legislator as a co-sponsor of an amendment the LSO may assume a prime sponsor has obtained the consent of the co-sponsors the prime sponsor requested to be included on an amendment and list them on the amendment without independently confirming their approval.

While there is no formal limit in the rules on the number of co-sponsors to be listed on an amendment, the custom of the House of Representatives is to limit the total number of sponsors on an amendment to four. The custom of the Senate has been to limit the number of sponsors on an amendment to five.

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APPENDIX - P

SUBSTITUTE BILLS

1. Substitute bills can be requested only by a standing committee or a chairman of a standing committee.

2. The Committee chairman or secretary requests the Attorney's office to prepare the substitute bill.

3. A Substitute No. "X" is then prepared. It is a draft only. It is not an official version of the bill. It is essentially the same as a proposed amendment which is offered to a committee.

4. The Attorney's office will provide copies of the Substitute "X" to the Committee secretary. The public may obtain copies of the Substitute "X" version from the Committee secretary just like any other proposed amendment. Substitute "X" versions are drafts and not official versions; therefor they are not available from the LSO or on the Web site.

5. The Committee then considers and amends the Substitute "X" version as it sees fit. If the Committee adopts the Substitute "X" without amendments, the Committee secretary informs the Attorney's Office and the substitute "X" is renumbered as "Substitute No. 1" through the Attorney's Office. The Attorney's office requests the substitute from LSO, keeps one file copy, and delivers a copy to the Committee secretary.

6. If the Committee adopts the Substitute "X" with amendments, the Committee secretary should make the changes by handwriting them on the Substitute "X" and deliver the marked up version to the Attorney's office. A Substitute No. "1" will be prepared and distributed as above. On rare occasion a committee reviewing an "X" version of a substitute bill may so heavily amend the bill that the committee wants to see another version of the bill (with the amendments incorporated) before taking a final vote. In this rare case, the attorneys may prepare a "Y" version of the bill for the committee to review. The public may obtain copies of the "Y" version from the Committee secretary just as in the case of an "X" version. Once the "Y" version is approved, the committee secretary follows the process stated above and the attorneys then create the "Substitute No. 1" version of the bill.

7. The Committee secretary attaches the original Substitute No. "1" to the bill jacket with Form 18 filled out DO PASS WITH THE FOLLOWING AMENDMENTS.

8. A SCHEDULE A is prepared by the Attorney's Office, numbered and prepared for printing and distribution. The Schedule A reads, 'That Substitute No. 1 for HB## DO Pass." The Schedule A together with the substitute bill is distributed for formal consideration just like any other proposed committee amendment. The substitute bill contains "Substitute No. 1" across the top of the first page. If the amendment is adopted, Substitute No. "1" becomes an official version and is printed and distributed.

9. If the substitute bill is adopted on Committee of the Whole, the designator "(Sub #1)" is added to the catch title of the bill by LSO so that it can be identified as a substitute on the Web site.

10. If a Substitute No. "l" to a bill is adopted in the house of origin, and a standing committee in the second house desires a substitute bill, the same process is followed; except that the bill would be numbered as a Substitute No. "2".

11. In referencing amendments to the substitute bill in the first house the amendment reads: "[TO SUBSTITUTE BILL No.1]".

12. When a bill is engrossed after passage in the first house and is sent to the second house it will then be treated as a normal engrossed bill and will no longer be referred to as a substitute bill, i.e., amendments in the second house will be: [TO ENGROSSED COPY].

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APPENDIX - Q

PROCEDURAL HIERACHY

1. Constitutional provisions and judicial decisions thereon.
2. Adopted rules.
3. Wyoming Manual of Legislative Procedures.
4. Custom, Usage and Precedents.
5. Statutory Provisions Related to Legislative Procedures.
6. Adopted Parliamentary Law (per rule Mason's – see section 4).
7. Other Parliamentary Law.