RULES, ETHICS AND DECORUM

OF THE

HOUSE OF REPRESENTATIVES

2015-2016
BIENNIUM

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RULES, ETHICS AND DECORUM OF THE HOUSE OF REPRESENTATIVES

DECORUM

Rule 1.

1.1 All members and staff of the House shall conduct themselves at all times with dignity and with respect for others in a manner to ensure appropriate decorum in the deliberations of the House and to reflect the responsibilities incumbent upon a member or staff of the House.

1.2 Members and staff of the House shall observe decency of speech and gentleness of behavior at all times in the House, the gallery and the lobbies, ante rooms and halls adjacent to the House.

1.3 No member in speaking shall be disrespectful to any other member and all members shall carefully avoid references to personalities when addressing the House.

1.4 Members shall, at all times, observe appropriate attire on the floor of the House, in the gallery, and in the lobbies, ante rooms and halls adjacent to the House. Appropriate attire for members shall be coat and tie for male members and dignified dress for female members.

1.5 Profane, obscene or indecent language is prohibited in the House and during the meeting of any standing or special committee of the House.

1.6 No member rising to debate, to give notice, to make a motion, or to present any paper of any kind shall proceed until the Speaker has recognized the member as entitled to the floor. While a member is speaking, no other member shall pass between the speaking member and the Speaker.

1.7 The reading of newspapers shall not be permitted on the floor of the House while the House is in session.

1.8 There shall be no smoking in the House of Representatives chamber or in the gallery or lobbies, anterooms, halls or restrooms adjacent to the House.

1.9 Placards, stickers or signs not approved by the Speaker are not permitted in the House Chamber.

1.10 When another member has the floor and is speaking, the members of the House shall refrain from private conversations with persons on the floor, or on cell phones, so as to preserve silence.

1.11 There shall be no speaking into any telephonic device or any audible sounds emitting from any such device in the House of Representatives Chamber. However, Members may use messaging capabilities of such devices.

CLERK, DOORKEEPER, AND MESSENGER AND SERGEANT-AT-ARMS

Rule 2. The Clerk of the House shall take an oath for the true and faithful discharge of the duties of the office, to the best of his or her knowledge and abilities, and shall be deemed to continue in office until a successor is elected.

Rule 3. It shall be the duty of the Messenger to attend to the wants of the House while in session, to aid in the enforcement of order, under the direction of the Speaker, and to execute the demands of the House from time to time, together with all such processes issued under its authority, as may be directed to the Messenger by the Speaker.

Rule 4. The Speaker may appoint a sergeant-at-arms for the House whose primary duties shall be to maintain order in the House chamber, the gallery and the anterooms, lobbies and halls adjacent to the House. As directed by the Speaker, any member or members of the Uniform Division or Executive Security Guard Division of the Department of Public Safety permanently assigned to special duty or personal security duty with the Speaker shall have full authority to maintain order in the House chamber, gallery, anterooms, lobbies and halls adjacent to the House and to exercise any other authority granted to the sergeant-at-arms under these Rules, in cooperation with the officers and employees of the House and any other law enforcement personnel so empowered by the Speaker.

Rule 5. The Speaker shall have the power to suspend the sergeant-at-arms, the messenger and doorkeeper for misconduct or neglect of duty. The Speaker shall report any such suspension to the House within 24 hours thereafter for such action as the House may deem advisable.

Rule 6. If the sergeant-at-arms, the doorkeeper or the messenger dies or is unable to perform the duties of their office while in office, the Speaker shall appoint a successor who shall serve for the remainder of the term of office.

ADMISSION TO THE CHAMBER AND GALLERIES AND DECORUM THEREIN

Rule 7.

7.1 No person shall be entitled to enter upon the floor of the House during the period beginning thirty (30) minutes before the House convenes and ending upon adjournment except (1) members and officers thereof, (2) members and officers of the Senate, (3) the Governor of the state, (4) staff members of the Office of Legislative Counsel, (5) staff members of the House Budget Office, (6) subject to Rule 7.3 members of the news media and their photographers, all of whom must bear proper credentials, and (7) such others to whom the Speaker has issued a pass and those the House may allow upon recommendation of the Committee on Rules.

7.2 Seats and spaces in the news media sections shall be assigned and designated by the Speaker.

7.3 After devotion, only those members of the news media with proper credentials shall enter upon the floor of the House of Representatives. No interview shall be conducted on the floor of the House of Representatives while the House is in session. Reporters for print media and radio stations and television reporters when no cameraperson is present shall have access to the floor of the House of Representatives only to request that a member leave the floor for an interview. Following the request, reporters must leave the floor immediately.

7.4 After devotion, still photographers and television camerapersons shall have access to the floor of the House of Representatives while the House is in session, unless, in the discretion of the presiding officer, the number of still photographers or television camerapersons is excessive or the number of still photographers or television camerapersons is creating a disturbance or disruption, at which time they may be removed by the presiding officer.

7.5 Identification cards, signed by the Speaker and attested by the Clerk, shall be issued to all persons entitled to privileges of the floor under this rule.

7.6 The doorkeeper of the House is specifically charged with the duty of enforcing this rule.

7.7 The right is reserved by the Speaker to refuse the issuance of or to revoke cards requested or issued to nonmembers of the House and Senate. It is the intention of these rules to allow access by the media to the members of the House of Representatives while minimizing distractions and disruption of the House while in session. The Speaker may prescribe such other limitations as are deemed appropriate under the circumstances.

7.8 Spouses and children of the members of the House may be admitted on the floor of the House, provided they shall not be seated at the desk of any member; provided, further, that no child under the age of 12 years shall be admitted on the floor except for the purpose of posing for photographs with a member, and provided, further, that after such activity the child shall immediately leave the floor.

7.9 No person shall be admitted on the floor of the House or permitted to remain, who is engaged in lobbying or who is attempting to influence legislation.

7.10 No member or any other person entitled to the privileges of the floor shall be permitted to enter upon the floor of the House while in an intoxicated condition or while under the influence of drugs listed in the Georgia Controlled Substances Act. The messenger, sergeant at arms, doorkeeper, any member or members of the Uniform Division or Executive Security Guard Division of the Department of Public Safety permanently assigned to special duty in the House are specially charged with the rigid enforcement of this rule.

7.11 No member shall be recognized for the purpose of introducing visitors in the gallery except as authorized by the Speaker or by a previously adopted resolution.

7.12 Access to the floor of the House by non-members for the purpose of receiving special recognition shall be determined by a special sub-committee of the Committee on Rules. All requests for access to the floor for the purpose of special recognition must be submitted in writing to the Special Sub-Committee of the Committee on Rules at least seven (7) days prior to the day access is requested. Access to the floor for the purpose of special recognition shall only be allowed on the date, at the time and in the manner ordered by the Special Sub-Committee. The Speaker at any time may grant special access to the floor of the House.

7.13 No person who is not a member of the House shall be recognized to speak unless such person shall have first been so invited by the adoption of a resolution on or before the previous day. Any person who has been invited to speak before the House as a result of the adoption of a resolution shall not address the House until the period after the conclusion of the third reading of bills and resolutions or immediately after the House reconvenes after any recess and prior to the transaction of any other business, except that the Speaker shall have the discretion to waive this restriction when warranted by the prominence of the person or the significance of the occasion.

Rule 8.

8.1 Applause, hisses, or other noises in the House chamber, in the gallery, or in the lobbies during any speech or legislative proceeding shall be promptly suppressed. Placards, displays, banners, and signs are prohibited and shall be removed promptly.

8.2 The use of cameras, video cameras, movie cameras, cell phone cameras and similar devices on the floor of the House, in the gallery or in the lobbies during any speech or legislative proceeding is prohibited unless expressly authorized by the Speaker.

8.3 The Speaker shall have the power to cause the gallery and lobbies of the House to be cleared by the messenger, sergeant at arms, doorkeepers, any member or members of the Uniform Division or Executive Security Guard Division of the Department of Public Safety permanently assigned to special duty in the House in case of disturbance or disorderly conduct therein. The Speaker shall have the power to cause any person so offending to be arrested and brought before the bar of the House in order to be dealt with for contempt of the House.

Rule 9. Reserved.

COMMITTEE ORGANIZATION AND FUNCTIONING

Rule 10.

10.1 The Speaker shall appoint the following standing committees:

(1) Agriculture and Consumer Affairs.

(2) Appropriations.

(3) Banks and Banking.

(4) Budget and Fiscal Affairs Oversight.

(5) Code Revision.

(6) Defense and Veterans Affairs.

(7) Economic Development and Tourism.

(8) Education.

(9) Energy, Utilities and Telecommunications.

(10) Ethics.

(11) Game, Fish, and Parks.

(12) Governmental Affairs.

(13) Health and Human Services.

(14) Higher Education.

(15) Human Relations and Aging.

(16) Industry and Labor.

(17) Information and Audits.

(18) Insurance.

(19) Interstate Cooperation.

(20) Intragovernmental Coordination.

(21) Judiciary.

(22) Judiciary, Non-civil.

(23) Juvenile Justice.

(24) Legislative and Congressional Reapportionment.

(25) Motor Vehicles.

(26) Natural Resources and Environment.

(27) Public Safety and Homeland Security.

(28) Regulated Industries.

(29) Retirement.

(30) Rules.

(31) Science and Technology.

(32) Small Business Development.

(33) Special Rules.

(34) State Properties.

(35) State Planning and Community Affairs.

(36) Transportation.

(37) Ways and Means.

10.2 The Speaker may, at any time, appoint a special committee for the limited purpose of considering any bill or bills assigned by the Speaker. Each special committee created pursuant to this rule shall act, in all respects, as if it were a standing committee designated under rule 10.1 except that a special committee shall cease to exist when final action is taken on any bill or bills assigned to it by the Speaker.

10.3 Any bills or resolutions which are introduced in the House pursuant to the requirements of Chapter 12 of Title 28 of the Official Code of Georgia Annotated shall be considered under the specific procedures and legislative process specified in Chapter 12 which shall supercede and control notwithstanding any provision of these rules to the contrary. This rule shall stand repealed on July 1, 2012.

Rule 11.

11.1 Members of all committees provided for in these rules shall be appointed by the Speaker or the Committee on Assignments. In the Speaker's discretion, the Speaker may create one or more subcommittees within any standing committee and constitute the membership thereof.

11.2 (a) Every member of the House shall be appointed to, and serve, on at least two standing committees of the House.

