

# PENN MODEL CONGRESS 2009

## Rules of Debate

Last Revised: September 2008

### 1) Parliamentary Authority and Decorum

- a) These Conference Rules shall take precedence over Robert's Rules of Order. Robert's Rules shall remain in effect unless the spirit of those rules is, herein, unduly altered.
- b) The Chair will have the final say in answering any questions that may arise regarding these rules and may amend these rules to help facilitate debate at his/her discretion.
- c) All delegates are required to maintain decorum befitting a member of the U.S. Congress. When referring to another member of the body, delegates should address him/her in a respectful and in an appropriate manner ("The Senator", "The Congressman", etc.).

### 2) Types of Legislation

- a) A Bill is a legislative proposal that if passed becomes public law. Bills require a simple majority to pass, unless the given bill is emergency legislation (see below).
- b) A Resolution is a piece of legislation that is used to express the sense or opinion of the Congress or to offer official recommendations to the other branches of government. Resolutions do not become law and cannot include any changes to existing statutes. Resolutions are adopted by a simple majority of the chamber. Because resolutions do not become law, no enactment timeframe is required.
- c) Constitutional Amendments are a special type of resolution proposing an addition to the United States Constitution. If a resolution is proposing a Constitutional Amendment, it requires a 2/3-majority vote to be adopted.

### 3) Debate

- a) Delegates may not make any statements without first being recognized by the Chair. Once recognized, a delegate may speak for the time allotted to him/her. Once a piece of legislation has been introduced, structured debate shall begin on the bill.
- b) Structured debate consists of a 4-minute authorship speech and a 4-minute opposition speech. Afterwards, there will be a 2-minute pro speech and a 2-minute con speech. During structured debate, only points of order and of personal privilege are in order.
- c) After structured debate, the body moves directly into general debate. During general debate, all points and motions are in order and may be recognized at the Chair's discretion. If there are no points or motions on the floor, the Chair will entertain 2-minute speeches from the delegates. These speeches should alternate between pro and con speeches. All delegates should be recognized to speak once before a delegate is allowed to speak twice on a particular piece of legislation.
- d) An amendment may be made to the main motion or to a primary amendment. Once an amendment is being considered, the body moves directly into general debate on that amendment. If there are no points or motions, alternating pro and con speakers will be recognized to speak for 2 minutes, but they must restrict their statements to the amendment.

- e) If a delegate has time remaining, he/she may yield his/her remaining time to questions, to another delegate, or to the Chair:
  - 1) Questions: Upon completing his/her speech, a delegate may open himself/herself up to questions. Questions will be recognized by the Chair, **not the speaker**, and time taken to ask questions will not count against the speaker's time. Questions should be inquisitive and succinct. While questions should help further debate and bring about new points, delegates should not use this time to give speeches. **Delegates should stand while asking a question and remain standing until the speaker has finished responding.**
  - 2) Other Delegates: If the speaker chooses, he/she may yield his/her time to another speaker. However, once time has been yielded once, it is immediately yielded to the Chair upon completion of the second speaker's remarks.
  - 3) To the Chair: If the speaker does not wish to entertain questions, he/she may yield the remainder of his/her time to the Chair. Once a speaker's time has elapsed, the Chair will automatically reclaim the floor.
- f) In structured debate, a delegate may yield to questions or to the chair, but may not yield to another delegate.
- g) Total time for debating any legislation shall not exceed 45 minutes. If, at the end of those 45 minutes, the previous question has not been moved, debate will immediately end and voting shall begin on all pending motions.

#### 4) Voting

- a) All votes will be by placard and will be counted by the Chair. The Chair shall announce the count and the result of each vote.
- b) The majority needed as indicated on the Points/Motions Table below shall determine the success of each vote. In order to maintain a simple majority, there must be more votes in the affirmative than in the negative for the motion. Thus, a 2/3-majority requirement necessitates 2/3 of the opining members' approval. Abstentions and absentees are not counted towards the total number of votes. For example: if a 20-member committee consists of 2 abstaining members, 10 votes are needed for a simple majority (>50%) and 12 votes are needed for a super majority (2/3 of the 18 voters).
- c) Once in voting procedures, motions will not be recognized and debate is out of order. Only points of personal privilege and points of order will be recognized.
- d) **When voting on a bill or resolution, the author will be recognized for a 2-minute summation speech immediately before the vote occurs. This speech is considered part of voting procedures. When the author has completed his/her summation speech, his/her remaining time is automatically yielded to the Chair. The author may not yield to questions or to another speaker. There are no summation speeches on procedural motions or on amendments.**
- e) Abstentions are **only** allowed on non-procedural votes and will not be counted against the majority. **On procedural votes, abstentions are prohibited.** Dividing the House, or forcing delegates to vote on non-procedural issues, is never in order during Penn Model Congress, **even under a Suspension of the Rules.**
- f) Any bill to be enacted in 90 days or less is considered "Emergency Legislation" and requires a 2/3-majority to pass the main motion.

