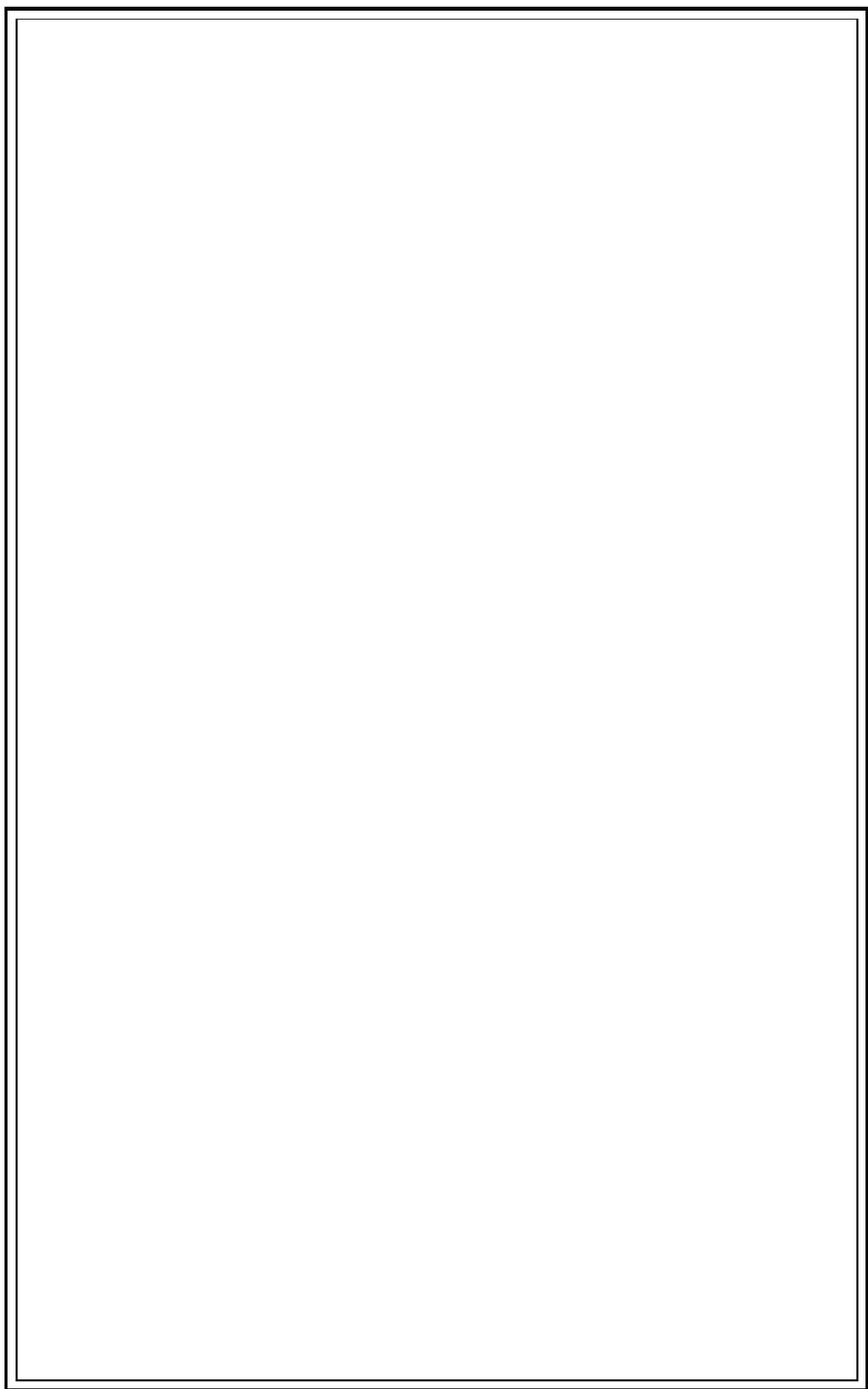


**OREGON  
HOUSE OF REPRESENTATIVES**



**PARLIAMENTARY PROCESS  
AND PROTOCOLS**

**78<sup>th</sup> Legislative Assembly  
2015-2016**



## HOUSE PROCESS AND PROTOCOLS

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Oregon Provisional Seal  
1843 - 1849

Known as the "Salmon Seal," this seal was the first seal made for Oregon and was used while operating under the Provisional Government. The salmon was designed to symbolize the fishing industry and the grain to represent agriculture.



Oregon Territorial Seal  
1848 - 1859

The Oregon Territorial Seal was modified from the original and utilized when the territorial government took control of the region. Its seal includes a sailing vessel used to represent commerce, a beaver to symbolize the prominent fur trade, the Latin motto *Alis Volat Propriis* ("She Flies with Her Own Wings"), a Native American on the left side, and an eagle on the right.