(b) Any member of the House who is notified by the Speaker of the House that he or she is delinquent in the payment of any fee or fine imposed by the Georgia Government Transparency and Campaign Finance Commission shall be ineligible to participate as a member of any committee for so long as the delinquency continues. Any member who disputes that he or she is delinquent or contends that his or her delinquency has been satisfied may appeal his or her suspension from the committees to the Committee on Ethics or may ask the committee for reinstatement upon a showing of satisfaction of the delinquency. Upon a determination by the Committee on Ethics that the member is not delinquent, the member's eligibility to serve on committees shall be reinstated. The Committee on Ethics, in its discretion, shall also be authorized to toll any suspension pending its own investigation and determination of delinquency.

11.3 The Speaker, the Speaker pro Tempore, the Majority Leader, and the Majority Whip shall be ex officio members of all standing committees and subcommittees of the House and shall have a vote on all committees and subcommittees, except that the Speaker shall have no vote as an ex officio member except on the Committee on Rules.

11.4 The chairman and secretary of the Committee on Appropriations shall be an ex officio member of the Committee on Ways and Means, and the chairman and vice chairman of the Committee on Ways and Means shall be ex officio members of the Committee on Appropriations. The chairman of the Committee on Ethics shall be an ex officio member of the Committee on

Judiciary. The chairman of the Committee on the Judiciary shall be an ex officio member of the Committee on the Judiciary-Non-civil. The chairman of the Committee on the Judiciary-Non-Civil shall be an ex officio member of the Committee on the Judiciary. Such ex officio members shall have a vote on such committees and their subcommittees.

11.5 The Speaker shall be authorized to appoint a chairman, a vice chairman, and a secretary for all standing committees and for all subcommittees created by the Speaker.

11.6 The Majority Leader, the Minority Leader, the Majority Whip and the Minority Whip shall be members of the Committee on Rules. Each such leader must be certified as such by his or her party caucus chairman to the Speaker of the House and to the Clerk of the House.

11.7 If a member desires to change committees, such member may make a request to the Speaker. If a change can be accomplished, the Speaker is authorized to make such change. After the announcement of the standing committees, no other members shall be placed hereon, if such placement will increase the number of members on any committee beyond the number approved by the Committee on Assignments; provided, however, when any members shall have been elected to fill a vacancy caused by death or otherwise, the Speaker may assign such members to such committees as the Speaker may see fit. The Speaker may fill any vacancy in the offices of chairman, vice chairman, or secretary at anytime a vacancy shall occur.

11.8 The Speaker, or the Committee on Assignments, may appoint one or more chairmen of subcommittees of the Committee on Appropriations. Each such chairman of a subcommittee appointed shall be designated to preside over one of the following subcommittees of the Committee on Appropriations:

(1) Education.

(2) Higher Education.

(3) Health.

(4) Human Resources.

(5) Public Safety.

(6) Economic Development.

(7) General.

ASSIGNMENTS, APPOINTMENTS AND PLACEMENTS

Rule 12.

12.1 At the Speaker's election, by an order so designating, the Speaker may create and appoint a committee on assignments to make and designate all assignments, appointments and placements of members to committees as permitted under Rule 11, and to any and all other similar positions, placements or appointments which may be so designated by the Speaker.

12.2 If the Speaker creates a committee on assignments, membership on said committee shall consist of the Speaker, the Majority leader and, not less than five (5) additional members, all of whom shall be named and designated by the Speaker.

12.3 The Committee on Assignments shall be constituted in such a manner that any assignment, appointment or placement shall be approved by a majority vote of those committee members present and voting. All members shall have an equal vote except the Speaker shall have 3 votes and the Majority leader shall have 2 votes on all questions before the committee. In the case of a tied vote on any question, the Speaker shall be authorized to cast one extra vote.

12.4 In the event a Committee on Assignments is constituted, the committee may set forth such other and further rules or procedures to govern its role or the conduct of its proceedings as the committee may deem necessary or proper.

12.5 The Speaker shall be authorized to veto or disapprove any action of the Committee on Assignments within 48 hours of written action by the committee.

12.6 Not withstanding any appointment by the Committee on Assignments, or the Speaker's failure to veto any appointment pursuant to Rule 12.5, the Speaker may, at any time, with or without cause and without explanation, remove any member appointed as a chairman, vice chairman or secretary of any standing or special committee or subcommittee in the House or any member appointed to the Committee on Rules.

Rule 13.

13.1 Each committee or subcommittee shall first meet upon the call of the chairman and perfect its organization. After the organizational meeting, each committee or subcommittee shall meet upon the call of its chairman. The vice chairman may call a meeting of the committee or subcommittee if the vice chairman obtains a certificate from the Speaker certifying that the chairman is

incapacitated or if he or she is directed by the chairman to call the meeting to consider such measures as specified by the chairman. Each subcommittee shall be subject to the will of its parent standing committee and the officers thereof.

13.2 No bill shall be reported to the House until it has been acted upon by the standing committee, and all actions of any subcommittee shall be submitted to its parent standing committee.

Rule 14.

14.1 Except as otherwise provided in these Rules, all meetings of any committee or subcommittee of the House, including interim committees, shall be open to the public. By a majority vote of a quorum of a committee or subcommittee, a meeting may be closed to the public when the committee or subcommittee is (1) discussing the future acquisition of real estate, (2) discussing the appointment, employment, or dismissal of a public officer or employee or disciplinary action against such officer or employee, or (3) hearing complaints or charges brought against a public officer or employee, unless the officer or employee requests that the meeting be open to the public.

14.2 Inasmuch as the primary function of the Committee on Assignments is the assignment, appointment and placement of individual members to various positions in order to effectively and efficiently operate the House of Representatives, and since such function will necessarily require discussions of the strengths and weaknesses of individual members, which discussions are primarily made in the context of a personnel related matter, the meetings of this committee will be considered confidential and shall not be open to members or the public.

Rule 15. When the House provides for the recording or transcribing of its proceedings during any of its sessions or the House or any committee or subcommittee thereof provides for the recording or transcribing of proceedings of such committee or subcommittee during any meeting thereof which is open to the public, copies of such recordings or transcriptions shall be made available to the public upon request and payment of the reasonable costs of supplying copies of such recordings or transcriptions, whether such recordings or transcriptions are written or typed or are audio, visual, or audio visual records of such proceedings.

Rule 16. No standing or interim committee or subcommittee of the House of Representatives shall officially meet at any place within the state where any citizen of the state is denied admittance

on the basis of religion, race, creed, nationality, or gender or on property belonging to any private club, organization, or association in which any citizen is denied membership or discriminated against on the basis of religion, race, creed, nationality, or gender.

Rule 17.

17.1 The Committee on Information and Audits shall, before auditing the account of any member for expenses as a committee member, or any account submitted by a member for any expense incurred in discharge of any duty as a member of the House, require of such member an itemized statement of such account, supported by proper vouchers, for each item of such account.

17.2 The Committee on Information and Audits shall audit twice-yearly the accounts of any caucus of the House which receives state funds. Each caucus to be audited under this Rule shall keep detailed records of all expenses and receipts of all monetary transactions. The Committee on Information and Audits shall, before auditing the accounts of any caucus, require of such caucus an itemized statement of such account, supported by proper vouchers for each item of such account.

Rule 18.

18.1 If a majority of the members of the House whose districts are wholly or partially located within a political subdivision shall file with the chairman of the Committee on Intragovernmental Coordination their own rules as to the number of Representatives who must sign proposed legislation affecting that political subdivision before it will be favorably reported by the Committee on Intragovernmental Coordination, the committee shall observe such rules in considering such legislation. Otherwise, the committee shall not favorably report any legislation affecting a political subdivision unless all of the Representatives whose districts are wholly or partially located within the political subdivision shall sign such legislation.

18.2 When the committee staff reports to the chairman that local legislation meets the technical requirements for which the staff inspects and has been signed by the requisite local delegation members under Rule 18.1, the legislation shall be favorably reported as a matter of course, without the necessity of action by the committee, unless otherwise ordered by the chairman or the committee. Rule 13.2 shall not apply to legislation reported under this Rule.

18.3 When local legislation has been favorably reported in accordance with Rule 18.2, such legislation shall be considered by the House under Rule 33.2(d).

18.4 No local bill or resolution referred to the committee shall be released to any person, including members of the House, except upon the condition that such person shall return the bill or resolution to the chairman of the Committee on Intragovernmental Coordination within six hours of the chairman's request to do so.

SPEAKER'S POWERS AND DUTIES

Rule 19. The Speaker shall preserve the order and decorum of the House, the gallery and the adjacent lobbies, ante rooms and halls of the House. In case of disturbance or disorderly conduct in any of these areas, the Speaker may cause the same to be cleared.

Rule 20. When two or more members rise at the same time, the Speaker shall name the member to be recognized.

Rule 21. The Speaker shall, in the Speaker's discretion, suspend irrelevant debate and command silence whenever the Speaker deems it necessary.

Rule 22. The Speaker shall vote in all cases of election by the House. In other cases the Speaker shall not vote unless the House shall be equally divided or unless the Speaker's vote, if given to the minority, will make the division equal. In case of such equal division, the question shall be lost. But in all cases where a fixed constitutional vote is required to pass the matter under consideration and the matter lacks only one vote to pass, the Speaker shall vote; and the Speaker's vote shall be counted the same as that of any other member.

Rule 23. All questions as to the priority of business to be acted on shall be decided by the Speaker without debate.

Rule 24. At any time the Speaker may order the roll called on any question and take the vote by yeas and nays unless otherwise ordered by the House.

Rule 25. The Speaker shall assign seats in the House Chamber to the members.

Rule 26. The Speaker of the House shall administer the oaths required of the subordinate officers of the House.

Rule 27. During a day's session, the Speaker or Speaker Pro Tempore when acting as Speaker may name any member to perform the duties of the chair during any part of that day. Whenever the Speaker is not presiding, the Speaker may be recognized at any desk.

Rule 28. Whenever, from any cause, the Speaker is absent at the beginning of a daily session, the Speaker Pro Tempore shall preside. If both are absent, the Clerk of the House shall call the House to order and shall preside until the election of an acting Speaker Pro Tempore. Such election shall be the first business of the House. The acting Speaker Pro Tempore thus elected shall preside until the return of one of the first named officers, at which time his or her functions shall cease.

Rule 29.

