



RESOLUTION

ON

AMENDING A BILL AT THE SECOND READING CALENDAR

KC-1416-032

Preamble

Whereas, Seventy of the 99 legislative chambers in the United States use Mason's Manual for Legislative Procedure as their parliamentary authority;

Whereas, Idaho State Legislature Rule 10: Standard Rules. -- The rules of parliamentary practice set forth in Mason's Manual of Legislative Procedures shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standard Rules and Orders of the House and the Joint Rules and Orders of the Senate and House of Representatives;

Whereas, The business of the house is to produce law and policy by way of introduction, consideration, amendment, and passage of bills; sound policy, then, embraces member rights to equal participation in that business;

Whereas, The Idaho State Legislature has a tradition that does not allow an amendment to a bill on the second reading; this procedure, and its rationale, is not spelled out in the House Rules;

Whereas, The Idaho State Legislatures current tradition that does not allow an amendment to a bill on the second reading bars equal participation from a member offering an amendment without majority approval; the tradition in no way protects the rights of the minority and by extension, is patently unfair;

Whereas, This tradition bars every legislator who was either not part of the drafting of a bill or part of the bills committee process from providing input into the bill;

Mason's Section 560 (9):

"The members of a legislative assembly... are all precisely equal... and have an equal right to participate in all the proceedings of the assembly...";

Whereas, According to Mason's "Each member of a legislature is presumed to be the equal of each other member, and each has rights that must be respected. The right of the minority and the majority both must be protected."; and

Whereas, Idaho State Legislature Rule 38 sub title 3 states " A member has the right to vote upon all questions before the House and to participate in the business of the House..." This is in accord with Mason's section 725 (1) "When there is a regular order of business, any business properly coming up under the appropriate order requires no special consent." (Emphasis added) It should be clear to the reader that this practice is specifically designed to preclude any minority participation in crafting the content of the bill; now, therefore let it be



Main Motion

Resolved, That the Kootenai County Republican Central Committee (KCRCC) requests our District Two, Three and Four Senators and Representatives include in Idaho Legislature house rules the clarification that

“ A bill is open to amendment on a second reading....” Mason’s Section 731 (2):

“Upon second reading of a bill, it is open to amendment.” Mason’s Section 734 (2):

Sec. 731. Amendment of Bills

See also Ch. 38, Secs. 395-421, Motion to Amend, and Sec. 407, Amendment of Titles of Bills.

1. It is competent for the legislature to correct defects or imperfections or to amend a bill at any time before the final passage as long as the subject of the bill is not essentially changed.

2. A bill is open to amendment on second reading and upon third reading. Amendments to bills are frequently proposed in committee but can be adopted only upon second and third readings or upon the adoption of a conference report.