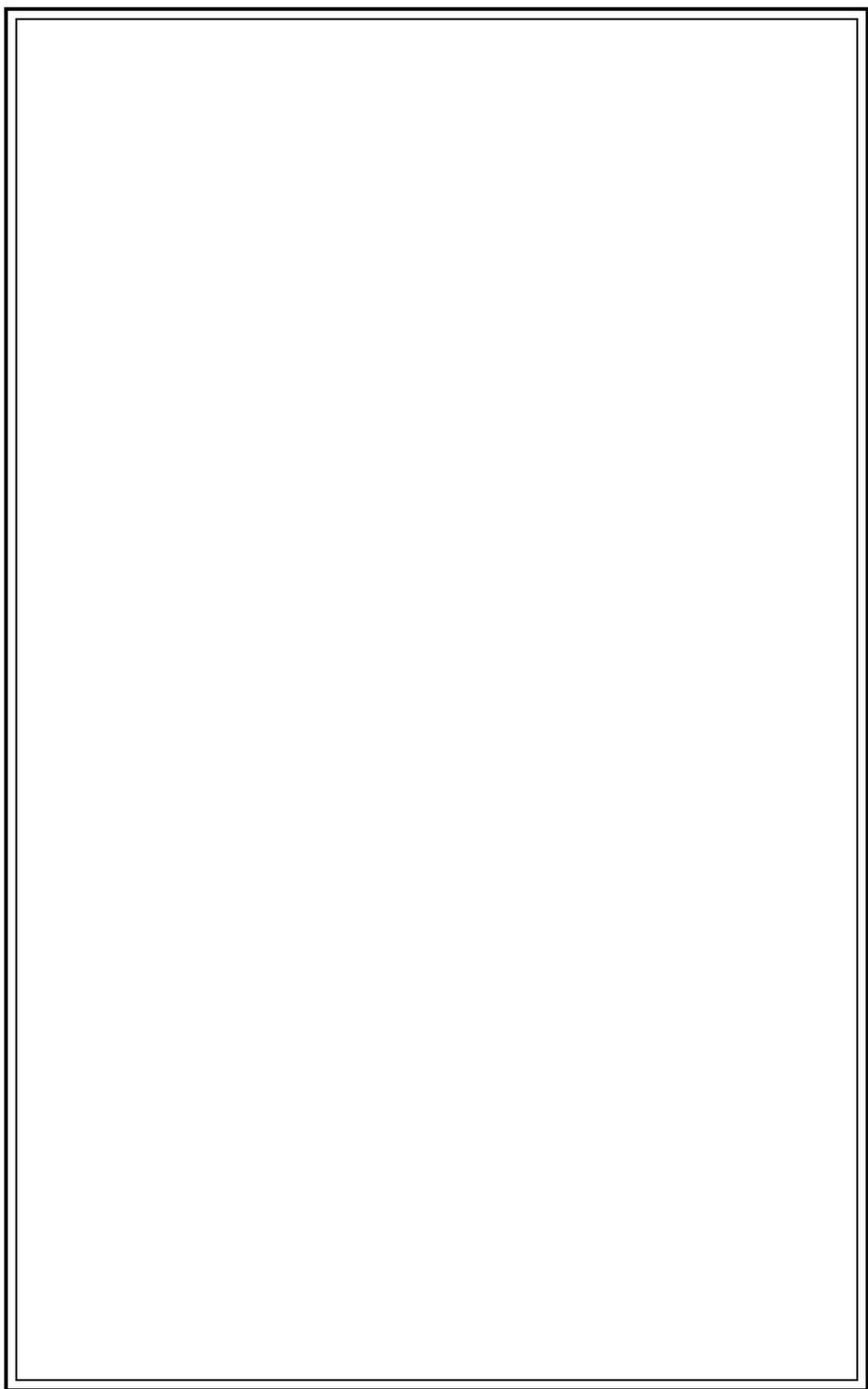
Oregon State Seal  
1859 - Present Day

The seal was further modified after Oregon became the 33<sup>rd</sup> state on February 14, 1859, displaying a shield supported by 33 stars, and encompassing a ribbon with the newer motto "The Union." A covered wagon and ox team, along with some other features, were added as well.

## TABLE OF CONTENTS

PARLIAMENTARY PROCESS AND PROTOCOLS.....	1
INTRODUCTION.....	1
INTRODUCTION .....	3
Why do we have procedural rules?.....	3
Where are sources of authority found? .....	3
Who do you ask? .....	4
PRINCIPLES OF INTERPRETATION .....	5
Rules should be applied with judgment .....	5
There is a bias in favor of closure .....	5
Dilatory motions are considered out of order .....	5
FUNDAMENTAL PRINCIPLES OF PARLIAMENTARY LAW.....	6
1. Every Member Has Rights and Obligations .....	6
2. Majority Control.....	6
3. Minority Rights.....	6
4. The Right of Discussion .....	7
5. The Right to Information .....	7
6. Fairness and Good Faith.....	7
HOUSE FLOOR PROCESSES AND PROTOCOLS .....	9
GUIDELINES FOR THE HOUSE CHAMBER.....	11
Chamber Protocol.....	11
Debate and Decorum .....	13
Making a Motion.....	14
Number of Times a Member May Speak to a Question.....	14
Changing Your Vote .....	15
Declaring a Conflict of Interest.....	15
STANDARD ORDER OF BUSINESS FOR HOUSE FLOOR SESSIONS .....	16
COMMITTEE PROCESSES.....	21
COMMITTEE PROCESS OVERVIEW .....	23
Legislative Committees.....	23
Protocol for Public Testimony.....	23
TYPES OF COMMITTEES .....	24

Who Is On It Makes a Difference .....	25
How It Was Created Makes a Difference .....	25
Creating an Interim Committee, Task Force, or Work Group .....	25
MOTIONS .....	27
PRINCIPLE QUESTIONS TO CONSIDER.....	29
May a speaker be interrupted? .....	29
Is the motion debatable?.....	29
Is the motion amendable? .....	29
Is a second required? .....	29
What vote is required?.....	29
Can a decision be changed? .....	29
COMMONLY USED MOTIONS.....	30
ADJOURN .....	30
RECESS.....	30
LAY ON TABLE .....	31
PREVIOUS QUESTION.....	31
POSTPONE DEFINITELY OR TO A CERTAIN DAY OR TIME (TO MAKE SPECIAL ORDER OF BUSINESS) .....	32
REFER OR RE-REFER TO COMMITTEE.....	32
AMEND (COMMITTEE) .....	33
POSTPONE INDEFINITELY .....	33
RECONSIDERATION .....	34
ADDITIONAL MOTIONS AS PROVIDED BY HOUSE RULES.....	35
OTHER MEMBER REQUESTS .....	35
WORKS CITED .....	37



# **INTRODUCTION**



The beaver has long been associated with the state of Oregon. Oregon was nicknamed “The Beaver State” in the early 19<sup>th</sup> century when fur hats were fashionable and Oregon’s streams were highly populated with beavers. In fact, the original trapping routes used by “mountain men” and early settlers later became known as *The Oregon Trail*, traveled by thousands of pioneers in the 1840’s. The beaver itself has been referred to as “nature’s engineer” and its dam-building activities are important to natural water flow and erosion control. Oregon’s Legislature finally designated the American Beaver (*Castor canadensis*) as the official state animal in 1969. The beaver now appears on the reverse of the state flag (State, 2014).