29.1 If the Speaker Pro Tempore becomes Speaker pursuant to the provisions of Article III, Section III, Paragraph II(b) of the Constitution of the State of Georgia of 1983, the procedure provided in this rule for the election of a Speaker shall be followed.

29.2 The Speaker Pro Tempore shall call an election to be held within 120 days after he or she becomes Speaker. Such election shall be held on a date and at a time to be designated by the Speaker Pro Tempore who has become the Speaker. If the Speaker Pro Tempore becomes Speaker at a time when there are 120 days or less remaining in the two-year term, the Speaker Pro Tempore shall continue to serve as Speaker until the convening of the General Assembly for the next regular session. Any election provided for this rule shall be held in the chamber of the House of Representatives at the state capitol.

PROTEST AND APPEAL

Rule 30. Should any member of the House be dissatisfied with the ruling of the Speaker on any point, such member shall rise and respectfully address the Speaker and say: "I appeal from the decision of the chair." The Speaker will then state to the House the point ruled on and the Speaker's decision on it. Debate on the correctness of the ruling shall be limited to 5 minutes. The Speaker

shall put the question of appeal to the House for a vote. The ruling of the Speaker shall be sustained unless overruled by the vote of a majority of the members to which the House is entitled. All appeals from the decision of the chair shall be made immediately, and no appeal shall be in order after other business has intervened from the time of the alleged error of the chair and before the appeal is sought.

GENERAL BUSINESS AND ORDER OF BUSINESS

Rule 31. The following shall be the order of business:

(1) Call of the roll.

(2) Scripture reading and prayer by the chaplain.

(3) Pledge of Allegiance to the Flag of the United States of America.

(4) Report of the Committee on Information and Audits.

(5) Confirmation of the journal.

(6) Unanimous consents.

(7) Introduction of bills and resolutions.

(8) First and second readings and reference of House bills and resolutions.

(9) Report of standing committees.

(10) Third reading and passage of uncontested local bills and resolutions.

(11) First and second readings and reference of Senate bills and resolutions.

(12) Unfinished business of previous session.

(13) Orders of the day.

(14) Senate amendments to House bills and resolutions and reports of conference committees.

(15) Motions to reconsider.

(16) Morning Orders

(17)(a) When applicable, third reading of resolutions on the uncontested resolutions calendar; and

(b) Other bills and resolutions for third reading.

(18) Evening Orders

Rule 32. It shall be the duty of the Committee on Information and Audits to read the journal

of each day's proceedings and report to the House that the same is correct. The reports of the Committee on Information and Audits may be made at any time.

Rule 33.

33.1 The Committee on Rules shall arrange and fix the calendar for each day's business of each regular session of the General Assembly. Copies of such calendar shall be printed and made available to the members of the House as quickly as is practicable following the setting of the calendar.

33.2 In arranging and fixing the calendar for each day's business, the Committee on Rules is authorized to place on each measure to come before the House any of the following special rules:

(a) **Open Rule** - Germane amendments may be offered in accordance with the provisions of these Rules.

(b) **Modified Open Rule** - Germane amendments may be offered subject only to an overall time limit on the amendment process, and a requirement that the amendments be pre printed and placed upon the desk one hour prior to debate.

(c) **Modified Structured Rule** - Germane amendments may be offered after being approved by the Committee on Rules. This rule may preclude amendments to a particular portion of the bill, although other parts of the bill may be open to amendment.

(d) **Structured Rule** - No amendments may be offered. There is a strong presumption against Structured Rules. If any measure passed by the House pursuant to a Structured Rule is amended in the Senate it shall be considered disagreed to when it returns from the Senate, except that the author of the House measure, with the concurrence of the Speaker, may move to accept the House measure as amended by the Senate, or as otherwise allowed in Rules 118 and 119.

33.3 At all times the Committee on Rules may designate a day certain and may set a time limit for floor debate on any measure.

33.4 The provisions of Rule 33.2 shall not apply with respect to a minor or technical amendment. The determination of whether an amendment is a minor or technical amendment shall be according to the judgment of the Speaker of the House, subject to appeal to the body.

33.5 Rule 33.2 shall not apply with respect to amendments to privileged resolutions.

33.6 For purposes of these Rules a substitute shall be treated as an amendment; and in order to be eligible for consideration by the House a substitute will only be permitted in accordance with the

terms of any special rule applicable to the measure.

33.7 The Committee on Rules may also recommit any measure back to the committee from whence it came, or on its own motion, amend the same, only with minor and technical amendments as described in Rule 33.4.

33.8 Reserved.

Rule 34. Every motion to make special orders shall be submitted in writing to the Committee on Rules and reported upon by the committee before being submitted to the House.

Rule 35. The report of the Committee on Rules is in order at any time when the House is not actually engaged in other business.

Rule 36. No rule shall be temporarily suspended or temporarily changed, nor the order of business changed, except by unanimous consent or by an affirmative vote of two thirds of the members to which the House is entitled. Any motion to suspend or change the Rules or change the order of business shall be decided without debate, provided that, whenever a report from the Committee on Rules is submitted to the House, the questions arising on the report shall be debatable until the report of the committee is agreed to or disagreed to or the main question is ordered.

Rule 37. No amendment or addition to these rules shall be made unless such proposed amendment or addition is first referred in writing to the Committee on Rules and reported back to the House where it may then be adopted by affirmative vote of a majority of the members to which the House is entitled. However, the rules may be temporarily suspended as provided in Rule 36 without referral to the Committee on Rules.

Rule 38. The roll of the House shall not be dispensed with except by a vote of a majority of the members voting or by unanimous consent. The motion to dispense with the roll call shall be decided without debate. The electric roll call system may be used to call the roll by the members using the "yes" switch to signify their presence.

Rule 39.

39.1 When a message is sent to the House of Representatives, it shall be announced at the door of the House by the doorkeeper and be respectfully communicated to the chair by the person through whom it may be sent.

39.2 Messages may be received at any time while the door is open except while a question is being put or a ballot or viva voce vote is being taken. A message shall be presented to the House by the Speaker when it is received or thereafter according to its nature and the business in which the House is engaged; or its consideration may, on motion, be ordered by the House.

Rule 40.

40.1 Morning Orders shall be in order immediately prior to the reading of bills and resolutions for the third time. During the first 20 days of the session shall be a 20 minute period during which members wishing to engage in a Morning Order may speak, and thereafter there shall be a 10 minute period during which members wishing to engage in a Morning Order may speak; provided, however, that no member may speak for more than 5 minutes. All requests to speak must be received by the Messenger, or such other person as the Speaker may designate, one hour prior to the convening of each day's business. The Speaker shall allocate the time members can speak up to the overall time limit.

40.2 Evening Orders shall be in order immediately following the reading of bills and resolutions for the third time. The order and amount of time a member may speak shall be determined by the Speaker.

40.3 Questions of privilege (Morning and Evening Orders) shall be those affecting the rights, safety, and dignity of the House collectively and the integrity of its proceedings; and the rights, reputation, and conduct of members individually, in their representative capacity only. No member in exercising such privilege may impugn the character or personal integrity of another member. Questions of privilege shall have precedence over all other questions except a motion to adjourn, provided that, when any matter is pending before the House, no question of personal privilege shall be acted on until disposition is made of the pending question.

Rule 41. The House shall convene daily at 10:00 A.M. unless otherwise ordered by the House. The hour of adjournment shall be fixed by a majority of the House, on motion without debate.

Rule 42. No member shall take any books or papers from the possession of the House or Clerk without first notifying the Clerk and giving the Clerk a receipt to return such books or papers in a reasonable time or on demand by the Clerk.

Rule 43. No general bill or resolution shall be released to any person, including members of the House, except upon the condition that such person shall return the bill or resolution to the Clerk or to the chairman of the committee to which it was referred within six hours of the request of the Clerk or chairman to do so.

Rule 44. A motion objecting to the reading of any paper shall be determined by a vote of the House without debate.

QUORUM AND ABSENTEES

Rule 45.

45.1 The power to compel the attendance of members, in order to keep or secure a quorum, shall be vested in the Speaker. The Speaker may have the doors of the House closed and when the doors are closed, no member shall be allowed to retire from the House without first obtaining leave from the Speaker.

45.2 The messenger, doorkeeper, sergeant at arms or any member of the Uniform Division or Executive Security Guard Division of the Department of Public Safety, on order of the Speaker, may arrest any absentees and bring them before the House when necessary to secure a quorum.

Rule 46. Whenever the result of a vote taken shall disclose the fact that no quorum of the House is present or when the Speaker shall officially state the fact to the House, it shall be in order for any member to make a motion for a call of the House. When such motion is made, the Speaker shall state the question as follows: "Shall the motion for the call of the House prevail?" If one fifth of the members present shall vote in the affirmative, the Speaker shall order the Clerk to call the roll of members and the absentees shall be noted. The doors shall then be closed, after which the names of the absentees shall again be called. By order of the majority of the members present, those who do not appear and who are absent without leave may be sent for and arrested wherever they may be

found by the messenger, doorkeeper, sergeant at arms or any member of the Uniform Division or Executive Security Guard Division of the Department of Public Safety, and their attendance secured. The House shall determine upon what conditions they shall be discharged.

Rule 47. Upon the call of all the members, the names of the absentees shall be noted by the Clerk and shall appear upon the journal.

INTRODUCTION AND READING

Rule 48.

48.1 No bill or resolution having the effect of law shall be introduced unless the same shall have been filed in the office of the Clerk not later than one hour after the time of adjournment on the previous day.

48.2 Whenever any bill or resolution having the force and effect of law is filed with the Clerk, it shall be read for the first time on the succeeding day and such day shall be deemed to be the date on which the bill was introduced. Any bill or resolution requiring three readings prior to its passage shall then automatically be read for the second time on the legislative day following the day on which it is introduced. There shall be no debate on the first or second reading of any bill or resolution requiring three readings prior to its passage.

Rule 49. When introducing a bill or resolution, a member shall file an original and one copy with the Clerk. All bills and resolutions shall be typed, printed, or otherwise duplicated and the name and district of the member introducing the same shall be on the back thereof. The title or a brief summary thereof shall also appear on the back. No member shall sign any bill or resolution as a cosponsor thereof without the consent of the sponsor who first signs the bill or resolution.

Rule 50. Any bill or resolution relating to or affecting the political partisanship of any elected office, state revenues, general taxation, pari-mutuel wagering, alcoholic beverages, water resources, or hazardous wastes shall not be deemed to be a local or special bill or resolution but shall be treated as a general bill or resolution.

