

THE NEW CUSHING'S
MANUAL OF PARLIAMENTARY
LAW AND PRACTICE

ACCORDING TO PRESENT AMERICAN USAGE

TOGETHER WITH A WORKING
CODE FOR SOCIETIES

REVISED AND ENLARGED

BY

CHARLES KELSEY GAINES, Ph.D.

INSTRUCTOR IN PARLIAMENTARY LAW AND DEBATE IN
ST. LAWRENCE UNIVERSITY

AUTHORIZED REVISION



254. **Committee of the Whole.**— In this somewhat artificial mode of procedure the whole assembly, without adjourning or leaving its usual place, converts itself into a committee and holds a meeting as such, subsequently reporting to itself as an assembly. The main purpose is to secure greater freedom of debate. **No action taken in Committee of the Whole is binding on the assembly without subsequent ratification by the assembly acting as such.** Under the Code, the regulations are simplified by the removal of a few needless restrictions, purely theoretical in origin and now passing out of use (cf. Manual, Sec. 106).

When it is desired to proceed in the above manner the proper motion is, "That the assembly do now resolve itself into a Committee of the Whole for the consideration of"—whatever it is desired to discuss. This is simply a particular form of the motion to commit (see Sec. 238). When this motion is adopted, the presiding officer of the assembly, after appointing some member to act as chairman of the committee, vacates the chair and takes his seat as a member; and the member appointed, assuming the chair, states the business assigned to the committee. In legislative assemblies the chairman of the committee usually sits at the table of the clerk, but in ordinary societies this is needless and often inconvenient. The secretary (or his assistant) makes memoranda of the proceedings; but these

do not become a part of the minutes of the assembly, — which are interrupted at the point where the presiding officer vacates the chair and are resumed when he assumes it again. Only the *report* of the committee as made to the assembly is entered on the minutes.

The proceedings in Committee of the Whole are in most respects the same as in other committees and subject to the same rules; but a sub-committee cannot be appointed. The session of the committee should be terminated by a motion "to rise and report," which is always in order and subject to the same rules as adjournment in the assembly; the committee cannot adjourn, — nor can it appoint a time for another session, though it may request the assembly to do this. The Previous Question is not in order in Committee of the Whole; but it shall be allowable for the committee, without rising, to make an order for closing or limiting debate in the same manner as in the assembly proper. Apart from such an order, any member may speak in debate as often as he can obtain the floor. To ascertain whether a quorum is present, the chairman may make a count; and if a quorum is lacking the committee must rise and report the fact. In general, the committee may take any action necessary for the performance of the duties assigned it; but its function is limited, its main business ordinarily being the preparation of a report. It must

only for the performance of the duties assigned to, but its function is limited, its main business ordinarily being the preparation of a report. It must not in any way assume the authority of the assembly or trench upon this; and such a committee, like others, is strictly bound by its instructions, which it may not modify or extend. It may at any time rise and ask for further instructions from the assembly.

When the session of the committee is terminated by a vote "to rise and report," the presiding officer of the assembly resumes the chair; and the chairman of the Committee of the Whole, speaking from his usual place in the assembly, presents the report.

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COMMITTEE PROCEDURE

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This may consist in a document adopted or amended by the committee, or in a request from the committee, or in a simple statement of what the committee has done or failed to do. The report is then to be acted upon by the assembly like that of any other committee (see Sec. 252).

In case of disorderly conduct during a session of the Committee of the Whole, the committee itself has no authority to discipline the offending members.

has no authority to discipline the offending members, but may report their misconduct to the assembly for suitable action. If extreme disorder arises in the committee, the presiding officer of the assembly may resume the chair and restore order without waiting for the committee to rise. By this act the session of the committee is suspended, but may be resumed by permission of the assembly.

For what is sometimes called "informal action" (procedure similar to that in Committee of the Whole, but without change of chairman) see Manual, Sec. 107.