## INTRODUCTION

### **Why do we have procedural rules?**

The legislative process exists to create public policy in an inclusive and effective manner. How well a legislature executes these tasks depends largely on the processes and procedures it follows.

Parliamentary procedure, in its essence, provides the tools for effective group action. At a political and strategic level, how these procedural rules are crafted and followed can mean life or death for a piece of legislation and for the credibility of the body's work in the public's perception.

Rules have been created over time to ensure and balance the rights of various constituencies within or affected by the actions of the entity. These various constituencies can be described as:

- The majority
- The minority
- Committees of the entity
- Individual members of the entity
- People and groups subject to the entity's authority

### **Where are sources of authority found?**

Every assembly has the inherent right to regulate the conduct of its own business, within certain legal parameters. Where are these legal parameters that might restrict a legislature? Generally those would be found in State and Federal constitutions, statutes, and judicial decisions that pertain to the lawmaking process. Here are some of the sources of authority that impact legislative processes and prerogatives:

- Constitutional provisions
- Statutory law and judicial decisions
- Adopted rules of the body
- Local custom, usage and practice
- Adopted parliamentary authority
- General parliamentary principles

## Who do you ask?

The primary sources of procedural information are listed below:

***The presiding officer*** Generally, this is the person who presides at the meetings of an organization. In the Oregon House of Representatives the Speaker of the House is also the presiding officer. The Speaker has the responsibility to preserve order and decorum and decide questions of order and exercise general control and direction of floor action. Under House Rules, the Speaker shall enforce all rules, laws and regulations applicable to the body.

***Chamber parliamentarian*** The parliamentarian job is to advise and assist the presiding officer and members of the body on matters of procedure. Not having a right to vote on the question itself, the parliamentarian should act as a neutral party with respect to the outcome of the question but focus strictly on the procedural aspects of resolving the question.

***Caucus leadership members and staff*** Each caucus has elected individual members to take a leadership role in organizing the debates within the caucus meetings and also on the floor of the chamber.

***Experienced legislators*** Speaking with other members about procedural matters helps a new legislator learn the body's traditions and practices, especially the unwritten ones. This will help you make a cost-benefit analysis when deciding what strategy to employ in deliberations. An important part of learning the rules is learning when *not* to use them.

## **PRINCIPLES OF INTERPRETATION**

Parliamentary law is based primarily on a group of principles which underlie the whole scheme of parliamentary procedure. Most of these principles are set forth in this booklet, but nothing this brief can be considered complete or comprehensive. Nevertheless, thought of in terms of principles instead of rigid, detailed technical rules, parliamentary procedure is essentially reasonable and logical. With that in mind here are the fundamental approaches to how any situation will be addressed.

### **Rules should be applied with judgment**

Rules work best when applied with common sense and fairness in mind. Rigidity often produces injustice. Parliamentary process is not mere custom, but is founded on *reasonable and equitable* custom.

*"...what is not reason is not law..."*  
*Sir William Blackstone*

### **There is a bias in favor of closure**

The underlying philosophy of parliamentary law is constructive. These procedures are designed to work towards a resolution of business and assist the group's members in accomplishing their corporate purpose. This philosophy observes the rule of law, avoids confusion, and protects the rights of all equitably.

### **Dilatory motions are considered out of order**

Every legislative body has the inherent right to protect itself from dilatory motions. Any parliamentary procedure, when used for the improper purpose of obstructing business, is a dilatory motion. Without an inclination to protect the rights of the entire body, a determined minority could otherwise take advantage of parliamentary tactics to entangle, confound and stop business.

## **FUNDAMENTAL PRINCIPLES OF PARLIAMENTARY LAW**

A working knowledge of some basic principles of parliamentary law enables one to reason out the answers to most parliamentary questions. When one understands the basic principles, it is easy to become familiar with the rules because most of them follow logically from the principles.

These basic principles are so simple and familiar that we may fail to recognize their importance. They are the same principles on which democracies are based and seem almost self-evident.

### **1. Every Member Has Rights and Obligations**

Every member has an equal right to propose motions, speak, ask questions, nominate, be a candidate for office, vote, or exercise any other privilege of a member. Every member also has equal obligations to follow the rules and engage constructively in the process.

### **2. Majority Control**

The ultimate authority of an organization is vested in a majority of its members. This is a fundamental concept of democracy.

A primary purpose of parliamentary procedure is to determine the will of the majority and see that it is carried out. By the act of joining a group, a member agrees to be governed by the vote of the majority. Until the vote on a question is announced, every member has an equal right to voice opposition or approval and to seek to persuade others. After the vote is announced, the decision of the “majority” becomes the decision of the “body.”

### **3. Minority Rights**

The members who are in the minority on a question are entitled to the same consideration and respect as members who are in the majority. Democratic organizations always protect certain basic rights belonging to all members. The right to due process and an opportunity to present

proposals and to be heard are valued rights of all members, although the ultimate authority of decision rests with a simple majority, except when a larger vote is required.

The protection of the rights of all members, minority and majority alike, should be the concern of every member.

#### **4. The Right of Discussion**

Full and free discussion of every proposition presented for decision is an established right of members. Each member of the assembly has the right to speak without interruption or interference provided the rules are observed. The right of members to “have their say,” or to “have their day in court,” is as important as their right to vote.