Rule 51. As soon as possible after any bill or resolution of general application is filed in the Clerk's office, the Clerk shall cause the same to be printed. When such bill or resolution is placed on the general calendar, the Clerk shall distribute a copy thereof to each member of the House. Whenever any such bill or resolution of general application shall be reported back by the committee to which it was referred with the recommendation that it do pass as amended or that it do pass by substitute, the Clerk shall cause the recommended amendment or substitute to be printed and copies thereof to be distributed to each member. No bill or resolution of general application shall be considered by the House unless copies of the same and any committee amendments or committee substitute shall have been printed and distributed to the members prior to consideration for passage. The House may at any time by a vote of a majority of those voting, provided the total vote constitutes a quorum, suspend action upon any pending bill or resolution of general application until all amendments, or substitutes, or both offered thereto on the floor shall have been printed and distributed to the members.

Rule 52. All bills and resolutions on the calendar shall be called as directed by the Committee on Rules or as otherwise directed by the Speaker. However, the general appropriations bill shall have precedence on the third reading over all other matters, even special orders, until final disposition of such bill.

Rule 53. It shall be the duty of the Clerk to place on each bill and resolution, as it is read the first time, a number following the numerical order in which such bills and resolutions are read the first time. Before reading any bill or resolution the second or third time, the Clerk shall distinctly state its number and the name of the member by whom it is introduced.

CONSIDERATION OF BILLS AND RESOLUTIONS IN COMMITTEE

Rule 54.

54.1 Upon the introduction of any bill, resolution, or other matter, requiring reference to a committee, the Speaker shall as a matter of course and without debate assign the same to an appropriate committee.

54.2 All resolutions providing for appointment of committees of inquiry or investigation and any or all other resolutions which are not privileged shall be referred by the Speaker to the appropriate committee.

54.3 Except as provided in this rule, every privileged resolution shall be referred to a committee. It shall not be necessary, however, to refer to a committee a privileged resolution which commends, congratulates, or extends condolences or which is of a similar nature. The presiding officer shall determine whether a resolution is privileged and shall determine whether it is to be referred to a committee.

54.4 A committee may act upon a bill, resolution, or other matter when the House is in session or on a day on which the House is not in session during a recess or adjournment after the opening day of a regular session and prior to the last day of a session. When a committee so acts during a day of recess or adjournment, the Clerk of the House may accept the report of the committee on such day, and the committee report shall be received and read by the House on the next day when the House is in session. Except as authorized by the Speaker, a committee may not take official action after the adjournment sine die of a session and prior to the convening of the next session.

Rule 55. No Committee of the Whole House or other committee shall deface or interline a bill, resolution, or other paper referred to the committee but shall report any amendment recommended on a separate paper, noting the section, page, or line to which the amendment relates. No person shall write upon or mark upon the original bill, resolution, or other paper in any manner.

Rule 56. All reports of a committee shall be in writing. Wherever practicable, each committee shall include with its report on each general bill or resolution a brief resume of the bill. If the committee shall so order, the Clerk shall have the majority report printed and distributed to the members of the House. A majority of the minority of a committee, but not less than two members of the committee, may make a report in writing, setting forth succinctly the reasons for its dissent. In order for a minority report to be considered, a written notice of intention to file such report must be provided by the first signer thereof to the chairman of the committee; and after such notice has been given, the minority report, with a copy of the notice given to the committee chairman attached, must be filed with the Clerk no later than 5:00 p.m. on the next legislative day after the committee report is filed. If a minority report is duly noticed and filed, and a majority of the minority of the

committee, but not less than two members of the committee, shall so order, the Clerk shall have the minority report printed and distributed to members of the House.

Rule 57. In cases where the report of a committee is favorable to the passage of a bill or resolution, or the bill or resolution is reported without recommendation, the same shall be passed to a third reading without question. If the report of a committee is adverse to the passage of a bill or resolution, the question shall be on agreeing to the report of the committee. However, House and Senate bills and resolutions adversely reported shall not be taken up except by request of a member of the House. Such request must be made not later than adjournment of the next legislative day following the unfavorable committee report. In such case, the motion to disagree shall be referred to the Committee on Rules. If the report of the committee is agreed to in the Committee on Rules, the bill or resolution shall be lost. If the report of the committee is disagreed to in the Committee on Rules, the bill or resolution shall be put on the general calendar unless the bill or resolution is recommitted.

Rule 58. If a bill or resolution has been referred to and reported by more than one committee or has been reported and recommitted to the same committee, the last committee report shall be acted on by the House. In all cases, the report of the Committee of the Whole House shall be first acted on by the House.

Rule 59.

59.1 Whenever any bill or resolution has been referred to a committee and the committee has held the bill or resolution in its custody for ten legislative days without reporting on it, or taking any action upon it, any member of the House shall have the right to initiate a petition for discharge of the bill or resolution. Such petition shall be in such form as shall be designed by the Clerk of the House. If the petition is signed by two thirds of the members of the House, as set out below, the petition shall be filed by the initiating member with the Clerk of the House, and the effect shall be the same as a report of the committee favorable to the passage of the bill or resolution. The bill or resolution shall then take its place on the general calendar in the same manner as a measure favorably reported by a committee. Subject to the provisions of Rule 33, a bill or resolution that has been on the general calendar in the Rules Committee at least 5 days, can be placed on the rules

calendar by a petition signed by two thirds of the members of the House.

59.2 Any motion or resolution to set a special order or to change the order of business for any particular day which has been referred to the Committee on Rules may be held in the custody and control of such committee for only three days.

COMMITTEE OF THE WHOLE HOUSE

Rule 60. All appropriation bills shall be considered in the Committee of the Whole House.

Rule 61. The Speaker may resolve the House into a Committee of the Whole House without a motion being made therefore.

Rule 62. On motion of a member, the House may resolve itself into a Committee of the Whole House by a majority of those voting, provided that the total vote constitutes a quorum, if notice of intention to make such motion has been given during the session of the preceding day. Individual speeches on such motion shall be limited to three minutes. If such notice has not been given, the motion shall prevail if it receives the affirmative votes of two thirds of those voting, if the two thirds constitutes a majority of all of the members elected to the House. Whenever the House, either by its own vote or by unanimous consent, commits any bill or resolution to the Committee of the Whole House and, subsequently, a motion is made to resolve the House into a Committee of the Whole House to consider such bill or resolution and such motion is lost, the motion shall not be renewed. It shall be the duty of the Speaker to require the Clerk to read the bill or resolution again at the following day's session under the order of introduction of new matter or reading of bills the first time. The Speaker shall then refer such bill or resolution to the appropriate committee unless otherwise ordered by the House. However, for the consideration of the general appropriations bill, the House may, on motion of a member, resolve itself into a Committee of the Whole by a majority of those voting, provided the total vote constitutes a quorum, and no previous notice shall be necessary.

Rule 63. In forming a Committee of the Whole House, the Speaker shall appoint a chairman to preside in committee and shall leave the chair.

Rule 64. The Committee of the Whole House shall not proceed with the business before it whenever a vote on any question discloses the fact that no quorum of the House is present. Whenever it is suggested that a quorum is not present, the chairman of the committee shall determine such fact by actual count of the committee and shall report the same to the committee. If no quorum is present, the chairman shall, on his or her own motion, order that the committee immediately rise and the chairman shall report the absence of a quorum to the House.

Rule 65. The rules of the House shall be observed by the Committee of the Whole House, so far as they may be applicable, except that the Committee of the Whole House can not: (1) refer a matter to any other committee; (2) adjourn; (3) enforce the previous question; (4) consider a motion to lay on the table or to indefinitely postpone; (5) unreasonably limit the number of times or the length of time that a member may speak; (6) consider a call of the House; or (7) take votes by yeas and nays.

Rule 66. A motion to reconsider shall be in order in the Committee of the Whole House.

Rule 67. In the Committee of the Whole House, the Speaker may take part in the proceedings; and the Speaker, as well as all other members, shall vote on all questions before the committee unless the Speaker is excused. No pairing of members shall be recognized or allowed in the Committee of the Whole House.

Rule 68. In the Committee of the Whole House, any papers in the possession of the House may be called for by any member and read by the Clerk for the information of the committee unless the committee shall otherwise order.

Rule 69. The chairman of the Committee of the Whole House shall have power to have the gallery or lobbies cleared in case of any disorderly conduct therein and shall have the same powers as the Speaker under Rule 82.

Rule 70. A Committee of the Whole House can not punish disorderly conduct of its members but must report the same to the House for action thereon.

Rule 71. If, at any time in the Committee of the Whole House, it shall be desired to close the debate, or to limit the time allowed members for speaking, the committee may rise and report its desire to the House, and the House shall take such action thereon as it may see fit.

Rule 72. If a Committee of the Whole House, for want of time, fails to complete any matter under consideration at any sitting, it may, on motion and at any time, recess and reconvene.

Rule 73. A motion "that the Committee of the Whole House rise, report progress, and ask leave to sit again" may be made at any time when the movant can legitimately obtain the floor. Such motion shall take precedence over all other motions and shall be decided without debate. When it prevails, the committee shall immediately rise.

Rule 74. When the hour for adjournment of the House arrives, the Committee of the Whole House shall automatically rise and the Speaker shall assume the chair.

Rule 75.

75.1 When the Committee of the Whole House has disposed of bills, resolutions, or other measures before it, by motion and question, it shall rise, and the chairman shall be instructed to report the action of the committee to the House. At this point, the Speaker shall resume the chair, and the chairman shall return to the floor and shall state in substance as follows: "Mr. Speaker, the Committee of the Whole House has had under consideration (naming what) and has instructed me, as its chairman, to report the same back to the House, with the recommendation that the same" ("do pass," "do pass as amended," "do pass by substitute," or "do not pass," as the case may be).

75.2 The Speaker shall receive this report and repeat the same, and the matter shall then be before the House for action, just as though reported by any other committee.

Rule 76. Amendments offered to an amendment in the Committee of the Whole House shall not be reported to the House, but the report shall contain only the result of the committee's action on the bill, resolution, or measure under its consideration.

Rule 77. Amendments proposed by the Committee of the Whole House may be amended or

rejected by the House, and matters stricken out by the committee may be restored by the House.

Rule 78. The proceedings of the Committee of the Whole House shall not be recorded on the journal of the House, except so far as reported to the House by the chairman of the committee.