## 5) Notes on Points and Motions

- a) A Point is a question or comment that a delegate wishes to pose to the Chair.
- b) A Motion is a request by a delegate for the members to carry out some action.
- c) Points take precedence over motions and do not require debating or seconding; they are recognized at the discretion of the Chair. The Points are listed and described below in order of precedence.
- d) Motions in general require a second and a majority vote to be adopted. Motions may not be made while another speaker has the floor. The Chair may choose to recognize a motion at his/her discretion in order to facilitate debate. The different types of motions are listed and described below in order of precedence.
- e) A delegate who opens the floor to questions after completing a speech does not yield “to points”; he or she yields “to questions”. Questions offered by other delegates in this situation are not procedural points of any kind; they are instead considered to be their own category of substantive questions.
- f) Unanimous Consent: Any motion may be made by unanimous consent. If this is done, the Chair will ask for any objections. If there are none, the motion will immediately pass without debate or vote. If there is an objection, the motion follows its standard consideration procedure. Making a motion by unanimous consent is an easy way to help speed along procedural matters.
- g) Dilatory Motions: The Chair may use his/her discretion to deem a motion dilatory or out of order if he/she feels that the motion is slowing down debate or is inappropriate.

## 6) Motions

- a) Withdrawal of Motions: Any delegate may withdraw his/her previously made motion at any time before the previous question on said motion has been called. This withdrawal may interrupt debate. Withdrawals are not debatable and require no vote. Once a motion has been withdrawn, another member of the body may immediately reintroduce it if he/she so desires, and a regular vote on consideration will follow.
- b) Adjourn: A motion to adjourn ends the current meeting. This motion is not in order while there is legislation under consideration. This motion may only be made within 10 minutes of the scheduled end of the session.
- c) Recess: This motion suspends the meeting and all business is postponed until the resumption of the meeting. The delegate so motioning may recommend the amount of time allotted for the recess, but the Chair will have the final decision on how long to recess for. This motion is not debatable and requires a simple majority to pass. A recess is a good opportunity to take a quick break from debate or to informally discuss the current legislation.
- d) Appeal the Decision of the Chair: If a delegate feels that the Chair has made an unjust ruling, the Chair's decision may be appealed. Debate on this motion consists of a 30 second pro speech given by the delegate so motioning and a 30 second con speech given by the Chair. The Chair only requires 1/3 of the body to sustain his/her decision.
- e) Suspend the Rules: Any rule or set of rules may be altered by a 2/3-majority. The delegate so motioning must specify the amount of time for which the suspension will take effect. This motion is often used to allow more time for a speaker to answer questions.
- f) Caucuses: In some cases, it may be in the interest of the committee to temporarily suspend formal rules of debate in favor of a moderated or un-moderated caucus. The length of the caucus shall not exceed 10 minutes.

- 1) In a Moderated Caucus, any delegate wishing to speak is granted a certain amount of time to offer a quick speech on the topic of the caucus. During a moderated caucus, delegates do not speak from the podium; instead, they stand and speak from their seat. The amount of time granted to each delegate will be decided by the chair, but may be suggested by the sponsor of the motion. In addition, the delegate so motioning may request the use of a Speaker's List. If the Chair elects to utilize a Speaker's List, all delegates wishing to speak during the caucus will raise their placards at the start of the caucus. The chair will record all delegates in order. Once the Speaker's List has been completed, the chair will recognize delegates in that order. Moderated caucuses are useful on contentious issues when many delegates wish to speak or when debate time on a particular bill is running short and there are still many delegates who wish to make a point.
  - 2) In an Un-moderated Caucus, the committee dissolves into an informal discussion session on a particular topic. Delegates may leave their seats to conduct smaller conversations, but may not leave the room. Un-moderated caucuses are useful when there are multiple similar amendments whose differences can be worked out informally, or when a significant change to a bill is being discussed.
- g) Lay on the Table: A motion may be temporarily removed from consideration by laying it on the table. This motion is often raised if there is little committee time remaining or if a delegate wishes to research information on the legislation, which will significantly affect the motion's passing or failing.
  - h) Take From the Table: A tabled motion may be brought back into consideration by taking it from the table. This motion will only be considered when there is no other bill or resolution pending.
  - i) Moving to the Previous Question: A Motion to Move to the Previous Question ends debate on the current motion and moves into voting procedures on said motion. Ending debate in this fashion requires a 2/3 majority and is applied only to the motion currently under consideration.
  - j) Amend: If a member of the body wishes to alter the legislation being considered, he/she may introduce an amendment. Debate shall be limited to the pending amendment. An amendment may be altered by a secondary amendment, but tertiary amendments are not in order. Amendments may not be made to the title or preamble of a bill or resolution, but may be made to any other part of the document, including the enactment clause. An amendment may not change the nature of the legislation or contradict the title and/or the preamble. Only germane amendments, as defined by the Chair, will be accepted. The Chair must receive the amendment in writing before recognizing this motion. After recognizing the motion and reading the amendment for the body, the sponsor of the main motion (or, primary amendment) will deem the amendment friendly or unfriendly. If the amendment is deemed friendly, it is immediately adopted. If it is deemed unfriendly, then a vote is held in which a 1/3 majority is needed to consider the amendment.
  - k) Introducing Business: In order to begin debate on a piece of legislation, a Motion to Introduce said legislation must be made. This motion will only be recognized when there are no other motions on the floor. Any delegate may introduce legislation. The Chairs will use their discretion in choosing the legislation to debate and will generally give preference to delegates so moving their own legislation and to delegates who have not yet sponsored legislation. A 1/3-majority is needed to sustain a motion to introduce.