#### **5. The Right to Information**

Every member has the right to know the meaning of the question before the assembly and what its effect will be. The presiding officer should keep the pending motion clearly before the assembly at all times, and when necessary should explain it or call on some member to do so. Any motion and its effect should be explained if there are members who do not understand it. Members have the right to request information on any motion they do not understand so that they may vote intelligently.

#### **6. Fairness and Good Faith**

All meetings must be characterized by fairness and by good faith. Trickery, overemphasis on minor technicalities, dilatory tactics, indulgence in personalities and bullying are characteristics that threaten the spirit and practice of fairness and good faith. If a meeting is characterized by fairness and good faith, a minor procedural error will not invalidate an action that has been taken by an organization. But fraud, unfairness, or absence of good faith may be enough for a court to hold any action invalid.

Parliamentary strategy is the art of using, *legitimately*, the parliamentary principles, rules, and motions to support or defeat a proposal. It includes, for example, such important factors as timing, wording of proposals, choice of supporters, selection of arguments, and alteration of proposals by other

## HOUSE PROCESS AND PROTOCOLS

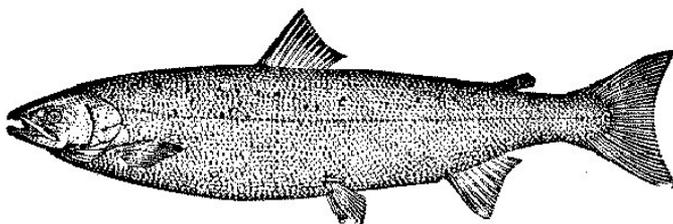
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motions. Strategy, *ethically used*, is constructive; however, if it involves deceit, fraud, misrepresentation, intimidation, or denial of the rights of members, it is destructive and potentially illegal.

In 1776, John Hatsell, the famous British parliamentarian, wrote, "*Motives ought to outweigh objections to form*" (Hatsell, 1776). The interpretations of the courts make it clear that the intent and overall good faith of the group are of more importance than the particular detail of procedure used in a given instance. The effectiveness and, in fact, often the existence of an organization are destroyed if its officers or members condone unfairness or lack of good faith.

### NOTES

**HOUSE FLOOR  
PROCESSES AND PROTOCOLS**



The Chinook salmon (*Oncorhynchus tshawytscha*), also known as the spring, Quinnet, king, and Tyee salmon, is an important keystone species of the Pacific Northwest. It is a vital food source for a diversity of wildlife, including orca whales, bears, seals and large birds of prey. Chinook salmon is also highly prized by people who harvest salmon both commercially and for sport. The Oregon Legislature designated the Chinook salmon as the official state fish in 1961 (Wikipedia, 2015).

## **GUIDELINES FOR THE HOUSE CHAMBER**

### **Chamber Protocol**

Except for emergencies, a member shall attend all floor sessions of the House unless an excuse is filed with the Chief Clerk forty-eight (48) hours in advance. All requests for an excused absence will be presumed approved unless the member is otherwise notified by leadership.

The side aisle and ceremonial double doors at the back of the House Chamber are closed 30 minutes prior to session and remain closed 30 minutes following adjournment. During this PROTOCOL PERIOD, all House rules are in force, just as when the House is in session.

When a QUORUM is attained, the Speaker gavels three times, signaling all to stand for the Pledge of Allegiance. Everyone will remain standing (unless otherwise indicated) during the opening ceremony. No one should enter or leave the Chamber during this order of business.

COURTESIES OF THE HOUSE, including guests seated in the side aisle of the Chamber, shall not be granted to any person actively engaged in seeking the passage or defeat of any measure. Those permitted on the floor during session include:

- Current members of the House of Representatives
- Desk and floor staff of the House
- Current members of the Senate
- Accredited representatives of the news media
- Staff members of the speaker, majority, and minority offices
- One member of a Representative's personal staff or a member of a leadership office, or House committee staff may be seated at a member's desk. Additional House staff members are permitted on the side aisles.

Nameplates identify House Chamber desks. Two chairs are at each desk. The chair with arms is for members only, and the side chair may be used by support staff.

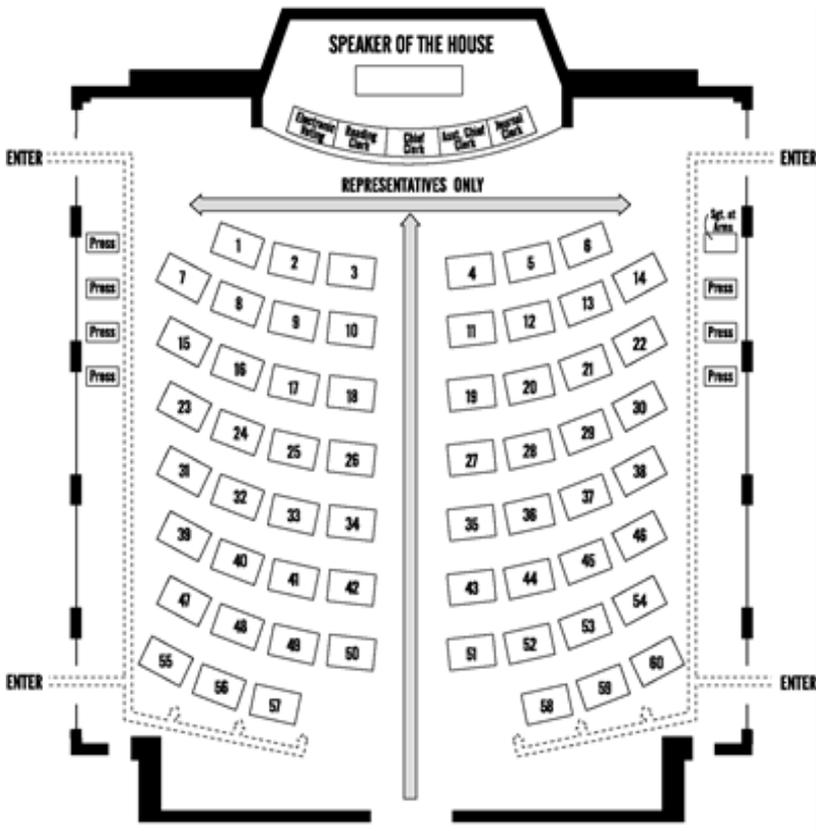
No eating, drinking of beverages (other than water), or smoking is permitted in the House chamber. Representatives may have BOTTLED WATER at their desk.