DEBATE

Rule 79. When any member is about to speak in debate or deliver any matter to the House, such member shall rise from his or her seat and respectfully address himself or herself to "Mr. Speaker." No member shall be recognized by the Speaker unless the member is at his or her designated seat.

Rule 80. A member shall be confined to speaking on the matter in debate and shall not speak more than twice on any subject or more than once until every member choosing to speak shall have spoken.

Rule 81. Subject to the terms of any special rule designated by the Committee on Rules applicable to any measure, no member of the House shall occupy the floor longer than 20 minutes in debating any question unless otherwise ordered by the Speaker. Any member wishing to speak on any measure shall notify the Speaker prior to the measure being called or during the time the first presenter is speaking on the bill, unless otherwise ordered by the Speaker. Where the time for floor debate on any measure has been set by special rule, the Speaker shall determine the length of time that each member will be allowed to occupy the floor during debate. Any time allowed under Rule 124 shall be in addition to the time provided for in this rule. Any motion to limit or extend the time of individual speeches shall be decided without debate. No such motion shall prevail unless it shall receive the affirmative votes of two thirds of those voting, provided the total vote constitutes a quorum. Such motion may be made at any time that the movant thereof may legitimately obtain the floor.

Rule 82. If any member, in speaking or otherwise, transgresses the rules of the House, the Speaker shall call such member to order, in which case the member shall immediately sit down

unless permitted to explain. If appealed to, the House shall decide whether to confirm the Speaker's action. If the transgressor refuses to submit to the decision of the House, the member shall be reprimanded for the first offense or fined in a sum not exceeding $100.00 for the second and each subsequent offense. If the member continues to refuse to abide by the decision of the House such member may be expelled from the House by a two thirds' vote of the members. Such vote shall be taken by yeas and nays and recorded on the journal of the House.

Rule 83. Reserved.

Rule 84. Except as otherwise stated in these rules, no member shall address the House or a member of the House or interrogate a member who is speaking, except through the Speaker. Should the member speaking decline to be interrupted, the Speaker shall cause the member desiring to interrogate to be silent.

Rule 85. No member shall refer in debate to any private conversation with another member.

Rule 86. In addressing any other member, a member may designate the other member by: "Mr.," "Mrs.," "Miss," or "Ms." plus the member's last name; or by the member's title, by his or her position on the floor, by the district he or she represents, or by the county or city of his or her residence. Examples of acceptable ways to address members are: "Mr. Jones," "Mrs. Smith," "Ms. Smith," "Miss Smith," "the Representative from the First District," "Mr. Speaker Pro Tempore," "Mr. Administration Floor Leader," "Mr. Majority Leader," "the lady from DeKalb," "the Representative from Waycross," or "the gentleman from Macon."

MOTIONS

Rule 87. When any subject is before the House for consideration or under debate, no motion shall be received except the following:

(1) A motion to adjourn.

(2) A motion to lay on the table.

(3) A motion for the previous question.

(4) A motion to adjourn to a time definite.

(5) A motion to indefinitely postpone.

(6) A motion to postpone to a day certain or to a time certain if postponed to a later time on the same legislative day.

(7) A motion to commit.

(8) A motion to amend.

(9) A motion to print.

Such motions shall have precedence in the order named. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House, but may by unanimous consent be withdrawn at any time before the decision. Such motions made by any member need not be seconded.

Rule 88. No member may make more than one motion at a time. While the motion is being put to the House, the member making the motion must resume his or her seat, and such member is not further entitled to the floor unless recognized again by the Speaker.

Rule 89. No member who has the floor shall make any motion, the effect of which is to cut off debate, without relinquishing the floor.

COMMITMENT

Rule 90. Motions to commit may be made to refer a bill, resolution, or other measure to a standing or special committee or Committee of the Whole House. On a motion to commit, no debate shall be allowed. A motion to commit may be amended by substituting another committee for the one named by the member making the motion.

Rule 91. A motion to commit to a standing committee takes precedence over a motion to commit to a special committee and shall be first voted on. However, where a motion is made that a bill, resolution, or other measure be committed to the Committee of the Whole House, this motion shall be put before either of the above named motions.

Rule 92. Any proposition that has been referred to any standing or special committee may, on motion, be recommitted to the same or any other committee by a majority of those voting, provided the total vote constitutes a quorum.

TABLING

Rule 93. A motion to lay on the table may be made after the motion for the previous question has been sustained; but, after the main question has been ordered, no motion to lay on the table is in order.

Rule 94. No motion to lay an amendment on the table shall be in order.

Rule 95. Neither the motion to lay on the table nor the motion to take from the table is debatable or amendable.

Rule 96. A motion to lay on the table or to take from the table may be renewed from time to time when new business has intervened between the votes.

Rule 97.

97.1 If the motion to lay on the table prevails, it removes the measure from the consideration of the House, together with all the motions attached to it at the time.

97.2 When a proposition is taken from the table, it stands before the House in the exact form, with all the motions pertaining to it, as it stood at the time the motion to lay on the table prevailed. The measure and all motions shall remain in numerical order on the general calendar; provided, however, if the measure is tabled and taken from the table on the same legislative day when the rules calendar is in effect, it shall remain on that day's rules calendar and shall be treated as any other measure then on the rules calendar subject to any special rules previously placed on the measure by the Committee on Rules.

Rule 98. A majority of a quorum voting is necessary to lay a bill, resolution, or paper on the table. At any time when the House is not engaged on any other measure, a majority of a quorum

voting may take from the table any bill, resolution, or paper which has been ordered to lie on the table.

INDEFINITE POSTPONEMENT

Rule 99. A motion to indefinitely postpone, if decided in the affirmative by a majority of those voting, provided the total vote constitutes a quorum, thereby disposes of said bill, resolution, or other measure for the session. Only one motion to indefinitely postpone any bill, resolution, or other measure shall be allowed.

Rule 100. Reserved.

Rule 101. The motion to indefinitely postpone lays open the whole question for debate, but the motion cannot be amended.

POSTPONEMENT

Rule 102. A motion to postpone to a day or time certain cannot be applied to subordinate or incidental questions but only to the whole measure. When the motion prevails, it carries forward the whole proposition and its appendages to the day or time named.

Rule 103. On a motion to postpone a question to a day or time certain, debate on the merits of the question is not in order. Debate and amendments may be allowed, but shall be confined strictly to the proposition to postpone and to show why one day or time is preferred to another. It shall be the duty of the Speaker to hold members rigidly to these points.

Rule 104. The motion to postpone to a day or time certain may be amended by substituting one day or time for another. In this case, the time would be treated as a blank and the Speaker should treat any such amendment as the Speaker would those to fill a blank.

Rule 105. A motion to postpone to a day known to be beyond the limits of the session shall not be in order.

Rule 106. If the motion to postpone a bill, a resolution, or other measure is decided in the negative, the question is left before the House as it was before the motion was made, and a second motion to postpone cannot be made on the same day.

Rule 107. The motion to postpone a bill, resolution, or other measure to a day or time certain, when decided in the affirmative by a majority of those voting, providing the total vote constitutes a quorum, removes the subject from before the House until the day or time designated. When the House is not in session on the day or time designated, the question shall be called on the following legislative day.

AMENDMENT

Rule 108.

108.1 Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, an amendable proposition may only be amended in three ways:

(1) By inserting or adding words, numbers, punctuation, or letters.

(2) By striking out words, numbers, punctuation, or letters.

(3) By striking out and inserting words, numbers, punctuation, or letters.

108.2 An amendment is subject to be amended in all three of the ways mentioned above, but it is not permissible to amend an amendment to an amendment, except by unanimous consent.

108.3 No amendment to any appropriations bill shall be in order if the amendment has the effect of both reducing one appropriation and either increasing another appropriation or adding a new appropriation. No amendment to any appropriations bill increasing any appropriation or adding a new appropriation shall be in order unless there has previously been adopted an amendment reducing some other appropriation so as to make funds available for such new or increased appropriation; and no amendment to any appropriations bill shall be in order which would cause the bill to violate the balanced budget requirements of the Constitution.

108.4 A majority of a quorum voting is necessary to amend any bill, resolution, or proposition.

Rule 109. A substitute shall be treated as an amendment in these rules. However, for the purpose of amending a substitute, a substitute shall not be treated as an amendment.

Rule 110. Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, all motions to amend any matter before the House must be in writing. They must plainly and distinctly set forth the amendment desired and the part or parts of the bill or resolution where the amendment shall be inserted or added.

Rule 111. In order to be eligible for consideration any amendment must be germane to the subject under consideration. In order to be germane the amendment must be closely and directly related to the main measure, both with respect to the end to be accomplished and with respect to the means of accomplishing the end. Any irrelevant motion, irrelevant amendment, or amendment which is not germane to the subject under consideration shall be ruled out of order by the Speaker. The determination of relevancy and germaneness shall be according to the judgment of the Speaker. Appeals from the Speaker's determination shall be in accordance with Rule 30.

Rule 112. When a bill or resolution is before the House for consideration, and amendments are pending thereto, and a substitute shall be offered for said bill or resolution, and an amendment shall be offered to said substitute, it shall be in order for the House to perfect first the original bill or resolution and then perfect the substitute. The question shall then be on agreeing to the substitute as amended, if it has been amended; and, if decided in the affirmative, the question shall be, "Shall this bill pass by substitute?" or "Shall this resolution be adopted by substitute?" as the case may be. If both a committee substitute and a floor substitute are offered for a bill or resolution, a vote shall be taken on the committee substitute first.

Rule 113. When a motion is made to amend by striking out a part of a bill or resolution, any amendment offered to perfect the part proposed to be stricken shall be put before the question is put for striking it out.

Rule 114. On all questions, whether in committee or in the House, the last amendment, the most distant day, and the largest sum shall be considered first.

Rule 115.

115.1 Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, after commitment of a bill and report thereof to the House, it may be amended before the report of the committee is agreed to by the House; but the amendments, if any, reported by the committee shall be disposed of before any other amendment is considered unless it is an amendment to a committee amendment.

115.2 If a bill amending the last enacted general appropriations Act is reported out of committee as "do pass by substitute" or "do pass as amended," neither the committee of the whole nor the House of Representatives shall consider the bill until at least 24 hours after the substitute or the amendments, as the case may be, have been printed and placed on the desk of each member.

Rule 116. Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, an amendment cannot be offered after the report of the committee to which the bill or resolution under consideration was referred has been agreed to by the House, unless the action of the House in so agreeing to the report of the committee shall first be reconsidered.