## 7) Points

- a) Point of Personal Privilege: This point may be raised if something prevents a delegate from participating in the meeting or if a delegate's rights have been violated. This point is raised if a delegate wishes to open or close a window, is unable to hear the speaker, has slandered or otherwise insulted a member of the body, etcetera. This point may interrupt a speaker.
- b) Point of Order: This point is used if a delegate feels that the Penn Model Congress Rules have been violated. If the Chair concurs with the delegate, the Chair will act immediately to remedy the situation. If the Chair disagrees, the delegate may appeal the Chair's decision. A point of order may interrupt debate.
- c) Point of Parliamentary Inquiry: If a delegate has a question pertaining to these Rules of Debate, he/she may raise this point. This point may not be made while a speaker has the floor.
- d) Point of Information: Points of Information are used to ask factual questions or establish a statistic regarding the legislation being considered. All Points of Information are addressed to the Chair. At the chair's discretion, he/she may redirect a point to any delegate (most commonly the author of the bill under consideration) if he/she feels that delegate is able to provide a more satisfactory response.

## 8) Full Session Rules

- a) All of the preceding rules shall be in effect in the Full Sessions of the House and of the Senate, except for the changes specified below.
- b) Motions to introduce business will not be recognized during Full Sessions. Penn Model Congress staff will set the docket and legislation will be debated in the order in which it appears in the docket.
- c) In Full Session, delegates will sit by committee.
- d) Once a piece of legislation passes through committee it is considered the work of the entire committee and, thus, all amendments in Full Session are considered to be unfriendly and are subject to debate.
- e) If any delegate believes a mistake or inaccuracy may have occurred during the counting of votes on any non-procedural vote, he/she may request a Roll Call Vote. To request a Roll Call Vote, a delegate must stand and loudly call out his/her request.
  - 1) The Chair shall have the sole discretion to rule a request for a Roll Call Vote dilatory.
  - 2) In the event of a Roll Call Vote, the Chair shall call the roll by committee.
  - 3) When a delegate's name is called, he/she should respond loudly by saying "Yea", "Nay", or "Abstain". If a delegate fails to respond within two seconds, he/she will be counted as having abstained. All other delegates must remain silent while the Roll is being called. During a Roll Call Vote, the doors to the Chamber shall be sealed, and no one may enter or exit the chamber until the Vote is completed.
- f) Debate on each bill or resolution shall not exceed 40 minutes during Full Session.

9) Summary of Points and Motions in Descending Order of Precedence

<b><u>Point or Motion</u></b>	<b><u>Requires a Second?</u></b>	<b><u>May Interrupt a Speaker?</u></b>	<b><u>Debatable?</u></b>	<b><u>Required Majority</u></b>
<b>Point of Personal Privilege</b>	No	Yes	No	None
<b>Point of Order</b>	No	Yes	No	None
<b>Point of Parliamentary Inquiry</b>	No	No	No	None
<b>Point of Information</b>	No	No	No	None
<b>Withdrawal of a Motion</b>	No	Yes	No	None
<b>Motion to Adjourn</b>	Yes	No	No	1/2
<b>Motion to Recess</b>	Yes	No	No	1/2
<b>Motion to Appeal the Decision of the Chair</b>	Yes	No	Appellant (30sec) Chair (30sec)	2/3
<b>Motion to Suspend the Rules</b>	Yes	No	Pro/Con (30sec.)	2/3
<b>Motion to Caucus</b>	Yes	No	No	1/2
<b>Motion to Lay on the Table</b>	Yes	No	No	1/2
<b>Motion to Take From the Table</b>	Yes	No	No	1/2
<b>Motion to Move to the Previous Question</b>	Yes	No	No	2/3
<b>Motion to Amend</b>	Yes	No	Alternate Pro/Con (2min.)	1/2
<b>Motion to Introduce Business</b>	Yes	No	No	1/3
<b>Main Legislative Motions</b>	No	No	Author (4min.)  Con (4min.) Alternate Pro/Con (2min.)	1/2  <b>(Constitutional Amendment or Emergency Legislation 2/3)</b>