## HOUSE PROCESS AND PROTOCOLS

A CENTER AISLE divides the House Chamber. While the House is in daily session, the center aisle of the floor shall be kept clear of all persons except members and the Chief Clerk or someone acting under the Chief Clerk's direction in conduct of the business of the House.

To approach a member's desk, support and floor staff must enter from a side aisle gate and proceed to the back of the chamber, then proceed up the row to their destination. (See diagram)

When six members of the House demand a Call of the House, the floor staff ensures that no Representative leaves from within the bar.



## **Debate and Decorum**

Members and employees should dress according to standards of contemporary business attire.

Any use of electronic equipment, including cell phones, that distracts from the proceedings of the House is prohibited. Please silence your devices.

In order to participate in floor debate, a member must first be recognized by the presiding officer. The member shall use the appropriate button at the member's desk to signal their request.

- The button labeled "to speak" shall be used when a member seeks recognition for purposes of debate or making motions.
- The button labeled "personal privilege" shall be used only for purposes requiring immediate consideration.

When a member is recognized by the presiding officer, the member shall rise from his or her seat and respectfully address the presiding officer. All questions asked of another member shall be addressed to the member through the presiding officer.

In speaking, a member shall refer to another member by using the title Representative and the member's district number or informal moniker or the title of Representative and their surname.

The speaking member must confine their remarks to the question under debate; they must avoid characterizations of personalities and may not impugn the motives of another member's vote or argument.

The presiding officer shall call to order any member who violates the Rules of the House. If a member objects to words spoken in debate, the member shall immediately depress the button labeled "personal privilege."

No one shall walk between a member who is speaking and the Rostrum. No staff should ENTER or LEAVE the side of the chamber in which that member is speaking.

## **Making a Motion**

*Remember:* No measure shall be amended upon the floor. No bill title may be amended by the House and if a title of a House bill is amended by the Senate the bill upon return shall be held at the desk and no further consideration of the bill shall occur.

No second to a motion is required. When any motion is made, it shall first be restated by the presiding officer.

After a motion is restated by the presiding officer, it is in the possession of the House. The motion may be withdrawn only with the affirmative vote of a majority of the members present and at a time before final decision is made or the motion is amended.

Motions to adjourn, to recess, to lay on the table, to withdraw a measure from committee and for the previous question are not debatable. A decision on any of these motions shall be voted on without debate.

## **Number of Times a Member May Speak to a Question**

Generally, a member may speak once on a question and must conclude their remarks within their allotted time limit. The designated carrier of a measure shall also have the privilege of “closing debate” after all members wishing to speak to the measure have done so.

## **Voting**

Each member within the bar, when the question is stated and the member’s name is called, shall vote either “yea” or “nay.” No member shall be allowed to abstain from voting.

Except as otherwise provided in the rules, the vote shall be recorded by the electronic voting system. When a vote is called, the electronic voting machine shall be held open for thirty seconds.

No person shall vote on behalf of another member or alter or attempt to alter the electronic voting system to register a vote in any manner other than the member personally pressing a voting button during each roll call vote.

No member, except by unanimous consent, shall be permitted to vote upon any question unless he or she is WITHIN THE BAR before the last name on an oral roll call or is within the bar before the electronic voting system is closed.

### **Changing Your Vote**

Generally speaking, you may change your vote at your own volition until the gavel falls. If you find that your vote was recorded incorrectly, or that you wish to change your recorded vote for some other reason, please consult with the Chief Clerk regarding your options.

### **Declaring a Conflict of Interest**

When involved in an actual or potential conflict of interest, as defined by ORS 244.020, a member shall announce the nature of the actual or potential conflict *prior to voting on the issue* giving rise to the conflict.

The member shall also file in writing a statement of the nature of the actual or potential conflict with the Chief Clerk or the committee assistant by 5:00 p.m. the next business day following the vote on the measure.

## **STANDARD ORDER OF BUSINESS FOR HOUSE FLOOR SESSIONS**

### **Call to Order**

The Speaker will drop the gavel once to call the House to order. A member will be assigned to lead the flag salute each day. The Speaker will drop the gavel three times to signal the membership to stand.

### **Opening Ceremony**

If there is a prayer, the membership will remain standing, however, if a special opening ceremony is scheduled, the Speaker will drop the gavel one time to signal the membership to be seated.

### **Courtesies**

The order of business “Courtesies” provides an opportunity for members to recognize guests from their individual districts and/or other special guests.

### **Verification of Quorum**

The Speaker will instruct the Clerk to open the voting system to determine the presence of a quorum. Members shall press the “yea” button to record their attendance.

### **Messages from the Governor**

This order of business allows for messages from the Governor to be read. They include bills signed, vetoed, or bills allowed to become law without Governor’s signature.

### **Messages from the Senate**

The House and Senate formally communicate with each other by messages. Measures are transmitted from one house to the other by a message, which explains what action has been taken. In some messages, one house may ask the other to take further action, such as concur in an amendment or agree to the appointment of a conference committee. (This action is taken up under Propositions and Motions.)

### **First Reading: Memorials and Resolutions**

The Reading Clerk will read each measure by number and title in compliance with Article IV, Section 19 of the Oregon Constitution. After the readings are complete the Speaker will announce referral to the Speaker’s desk for purpose of referral to appropriate committee.