Rule 117.

117.1 The questions which arise before the House respecting amendments by the Senate to a House bill or resolution are, in order of precedence:

(1) A motion to agree to the Senate amendment.

(2) A motion to disagree with the Senate amendment.

(3) A motion to recede from the House's disagreement or amendment.

(4) A motion to insist on the House's disagreement or amendment.

117.2 When in the Speaker's opinion a Senate amendment to a House bill is not germane, the Speaker is authorized on the Speaker's own motion or upon a point of order being made to rule out such amendment. The effect of such ruling of the Speaker, if not appealed from or if appealed from and the appeal is not sustained, shall be the same as a vote of the House to disagree, and the Clerk shall so report it to the Senate. Such point of order shall take precedence over a motion to agree.

117.3 However, when any question of disagreement with the Senate arises, the following motions shall be in order at any time the movant can legally obtain the floor: 1st. a motion to insist upon the House position and 2nd. a motion to recede from the House position. Debate thereon is limited as

in the case of reconsideration. These motions shall be put in the order listed, subject to disposition by the House of any amendments affecting the matter in disagreement.

Rule 118. A motion to amend an amendment made by the Senate to a House bill or resolution takes precedence over a motion to agree or disagree to the amendment.

Rule 119. When any bill or resolution which originated in the House has been amended in the Senate and is before the House for action on the Senate amendment, any amendment may be offered in the House to the Senate amendment; but the House amendment to the Senate amendment cannot be further amended in the House. The amendment offered in the House to the Senate amendment must be agreed to or voted down before the Senate amendment, as amended by such House amendment, may be agreed to or voted down.

Rule 120.

120.1 A Senate amendment to a House bill or resolution must be adopted by the vote required to pass the bill, resolution, or matter under consideration.

120.2 Any bill and any amendment or substitute to a bill proposing a change in the description of the composition of any congressional district, state representative district, state senatorial district, or any election district of any political subdivision of the state cannot be offered unless such bill, amendment, or substitute has been prepared by the Office of Legislative Counsel, at the time of its offering has printed thereon in the upper right portion of each page an LC or AM number, and has attached to the bill, amendment, or substitute the proposed new description of the composition of the district or districts as prepared by the Legislative and Congressional Reapportionment Office. This rule shall not apply to any amendment to such a reapportionment bill, amendment, or substitute when such amendment does not describe or redescribe the composition of such a district or districts.

PREVIOUS QUESTION

Rule 121. The previous question may be called and ordered upon a single motion or an amendment, or it may be made to embrace all authorized motions or amendments and include the entire bill.

Rule 122.

122.1 Any member may call for a division of the question on a subject which, in the opinion of the presiding officer, is one which may be divided. The member calling for a division must state what definite parts and how many parts the member would have the question divided into. Each part of the divided proposition must be so distinct that if taken away the remainder can stand by itself as a consistent and entire unit.

122.2 A qualifying paragraph, an exception, or a proviso, if taken from that to which it belongs, would not contain a distinct or entire proposition.

122.3 A motion to "strike out and insert" is an indivisible proposition.

Rule 123.

123.1 The motion for the previous question shall be decided without debate and shall take precedence over all other motions except a motion to adjourn or to lay on the table. Neither of such motions shall be made more than once until after the previous question has been exhausted. When it is moved, the first question shall be, "Shall the motion for the previous question be sustained?" If this is decided by a majority of those voting, provided the total vote constitutes a quorum, and the next question: "Shall the main question be now put?" is decided in the affirmative by a majority of those voting, provided the total vote constitutes a quorum, all other motions, except one to reconsider the action in ordering the main question, will be out of order and the House cannot adjourn until the previous question is exhausted or the regular hour of adjournment arrives.

123.2 No motion to reconsider the action of the House in ordering the main question shall be in order after the Clerk has called the first name on call of the yeas and nays and the vote of any member has been given, or the Speaker has ordered the roll call system to be unlocked for voting, or after a division of the House has been had on the vote and the vote is in process of being counted and announced. In such cases the roll call shall be completed, the vote counted, and the result finally announced.

Rule 124.

124.1 Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, when the previous question has been ordered, the House shall proceed to act on the main question without debate, except that, before the main question is put, 20 minutes shall

be allocated to the chairman of the committee whose report of the bill or other measure is under consideration to close the debate. The chairman may yield the floor to such members as he or she may designate for all or any part of the 20 minutes allowed under this paragraph.

124.2 In all cases where a minority committee report has been submitted in conformity with Rule 56, if the previous question has been ordered, and prior to the time allocated to the chairman, there shall be allocated 20 minutes to the first signer of the minority report to present the minority position. He or she may yield the floor to such members as he or she may designate for all or part of the time allowed under this paragraph.

Rule 125. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided without debate, whether on appeal or otherwise.

Rule 126. The effect of the order that the main question be now put is to bring the House to a vote on the pending questions.

Rule 127. After the main question has been ordered, a motion to reconsider this action will, if adopted, have the effect to repeal the ordering of both the main question and the previous question and will leave the pending measure again open to debate and amendment as, and if, authorized by the Committee on Rules, and the same time limits provided for in Rule 124.1 shall be applicable. The motion to reconsider the ordering of the main question can be made only once and, if lost or if the main question is again subsequently ordered on the pending measure, no second motion to reconsider the ordering of the main question shall be entertained.

VOTING

Rule 128. If no specific vote is provided in these rules for the passage of any resolution, motion, or measure, which will not become a law, the vote for such passage must be by at least a majority of all members to which the House is entitled, unless enacted by unanimous consent.

Rule 129. No member shall be permitted to cast his or her vote on any motion, resolution, amendment, bill, or other question until the question is put to the House under the rules of the House by the Speaker.

Rule 130. The Speaker's method of stating a question or any motion, after the same has been read to the House by the Clerk, shall be as follows: "All in favor of the motion will say 'Yes.' Those opposed will say 'No.'" When a decision seems doubtful to the Speaker or when a division of the House is called for by any member of the House, the Speaker shall call upon the members in favor of the motion to indicate by a show of hands. After a count is had by the Clerk, the Speaker shall call upon the members to reverse their positions, and the Speaker shall announce the result.

Rule 131. When less than a quorum vote on any subject under consideration by the House, the Speaker may order the doors of the House to be closed and the roll of members called by the Clerk or by the electric roll call system. If it is ascertained that a quorum is present, either by answering to their names or by their presence in the House, the refusal of any member present to vote, unless excused, shall be deemed a contempt of the House.

Rule 132. After the main question is ordered, any member may call for a division of the House in taking the vote or may call for the yeas and nays. If the call for the yeas and nays is sustained by one fifth of the members voting, the vote shall be taken by the yeas and nays and so entered on the journal. A motion for the call of the yeas and nays shall be decided without debate.

Rule 133. When the question is put, every member within the chamber shall vote unless the member is immediately and particularly interested therein or unless the member is excused by the House. A motion by a member to be excused from voting must be made before the House divides or before the call of the yeas and nays is commenced, and it shall be decided without debate. The member making the motion may briefly state the reason why it should prevail. In every case where the seat of a member is being contested, the sitting member and the contestant shall both retire from the House before the vote is taken.

Rule 134. No pairing of members shall be recognized or allowed as an excuse for not voting.

Rule 135. No member or person shall vote for another member on any question or proposition unless otherwise ordered by the Speaker. Any violation of this rule may be punished by fine, censure, or other action ordered by the House.

Rule 136. No member shall be permitted to explain his or her vote during a roll call, but such member may reduce his or her explanation to writing in not more than 200 words. If this writing is filed with the Clerk on the same day as the roll call, the writing shall be spread upon the journal.

Rule 137. When any question has been put to a vote by the Speaker's calling for a voice vote, calling for a show of hands, commencing the calling of yeas and nays, or unlocking the electric roll call system, no debate shall be allowed and no member shall be recognized for a parliamentary inquiry or any other purpose until the vote has been completed and the result announced. The only exceptions allowed to this rule shall be: (1) when the Speaker has called for a voice vote or a show of hands, a member may call for the yeas and nays as provided for in Rule 132; (2) when an electric roll call vote is in progress, a member may be recognized for the purpose of calling attention to a malfunction in the electric roll call system; or (3) a member may be recognized for the purpose of calling attention to any member voting for another member in violation of Rule 135.

Rule 138.

138.1 Each member shall be issued one electronic card by the Clerk to activate the member's voting console to allow the member access to the electronic voting system. A member may not duplicate the electronic card issued by the Clerk. An electronic voting card issued to a member must not be left in the voting console at any time while the member is not in the seat or in the immediate proximity of the member's seat.

138.2 Should the clerk, sergeant-at-arms, doorkeeper, messenger or any member of the Uniform Division or Executive Security Guard Division of the Dept. of Public Safety permanently assigned to provide security in the House Chamber see an electronic voting card in an empty seat, such authorized person shall remove the electronic voting card and deliver it to the Clerk.

138.3 If a member loses their card, a replacement will be issued by the Clerk at the member's expense.

Rule 139.

139.1 If the taking of yeas and nays is required by the Constitution, by House rule, or by law, the electric roll call system shall be used, unless the Speaker orders the Clerk to take a viva voce roll call. On all other questions or propositions, the Speaker may, in the Speaker's discretion, order a division of the House, a roll call on the electric roll call system, or a viva voce roll call.

139.2 When the House is ready to vote upon a question and the vote is to be by the electric roll call system, the Speaker shall state: "The question is on (designating the matter to be voted upon). All in favor of such question shall vote 'Yes,' and all opposed shall vote 'No.'" The Speaker shall then have the voting machine unlocked.

139.3 The machine shall remain unlocked for voting for a period of at least 60 seconds, after which the machine shall be locked by the Clerk on order of the Speaker and the votes shall be tabulated.

139.4 The Speaker shall then announce the results.

Rule 140. Reserved.

Rule 141. Each member shall vote from such member's own seat when the yeas and nays are taken by the electric roll call, and during such a vote no person shall be allowed upon the floor of the House except the members and those persons provided for in these rules.

Rule 142. Whenever on any question the yeas and nays have been ordered, the Clerk shall also enter on the journal the names of those members not voting.

RECONSIDERATION

Rule 143.