### **Standing Committee Reports**

As committees report measures to the Clerk’s office (Desk) after taking action, the recommendations are recorded on the “Committee Report

## HOUSE PROCESS AND PROTOCOLS

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File” (Blue Sheet). Attached to the Blue Sheet are copies of the staff measure summaries, fiscal and revenue impact statements, if applicable, and any budget reports.

### **Special Committee Reports**

This order of business allows for the reporting of action taken by a Conference Committee or report from the Rules Committee.

### **Propositions and Motions**

The order of business of Propositions and Motions is used for the consideration of messages as received by the Governor or Senate, special reports, and special motions such as:

- Reconsideration
- Senate Amendments
- Conference Committee Reports
- Committee and Minority Reports
- Vetoed Measures by the Governor
- House Rule Amendments

(Above are examples and not meant to be all inclusive)

As a courtesy, the Clerk prepares a script using the proper language for these motions and places them on your chamber desk prior to daily session.

### **First Reading of House Bills**

(Same as First Reading: Memorials and Resolutions)

### **Second Reading of House Bills**

Bills are read second time, again meeting the requirement that all bills must have three separate readings. The Reading Clerk will read the Bill Number and Title only. No action is taken under Second Reading.

### **Consent Calendar**

Measures scheduled under this order of business are not subject to debate. They must have been reported out of committee unanimously and the committee must have recommended they placed on the Consent Calendar. If four objections signed by members of the House are received at the Desk within the two-day period after the measure appears on the Committee Report File, the measure will be removed from the Consent Calendar and placed in its proper order on the Third Reading Calendar for the next session day. The measure may also be removed by order of the Speaker.

**Third Reading of House Bills**

This is the final reading of a bill and the order of business when the vote is recorded. This is the order of business where most of the floor debate occurs.

**Final Reading: Memorials and Resolutions**

(Same as Third Reading of House Bills)

**Bills, Reports, and Other Business Lying on the Table**

This order of business equates to an announcement only.

**First Reading of Senate Bills**

(Same as First Reading of House Bills)

**Second Reading of Senate Bills**

(Same as Second Reading of House Bills)

**Third Reading of Senate Bills**

(Same as Third Reading of House Bills)

**Other Business of the House**

This order of business is used to announce the following:

- Distribution of any proposed amendments to the House Rules.
- Unfinished business of the House.
- Announcements from the House Speaker.

(This order of business is rarely used)

**Other Business of the Senate**

This order of business is used to announce the following:

- Unfinished business of the Senate.
- Announcements from the Senate President.

(This order of business is rarely used)

**Announcements**

This order of business is used for the announcement of caucus meetings, committee meetings, special events and vote changes.

## HOUSE PROCESS AND PROTOCOLS

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### **Remonstrances**

Remonstrances allow a member to make a statement in protest (House Rule 1.01). No member may speak for longer than three minutes or for a second time or yield time to another member. The motives or integrity of any member of the House or the Senate may not be impugned (House Rule 4.01).

### **Adjournment**

The Speaker will recognize the Dean of the House to place the adjournment motion.

**NOTES**

**COMMITTEE  
PROCESSES**



In 1979, the Legislature designated the Oregon Swallowtail (*Papilio oregonius*) as Oregon's official insect. A true native of the Northwest, the Oregon Swallowtail is at home in the lower sagebrush canyons of the Columbia River and its tributaries, including the Snake River drainage. This strikingly beautiful butterfly, predominantly yellow, is a wary, strong flier not easily captured (State, 2014).

## COMMITTEE PROCESS OVERVIEW

Committees are the workhorses of the Oregon legislature, mini legislatures in themselves, performing policy and program formulation and exercising great control over the product of the entire legislative assembly. The quality and quantity of work done in committee will ensure a smooth legislative session and the potential for an earlier adjournment date.

### Legislative Committees

- Are the mainstay of the Oregon policy-making process in which legislators and staff invest enormous amounts of time and energy;
- Do the “homework” of the legislature;
- Provide citizens and interest groups with a formal opportunity to affect legislative decisions.

### Protocol for Public Testimony

The chair will call witnesses forward, usually from the witness sign-up sheet.

- By custom, legislators, tribal officials, and other elected officials are given “priority” to testify.
- By custom, those traveling over 100 miles to attend the committee hearing are offered the courtesy of testifying next.
- A protocol guide for witnesses is available (lime-green handout “How to Testify Before a Legislative Committee”).

Witnesses, members, and staff should direct their questions, comments, or responses through the chair:

*“Mr./Madam Chair, may I ask a question of the witness?”*

*“Mr./Madam Chair, Representative B, the answer to your question is...”*

- Not every witness in front of your committee will know the protocol.
- Witnesses should hand the committee assistant their testimony, if any. The committee assistant will distribute testimony to members and to staff for inclusion in the public record.
- Treat all members, witnesses and staff respectfully and fairly.

## TYPES OF COMMITTEES

### **Standing Committees**

There are 18 standing policy and fiscal committees in the Oregon House:

Agriculture and Natural Resources;  
Business and Labor;  
Consumer Protection and Government Effectiveness;  
Education;  
Energy and Environment;  
Health Care;  
Health Insurance Transition;  
Higher Education, Innovation, and Workforce Development;  
Human Services and Housing;  
Implementing Measure 91  
Judiciary;  
Revenue;  
Rules;  
Rural Communities, Land Use and Water;  
Tax Credits;  
Transportation and Economic Development;  
Veterans' and Emergency Preparedness;  
Ways and Means

The Speaker shall appoint majority party and minority party members to all standing committees, in the same proportion as the number of majority party members and the number of minority party members in the House bear respectively to the total membership of the House.

**Interim Committees** are the most formal of the types of interim groups and are treated like standing committees with similar rules. If it is a joint interim committee, it will need to adopt the Model Rules for Joint Interim Committees (Committees that are either House Interim Committees or Senate Interim Committees will use the rules from their respective chambers). No non-legislators are appointed to "interim committees."