Except as authorized by the Speaker, all motions for reconsideration of a bill or resolution shall be made pursuant to the following procedures:

(1) Motions for reconsideration shall be in order immediately before the period for members to rise on notices of Morning Orders under Rule 40 and the third reading of bills and resolutions on the day succeeding the action sought to be reconsidered and such other days as provided in these rules. Before any action can be reconsidered, notice must have been

given to the House of intention to so move during the legislative day during which the action sought to be reconsidered took place. The notice of a motion to reconsider shall not be withdrawn after the time has elapsed within which it might originally have been made. A motion for reconsideration takes a majority of those voting, providing the total vote constitutes a quorum.

(2) When the action sought to be reconsidered occurs on the last legislative day of the week, the motion for reconsideration shall be in order on the following Monday or the next legislative day if the House is not in session. When the action sought to be reconsidered occurs on any of the last three days of the session, the same may be reconsidered only before the transaction of other business.

(3) The action of the House upon a House amendment may be reconsidered at any time before final action upon the section, bill, or resolution to which the amendment relates. The action of the House on Senate amendments shall be in order for reconsideration immediately, and not otherwise.

Rule 144. No bill, resolution, or amendment shall be reconsidered more than once.

Rule 145. Any bill or resolution which is reconsidered shall take its place in numerical order on the general calendar and shall include any substitute and all amendments which were a part of such bill or resolution when the action of the House which is being reconsidered is taken.

COMMITTEES OF CONFERENCE

Rule 146.

146.1 Whenever any member moves that a committee of conference be appointed, on disagreeing votes or other matters of the two houses, and the motion prevails, the Speaker shall appoint three members for the committee.

146.2 The committee of conference, once appointed, may consider the whole subject matter embraced in a bill, resolution, or other matter before it and may recommend rescission by either house, new amendments, new bills and resolutions, or other germane changes.

146.3 The committee of conference may establish rules for the conduct of its meetings which are

not in conflict with this rule. Said meetings shall be open to the public at all times, except as provided in Rule 14.

146.4 A report of a committee of conference must be approved by a majority vote of the entire membership of the committee before the report may be transmitted to either the Senate or the House.

146.5 After a committee of conference has been in existence for five days and has failed to make a report to the House on the question under consideration, the House, on motion and by a majority vote of all members elected to the House, may discharge the House conferees and direct the Speaker to appoint another committee of conference. However, during the last five days of the session such motions may be made and passed at any time, but not more often than every three hours.

146.6 All reports of committees of conference shall be printed and distributed to the Representatives at least one hour prior to consideration of the same unless such requirement is dispensed with by a majority vote of all members elected to the House. Such one hour period shall be measured from the time the distribution of the report of any committee of conference begins. All reports of committees of conference must be adopted by the vote required to pass the bill, resolution, or matter under consideration. The report of a committee of conference shall not be subject to amendment or substitution by the House and can only be adopted or rejected as reported by the committee of conference. Any report of a committee of conference which is amended or substituted for by the Senate shall be considered by the House as having been rejected by the Senate.

ENACTMENT

Rule 147. The Speaker may recognize any member at any time for the purpose of asking unanimous consent: (1) to introduce a new matter, (2) to recommit a bill or resolution, or (3) to withdraw a bill or resolution from one committee and recommit it to another.

Rule 148.

148.1 The Speaker shall not recognize any member at any time, except during the first thirty minutes after the confirmation of the journal, for the purpose of asking unanimous consent: (1) to read any bill or resolution the second time or any local bill or resolution or (2) to put any local bill or resolution upon its passage.

148.2 The Speaker shall not recognize any member at any time for the purpose of asking

unanimous consent to put any general bill or resolution upon its passage or to read such bill or resolution and recommit it.

148.3 The Speaker shall not recognize any member at any time for the purpose of asking unanimous consent to cast such member's vote on any motion, resolution, amendment, bill, or other question.

148.4 The Speaker shall entertain only one unanimous consent at any one time.

Rule 149. Any bill or resolution may be withdrawn at any time by unanimous consent of the House or by a majority vote of all the members to which the House is entitled.

Rule 150. No bill or resolution shall be transmitted to the Senate on the day of the passage thereof except by unanimous consent or unless a majority voting, provided the total vote constitutes a quorum, shall so order. However, any bill or resolution which requires action by the Senate, on the last day the Senate will accept a House bill and during the last three legislative days, shall be immediately transmitted by the Clerk to the Senate after the period for reconsideration has expired.

Rule 151. All Acts and joint resolutions shall be signed by the Speaker and Clerk, and all writs, warrants, and subpoenas issued by order of the House shall be signed by the Speaker and attested by the Clerk.

ADJOURNMENT

Rule 152. The motion to adjourn may be made at any time when the movant can legitimately obtain the floor.

Rule 153. A motion to adjourn may be made after the motion for the previous question has been sustained. However, when the main question has been ordered, no motion to adjourn is in order; nor shall any motion to adjourn be in order after the Clerk has called the first name of the yeas and nays and a vote of one member has been given, or after the Speaker has ordered the roll call system unlocked for voting, or after a division of the House has been had on a vote and the vote is in process of being counted and announced. In such cases the roll call shall be completed, the vote

counted, and the result finally announced before a motion to adjourn shall be in order.

Rule 154. A motion to adjourn is in no instance debatable, nor shall a motion to adjourn be made a second time until further progress has been made in the business before the House. A motion to adjourn in its simple form shall not be amended.

Rule 155. A motion to adjourn to a particular day or for a particular time, if made when the House is not actually engaged in other business, is debatable and is amendable as to the day or time proposed.

Rule 156. When a motion to adjourn in its simple form prevails, it adjourns the House to the next legislative day.

Rule 157. Whenever the hour of adjournment, as fixed by a prior resolution, shall arrive after the report of the committee has been agreed to, the session shall continue until the final vote is taken and announced.

Rule 158. At the time of adjournment, no member shall leave his seat until the Speaker leaves the chamber.

CONTESTS

Rule 159.

159.1 All contests to the seating of any person elected as a member of the House of Representatives shall be filed with the Clerk of the House.

159.2 When a contest is filed, the Clerk shall report the contest to the Speaker who shall refer it to the Committee on Rules. The committee shall convene as soon as possible and, after notifying the person whose seat is contested, shall proceed to resolve the contest and file its actions with the Clerk. The action of the committee shall be considered the action of the House until the next legislative day, at which time the House shall affirm or reverse the committee or take such other action thereon as it sees fit.

159.3 In all contests, the person whose seat is contested shall have notice and opportunity to be heard, the right of counsel, and the right to compulsory process for the production of evidence in his or her behalf.

159.4 Contests will only be received or recognized by the Clerk when filed by a person duly certified as having been elected to the House or by a person who was a candidate for such contested seat in the election held to fill the seat. No person may file a contest to more than one seat.

PAGES

Rule 160. Each member of the House shall be allowed a maximum of ten (10) page days during each annual session. One page day shall be deemed to be utilized by the service of one page. Said ten page days may be utilized on one legislative day or on separate legislative days in the discretion of the member. No one who is not at least 12 years of age shall be eligible to serve as a page. A member must make a reservation for each page at least one week prior to the date on which the member wishes such page to serve.

PRIVILEGED RESOLUTIONS

Rule 161. The Clerk of the House shall mail not more than two copies of any privileged resolution which is adopted by the House. If the author or authors of any such resolution desire additional copies to be mailed, such author or authors shall bear the cost thereof.

Rule 162. No member shall introduce, without paying the full costs thereof, more than ten privileged resolutions during any one session of the General Assembly.

LEGISLATIVE OFFICES

Rule 163. Offices for members of the House of Representatives shall be assigned by the Speaker.

ETHICS COMMITTEE

Rule 164. The Committee on Ethics shall have the following powers and duties:

164.1 Upon the filing of a complaint, to conduct through its preliminary inquiry subcommittee a preliminary investigation of any allegation of unethical or improper conduct on the part of any member of the House of Representatives or any employee of the House of Representatives, as follows:

(A) Any member of the House of Representatives or any employee of the House of Representatives may file a complaint alleging unethical or improper conduct. Any such complaint shall be in writing and the complainant shall sign the complaint under oath that the allegations of the complaint are true and correct to the best of the complainant's knowledge and belief. Any such complaint shall be presented by the complainant to the chairman of the committee, unless the complaint calls into question the conduct of the chairman in which case it shall be transmitted to the appropriate officer to appoint a replacement for the chairman, as provided for in Rule 169;

(B) Unless otherwise requested by the subject of a complaint, the complaint shall remain confidential until and unless otherwise provided for in these rules. The complainant, the committee, and all committee members and staff shall maintain the confidentiality of the complaint and proceedings thereon. Such confidentiality shall extend to and include the filing and existence of the complaint, as well as the subject matter of the complaint and the actions of the committee or subcommittee with respect to the complaint;

(C) The Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip shall constitute a preliminary inquiry subcommittee for the initial consideration and preliminary investigation of any complaint, unless the complaint calls into question the conduct of one of those members in which case a replacement shall be appointed as provided for in Rule 169. The subcommittee shall consider all complaints filed and shall by a majority of its four members determine whether the complaint and preliminary investigation disclose substantial evidence of unethical or improper conduct on the part of the person or persons named in the complaint. For this purpose, substantial evidence shall not include hearsay which would be inadmissible in a court of record. Such determination may be made at a meeting of the subcommittee, by conference, by telephone or other electronic means,

or without meeting or conference in a writing subscribed by a majority of the members of the subcommittee. Where the subcommittee does not by a majority vote of its four members determine the existence of such substantial evidence, such determination shall be a final disposition of the complaint and this matter and the full committee shall take no further action on the complaint;

(D) Where the subcommittee does not by a majority vote of its four members determine the existence of such substantial evidence, the complaint and proceedings thereon shall remain confidential unless the subject of the complaint requests that the matter be made public, in which case such request shall be complied with. Where the subcommittee does determine the existence of such substantial evidence, the matter may remain confidential or be disclosed by the subcommittee or the full committee, as provided in Rule 166;

164.2 To conduct further investigation and hold hearings where the preliminary inquiry subcommittee has determined that a complaint and preliminary investigation disclose substantial evidence of unethical or improper conduct on the part of the person or persons named in the complaint;

164.3 Through action of the preliminary inquiry subcommittee, the full committee, or chairman of the full committee, to retain the services of paid or unpaid counsel or investigators or both for the purpose of conducting preliminary investigations and investigations and presenting matters to the subcommittee or committee;

164.4 To hold hearings upon and report to the full House with respect to any resolution calling for the punishment of a member of the House for disorderly behavior or misconduct, as provided for in Article III, Section IV, Paragraph VII of the Constitution; and upon its introduction any such resolution shall be referred to the Committee on Ethics;