**Task Forces** are less formal than interim committees and can have non-legislators as members. A task force must adopt operating rules; using Model Rules for Task Forces is encouraged.

**Work Groups** are the most informal of all. A work group can be any group of people that meets to discuss any issue except that no quorum of any

legislative committee can be on a work group. A work group has no formal reporting or recording requirements.

### **Who Is On It Makes a Difference**

- If a group has only legislators on it, it can be classified as an interim committee, task force or work group.
- If it has legislators and non-legislators, it can be either a task force or a work group.
- If it has only non-legislators on it – it can only be considered a work group.

### **How It Was Created Makes a Difference**

- Both interim committees and task forces can be created under ORS 171.640 through a bill, resolution or by the Presiding Officers.
- Work groups should not be created through a bill or by presiding officers.

### **Creating an Interim Committee, Task Force, or Work Group**

An interim committee or task force can be created by a bill, resolution, or by Presiding Officers under ORS 171.640.

**Note:** There are legal restrictions on committees and task forces created by a resolution which usually add unnecessary complexity, therefore resolutions are discouraged.

Work Groups can be created by any way EXCEPT by a bill or resolution.

**Example:** The Chair of a standing committee sends a letter to the committee and interested parties that a work group will be convened in the interim to solve the issues raised in the bill.

**NOTES**

**MOTIONS**  
**Meaning and Form**



The Western Meadowlark (*Sturnella neglecta*) was chosen state bird in 1927 by Oregon's school children in a poll sponsored by the Oregon Audubon Society. Native throughout western North America, the bird has brown plumage with buff and black markings. Its underside is bright yellow with a black crescent on the breast; its outer tail feathers are mainly white and are easily visible when it flies. The Western Meadowlark is known for its distinctive and beautiful song (State, 2014).

## PRINCIPLE QUESTIONS TO CONSIDER

All motions have a priority and specific application in order to secure a fair and efficient transaction of business. However, as mentioned before, it is much easier to apply a few principles to the situation than it is to memorize the rules for a nearly unlimited number of motions available at any time.

In order to accomplish your objective, consider these fundamental questions:

**May a speaker be interrupted?** Generally not, except by the presiding officer. However, a speaker may be interrupted by a *question of privilege* that requires immediate attention, for example, or may be interrupted for a matter that has a definite time such as a *point of order*.

**Is the motion debatable?** A main motion or other question presenting a matter of business to the body for its decision is debatable because debate is essential to enable the members to reach a meeting of the minds. The question is not debatable when it is a simple procedural motion that can be understood by the members without debate such as a motion to adjourn or to lay on the table.

**Is the motion amendable?** If the motion can be made in more than one form (i.e. date and hour), it is amendable. If it can be made in only one form (i.e. adjourn), it is not amendable.

**Is a second required?** In the Oregon Legislative Assembly seconds are generally not required.

**What vote is required?** Ordinarily, a simple majority of the members present (a quorum of the group must be present) is sufficient. Occasionally a majority of the entire membership (constitutional majority) is required.

**Can a decision be changed?** Dissatisfaction with a result on a *main motion* or *substantive question* can be addressed by reconsideration. Dissatisfaction with the result of a *procedural motion*, if the motion was defeated, can be addressed by renewing the motion after intervening action or, if the motion carried, by subsequent affirmative action.

## HOUSE PROCESS AND PROTOCOLS

### COMMONLY USED MOTIONS

The following motions are ranked in order of precedence should there be competing motions made.

**ADJOURN:** To adjourn means to immediately end the meeting. After adjournment, a new meeting begins at the top of the agenda.

Debatable - NO

Vote Required - Majority of members present

Can you Postpone Indefinitely - NO

Can you amend the motion - NO

Can you refer motion to Committee - NO

Can you Postpone action on Motion to a later time - NO

Can you move the Previous Question - NO (no debate allowed)

Can you lay the motion on the table - NO

Can you reconsider - NO (can renew after intervening action)

Common forms:

*"I move that the [committee, House] do now adjourn."*

*"I move that the [committee, House] do now adjourn until [state the day and hour]."*

Mason's Manual Sections 200 - 210

**RECESS:** Means to immediately pause the entire meeting on the current place on the agenda.

Debatable - NO

Vote Required - Majority of members present

Can you Postpone Indefinitely - NO

Can you amend the motion - YES (as to the time to reconvene)

Can you refer motion to Committee - NO

Can you Postpone action on Motion to a later time - NO

Can you move the Previous Question - NO (no debate allowed)

Can you lay the motion on the table - NO

Can you reconsider - NO (can renew after intervening action)

Common forms:

*"I move that the [committee, House] now recess."*

## HOUSE PROCESS AND PROTOCOLS

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*"I move that the [committee, House] recess until [state date and hour]."*

Mason's Manual sections 214 - 216

**LAY ON TABLE:** Means to lay aside a pending question so that the meeting can move on to the next item on the agenda.

Debatable - NO  
Vote Required - Majority of members present  
Can you Postpone Indefinitely - NO  
Can you amend the motion - NO  
Can you refer motion to Committee - NO  
Can you Postpone action on Motion to a later time - NO  
Can you move the Previous Question - NO (no debate allowed)  
Can you lay the motion on the table - NO  
Can you reconsider - NO (can renew after intervening action)

Common form:

*"I move that the [the question] be laid on the table."*

Mason's Manual sections 330 - 342

**PREVIOUS QUESTION:** Means to immediately end debate and, if adopted, proceed to vote on the present question.

Debatable - NO  
Vote Required - Majority of members present  
Can you Postpone Indefinitely - NO  
Can you amend the motion - NO  
Can you refer motion to Committee - NO  
Can you Postpone action on Motion to a later time - NO  
Can you lay the motion on the table - NO  
Can you reconsider - NO (can renew after intervening action)

Common form:

*"I move the previous question"*  
*"I call for the question (or 'the question be put to the body')."*

Mason's Manual sections 345-352

**POSTPONE DEFINITELY OR TO A CERTAIN DAY OR TIME (TO MAKE SPECIAL ORDER OF BUSINESS):** Similar to motion to lay on the table, a postponement lays aside a pending question temporarily.

Debatable - YES (as to the proposed time)  
Vote Required - Majority of members present  
Can you Postpone Indefinitely - NO  
Can you amend the motion - YES (as to the proposed time)  
Can you refer motion to Committee - NO  
Can you Postpone action on Motion to a later time - NO  
Can you move the Previous Question - YES  
Can you lay the motion on the table - NO  
Can you reconsider - NO (can be renewed after further consideration of the question)

Common forms:

*"I move that [the question] be postponed until [state date and hour]"*

Masons Manual Sections 365- 374

**REFER OR RE-REFER TO COMMITTEE:** As means of sending the measure to another group for further action.

Debatable - YES (as to propriety of referring measure to committee)  
Vote Required - Majority of members present  
Can you Postpone Indefinitely - NO  
Can you amend the motion - YES (as to the committee)  
Can you Postpone action on Motion to a later time - NO  
Can you move the Previous Question - YES  
Can you lay the motion on the table - NO  
Can you reconsider - NO (can be renewed after intervening business)

Common Form:

*"I move that [the measure] be referred to [state the name of the committee]."*

Mason's Manual sections 378-390

**AMEND (COMMITTEE)**

- Debatable - YES
- Vote Required - Majority of members present
- Can you Postpone Indefinitely - NO
- Can you amend the motion - YES
- Can you refer to Committee - NO
- Can you Postpone action on Motion to a later time - NO
- Can you move the Previous Question - YES
- Can you lay the motion on the table - NO
- Can you reconsider - YES

Common Forms: *“I move that we....”*

*Add (that is to place at the end)*

*Insert...*

*Strike out...*

*Strike out and insert...*

*Substitute...*

*Amendments must be Germane:* Must be relevant, appropriate and in a natural and logical sequence to the subject matter of the original proposal.

*No floor amendments:* House Rule 5.40 provides that NO measure shall be amended on the floor of the House.

Mason’s Manual section 395-420

NOTE: House Rule 5.40 provides that NO measure shall be amended upon the floor.

**POSTPONE INDEFINITELY:** Similar to motion to lay on the table, a postponement lays aside a pending question.

- Debatable - YES (as it opens the main question to debate)
- Vote Required - Majority of members present
- Can you Postpone Indefinitely - NO
- Can you amend the motion - NO
- Can you refer motion to Committee - NO
- Can you Postpone action on Motion to a later time - NO
- Can you move the Previous Question - YES

## HOUSE PROCESS AND PROTOCOLS

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Can you lay the motion on the table - NO

Can you reconsider - NO [House Rule 10.01(1)]

Common forms:

*"I move that [the question] be postponed indefinitely."*

Mason's Manual sections 430-436

### **RECONSIDERATION**

Debatable - YES (if the motion under consideration is still open to debate)

Vote Required - Constitutional Majority (31)

Can you Postpone Indefinitely - NO

Can you amend the motion - NO

Can you refer to Committee - NO

Can you Postpone action on Motion to a later time - YES

Can you move the Previous Question - YES

Can you lay the motion on the table - YES

Can you reconsider - NO

Any member *voting on the prevailing side* may give notice of possible reconsideration prior to adjournment of that session on which the vote was taken.

After giving notice, you may then move to reconsider the vote before that notice period expires. The motion to reconsider shall be voted on at the first meeting after that on which the vote was taken. The motion to reconsider has precedence over any other motion.

There may only be one reconsideration of any motion even if the action taken is reversed on reconsideration.

If no notice is given, then a motion to suspend the rules is required before action on the reconsideration motion. (Rule suspension requires 2/3 vote of the members appointed)

Mason's Manual sections 66 & 450-473

## **ADDITIONAL MOTIONS AS PROVIDED BY HOUSE RULES**

Rule 9.15 - Substitute Minority Report for Committee Report

Rule 9.30 - Withdrawal of measures from Committee

Rule 10.10 - Recall of measure from Executive

Rule 11.01 - Concurrence or non-concurrence/conference committee (can be substituted)

## **OTHER MEMBER REQUESTS**

**Call of the House** - One to demand, five others must join. After a Call of the House the Sergeant at Arms shall cause all members who are not excused to come to the floor. A Call shall be terminated upon the vote on the question or upon a subsequent motion to terminate approved by 40 members.

**Division** - When the presiding officer is in doubt on a voice vote, or a member calls for "division" prior to announcement of the vote by the presiding officer, the vote shall then be taken by the electronic voting system.

**Roll call by electronic voting system** - Upon demand of two members, a roll call by electronic voting system prior to placing question.

**Oral Roll Call** - Upon demand of two members, an oral roll call shall be taken and recorded - provided the vote is one on which it takes 31 or more votes to pass.

**NOTES**

**WORKS CITED**

- (n.d.). Retrieved January 30, 2015, from State Symbols USA:  
[http://www.statesymbolsusa.org/Oregon/animal\\_beaver.html](http://www.statesymbolsusa.org/Oregon/animal_beaver.html)
- Hatsell, J. (1776). *A collection of cases of privilege of Parliament, from the earliest records to the year 1628*. London: H. Hughs, for J. Dodsley.
- State, O. S. (2014). *State Symbols*. Retrieved January 30, 2015, from Oregon Blue Book:  
<http://bluebook.state.or.us/kids/symbols/symbols02.htm>
- Wikipedia. (2015, January 9). *Chinook Salmon*. Retrieved January 30, 2015, from Wikipedia The Free Encyclopedia:  
[http://en.wikipedia.org/wiki/Chinook\\_salmon#Management](http://en.wikipedia.org/wiki/Chinook_salmon#Management)



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