164.5 To cause to be introduced a resolution calling for the punishment of a member of the House for disorderly behavior or misconduct in any case in which no such resolution has previously been introduced and an investigation by the committee has resulted in a finding by clear and convincing evidence that such disorderly behavior or misconduct has occurred;

164.6 To report to the appropriate law enforcement agency in any case in which an investigation by the committee has resulted in a finding of probable cause to believe that a criminal offense has been committed;

164.7 To report to the Speaker of the House, the Clerk of the House, the Legislative Services

Committee, or any other officer or agency of the General Assembly in any case in which an investigation by the committee has resulted in a finding of probable cause to believe that disciplinary action should be instituted against an employee of such officer or committee; and

164.8 To issue advisory opinions with respect to ethical and proper conduct on the part of members and employees of the House of Representatives, as follows:

(A) An advisory opinion may be requested by any member of the House, by any person who has been elected to membership in the House, or by any employee of the House. Any such request shall be in writing and shall contain a full statement of the material facts;

(B) An advisory opinion is binding on the committee in any proceedings concerning the facts and circumstances of the particular case unless material facts were omitted or misstated in the request for the opinion; and

(C) Any request for and issuance of an advisory opinion shall be confidential except that:

(i) All advisory opinions shall be prepared in a form which does not identify the person requesting the opinion and in such form shall be compiled and made available to members and employees of the House for their reference and guidance;

(ii) A particular advisory opinion shall be made public upon request of the member or employee who requests or requested that particular advisory opinion;

(iii) If a particular advisory opinion issued to a member or employee is relevant to a complaint against the member or employee who requested that opinion, then the committee may make that opinion open to the public under the standards of Rule 167; and

(iv) No person may bring a complaint against another person based solely upon information voluntarily given to the committee by such other person in connection with a good faith request by such other person for an advisory opinion. The committee may not use information so given in good faith against the person requesting an advisory opinion. The committee may, however, act on a complaint concerning the subject of a request for an advisory opinion where the information on which the complaint is based or the information on which the committee acts was derived from another source, even if that information was also submitted with the request for an advisory opinion.

164.9 Any of the actions provided for in Rules 164.4 through 164.8 shall be taken only by the

affirmative vote of at least eight members of the committee. Any other action of the committee including a decision not to issue an advisory opinion may be taken by vote of a majority of a quorum of the committee. The chairman may vote on any matter coming before the committee.

Rule 165. The Committee on Ethics shall be composed of a chairman who shall be appointed by the Speaker of the House; the Speaker Pro Tempore; the Majority Leader; the Majority Whip; the Majority Caucus Chairman; the Majority Caucus Vice Chairman; the chairman of the Committee on Judiciary; the Minority Leader; the Minority Whip; the Minority Caucus Chairman; and the Minority Caucus Secretary.

Rule 166. The Committee on Ethics is deemed to simply be a committee of the House, and neither it nor any staff or material in its possession shall be deemed to be a public office or records of a public office; provided, however, the committee may by rule provide for the release of information or documents received by it in the course of the performance of its duties and, when so released, such shall be deemed to be a report of its proceedings. This committee is created and shall be construed to function in furtherance of the power conferred upon the House by Article III, Section IV, Paragraph VII of the Constitution of this state.

Rule 167.

167.1 The committee is authorized to provide its rules of procedure, including a determination on a case by case basis of when its meetings shall be open to the public. Subject to the provisions of these rules which mandate initial confidential treatment of complaints and preliminary investigations, such determination shall be made on the basis of balancing the need for openness in government with the need to preserve confidential sources of information, the need to protect the privacy rights of parties or witnesses, the need to secure the integrity of the committee's investigation, or any other compelling need for confidentiality. Notwithstanding the foregoing, if the person whose conduct is in issue, or all such persons if more than one, demands same in writing, the meetings shall be open to the public. This portion of this rule and any rule of the committee made pursuant to the authority herein granted shall be deemed a rule of the House as authorized by Article III, Section IV, Paragraph XI of the Constitution of this state. Members and staff of the House shall have an affirmative duty to protect the confidentiality of proceedings and material

designated as confidential by the committee. The committee may in its proceedings require the attendance and testimony of witnesses and the production of documents and materials.

167.2 The committee or subcommittee may in its discretion postpone any investigation or proceeding when the committee or subcommittee deems such action advisable because of the existence of a related judicial proceeding or criminal investigation.

Rule 168. Any member of the House or other person who is the subject of a complaint to or investigation by the committee or subcommittee shall have the following rights in all proceedings of the committee or subcommittee: (1) the right to prompt, full, and adequate notice of the charges against such person, including notice of the filing of any complaint and the commencement of any preliminary investigation, and the time and place of all proceedings to be conducted thereon; (2) the right to representation by counsel; (3) the right to cross examine the witnesses called by the committee or preliminary inquiry subcommittee; (4) the right to present witnesses and evidence; and (5) upon request, the right to require, through the same process used by the committee or subcommittee, the attendance of witnesses and the production of documents and materials. The manner of securing such rights shall be as determined by the committee or subcommittee before which the proceedings are pending.

Rule 169. In any matter which calls into question the conduct of any officer or member of the committee, such officer or member shall recuse himself or herself from the proceedings of the committee and a replacement for such officer or member shall be appointed by the Speaker of the House, unless the conduct of the Speaker is also called into question. If the conduct of the Speaker is also called into question, any replacement officer or member shall be appointed by the Clerk of the House, unless the conduct of the Clerk is also called into question. If the conduct of both the Speaker and the Clerk is called into question, any replacement officer or member shall be appointed by a majority of those chairmen of standing committees whose conduct is not called into question in the matter. Any replacement officer or member of the committee shall be of the same political party as the officer or member to be replaced and shall be appointed from a list of three names submitted by the remaining members of the Ethics Committee who are of the same party as the officer or member to be replaced.

Rule 170. These rules shall not be retroactive to matters occurring prior to their adoption. Otherwise, the Committee on Ethics shall not have jurisdiction to investigate or act upon conduct occurring prior to the then present or next most recent term. Term shall mean the two year term served by members of the House.

Rule 171. Members and employees of the House shall conform to the following standards of ethical and proper conduct. Such standards shall not be exclusive of other lawfully imposed standards of conduct for members and employees of the House:

171.1 No member or employee of the House shall unlawfully use his or her office or official position for personal financial gain, and each member or employee shall be entitled to compensation for his or her official duties only to the extent of pay and allowances attaching to such office or position or as is otherwise authorized by law. Nothing in these rules, however, shall be construed to prevent a member or employee from lawfully pursuing his or her business or profession or to limit ordinary and necessary communications in the pursuit thereof while serving in an official capacity;

171.2 No member or employee of the House shall use state funds, facilities, equipment, services, or other state resources for nonlegislative purposes, for the private benefit of any person, or for the purpose of soliciting campaign funds. This paragraph does not prohibit:

(A) Limited use of public resources for personal purposes if the use does not interfere with the performance of public duties by a member or employee of the House and the cost or value related to the use is nominal;

(B) The use of mailing lists, computer data, or other information lawfully obtained from public resources and available to the general public for nonlegislative purposes;

(C) Telephone, facsimile or other communications use that arises out of or in connection with the member's ordinary course of business;

(D) A member's use of the member's Capitol or Legislative Office Building office facilities for nonlegislative purposes if the use does not interfere with the performance of public duties by the member and there is no cost to the state for such use other than utility costs and normal wear and tear;

(E) The storing and maintenance of campaign finance and election records in legislative offices;

(F) Normal and customary caucus activities; or

(G) Any other use that is not inconsistent with public service;

171.3 No member or employee of the House shall knowingly seek, accept, use, allocate, grant, or award public funds for a purpose other than that approved by law or make a false statement in connection with a claim, request, or application for public funds;

171.4 No member or employee of the House shall directly or indirectly:

(A) Perform or withhold, or state or imply that the member or employee will perform or withhold, any official action solely as a result of a person's decision to provide or not provide a political contribution; or

(B) Perform or withhold, or state or imply that the member or employee will perform or withhold, any constituent service solely as a result of a person's decision to provide or not provide a political contribution;

171.5 No member or employee of the House shall improperly retaliate against any state employee or any other person for reporting to any appropriate authority any conduct which such person believes to be unlawful or improper;

171.6 Sexual harassment is prohibited and shall subject the offender to possible sanctions, penalties, or legal action. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature shall constitute sexual harassment when: (A) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment; or (B) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting an individual; or (C) such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment;

171.7 No member or employee of the House shall knowingly violate any rule of the House, including without limitation the provisions of these rules relating to confidentiality of proceedings of the Committee on Ethics;

171.8 No member or employee shall commit any felony or crime involving moral turpitude which felony or other crime is related to the member's or employee's service as a public officer or employee; and

171.9 No member of the House shall knowingly meet at the state capitol or Coverdell Legislative Office Building with any person who is required by the law of this State to register as a lobbyist to discuss the promotion or opposition of the passage of any legislation by the General Assembly or any committee thereof or the override of a veto unless such person either is wearing his or her valid

official registered lobbyist badge or is a resident of the House district which such member represents.

Rule 172.

172.1 The Committee on Ethics may undertake activities appropriate to educate members of the House with respect to proper and ethical conduct. The committee shall provide for the annual compilation, publication, and distribution of a manual or handbook containing relevant provisions of these rules and laws relevant to proper and ethical conduct of members and employees.

172.2 All persons who are newly elected to the House in the year 2000 or thereafter who have not previously served in the House shall complete a course of training relating to proper and ethical conduct of members. Such course may be completed at the Biennial Institute for Legislators or on other appropriate occasions. The Committee on Ethics shall cooperate with the Georgia General Assembly Training Institute and the Carl Vinson Institute of Government of the University of Georgia in making such training available to newly elected members and other members of the House. The failure of a member to take the training provided for in this rule shall not prevent the member from taking office or serving as a member of the House.

Rule 173. It is the policy of the House of Representatives that each candidate seeking nomination and election to the House of Representatives is urged to submit the results of a voluntary, established drug test conducted in accordance with the requirements of Code Section 21-2-140 of the Official Code of Georgia Annotated as such Code section existed on January 1, 1993, to the officer with whom such candidate qualifies stating that such candidate has been voluntarily tested for illegal drugs within 30 days prior to qualifying for nomination or election and that the results of such test are negative.