

Arizona (Ter.) Constitutional Convention, 1910.

# Constitutional Convention *of the* Territory *of* Arizona



## STANDING RULES

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# Constitutional Convention

of the

**TERRITORY OF ARIZONA**

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## Standing Rules

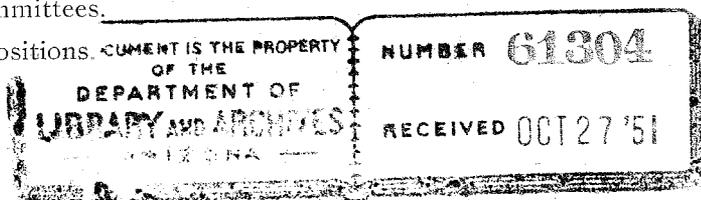
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Rule 1. Unless otherwise ordered, the Convention shall convene at 9 o'clock a. m., take recess from 12 o'clock, noon, until 2 o'clock p. m., and adjourn at 5 o'clock p. m.

Rule 2. The President shall take the chair exactly at the hour first named in Rule 1, or in the event of a special order, the hour to which the Convention shall have adjourned, call the members to order, and cause the roll to be called.

If a quorum be present, the business of the Convention shall be disposed of in the following order:

- (a) Prayer by the Chaplain.
- (b) Reading of the Minutes.
- (c) Petitions, memorials and remonstrances.
- (d) Reports of standing committees.
- (e) Reports of select committees.
- (f) Introduction of Propositions.



- (g) The Order of the Day.
- (h) Committee of the Whole.
- (i) Second reading of Propositions.
- (j) Third reading of Propositions.
- (k) Business lying on the President's desk.
- (l) Other business of the Convention.

Rule 3. A majority of the delegates elected to the Convention shall constitute a quorum. In all cases of absence of members during the sessions, the members present may take such measures as they may deem necessary to secure the presence of absentees, and may inflict such penalty as they may deem just upon those who, on being called on for that purpose, shall not render sufficient excuse for their absence.

Rule 4. Members and officers of the Convention are required to be constantly in attendance upon the duties of their position, and leave of absence to such shall be granted by the President of the Convention.

Rule 5. The President shall, upon each day, announce to the Convention the business in order, agreeably to the order of business contained in Rule 2; and no business shall be taken up or considered until the class to which it belongs shall be declared to be in order, nor after the order to which it belongs is closed.

Rule 6. The unfinished business in which the Convention was engaged at the time of the last adjournment or recess shall have preference in the orders of the day, and shall continue to be among the orders of the day for each succeeding day until disposed of in any other manner by a majority vote.

Rule 7. Communications from the Governor or Secretary of the Territory may be received, read and disposed of at any time except when the President is putting the question or while the ayes and nays are being called.

Rule 8. In case the President shall be absent at the hour to which the Convention was adjourned, the Convention shall choose one of its members as President pro tem.

Rule 9. The President shall have the right to name a member to perform the duties of the Chair temporarily, but such substitution shall not extend beyond an adjournment.

Rule 10. The President shall preserve decorum and order; may speak to points of order in preference to other members; shall decide all points of order, subject to an appeal to the Convention, and may vote in all cases except to determine his own rulings.

Rule 11. The President shall declare all votes, but when a vote, having been declared by him, is doubted, the members for or against the question, when called on by the President, shall rise and stand until they are counted, and the vote made certain without any further debate, but a call for the ayes and nays shall be in order at any time before such vote is made certain and declared.

Rule 12. Any petition, memorial or other paper addressed to the Convention shall be presented by the President, or a member in his place, and shall be endorsed with the name of the person presenting it, and the subject matter of the same. It shall be read by the President, Secretary or such other person as the President may request, and shall be taken up in the order in which it was first presented, unless the Convention shall otherwise direct.

Rule 13. It shall be the duty of the Secretary to keep the Minutes of each day's proceedings and to provide a typewritten copy of the same for the use of the President. He shall each day prepare a calendar of the orders and business of the day, and a like calendar for the committee of the whole, and shall cause to be placed on the desk of each member, at or before the hour of convening, a typewritten copy of the same. He shall perform such other duties as may be required of him by the Convention or by the President.

Rule 14. It shall be the duty of the Sergeant-at-Arms to attend the Convention during its sittings, preserve order in the corridor and gallery, execute all processes issued by authority of the Convention and directed to him by the President; give notice of all messages, and carry all messages the Convention may require. When requested to call a member of the Convention, he shall do so by name.

Rule 15. It shall be the duty of all employees of the Convention to attend all sittings thereof, and to attend at the Convention Chamber at other hours if required to do so, and to perform such duties as may be assigned them. They shall be under the direct supervision and direction of the Committee on Printing and Clerks, and subject to reprimand or discharge for incompetence, misconduct or insubordination.

Rule 16. When any member desires to speak, debate, deliver any matter to the Convention, make or second a motion, he shall arise from his seat and respectfully address himself to "Mr. President," who shall recognize him as "The gentleman from ..... county, Mr. ...." He shall confine himself to the question, or to subject matter properly in order, avoid

personalities, and shall not impeach the motives of any other member's vote or argument.

Rule 17. In all cases the member who shall first rise and address the Chair shall speak first, but when two or more members rise at the same time, the President shall name the person to speak.

Rule 18. No member shall interrupt another while speaking, except to call to order or to correct a mistake.

Rule 19. No member shall be permitted to stand up to the interruption of another while any member is speaking, or pass unnecessarily between the President of the Convention and the person speaking; nor shall any member, employee or other person be permitted to stand in the aisles during the sessions of the Convention.

Rule 20. Any motion shall be reduced to writing if required by the President or any other member.

Rule 21. Any member may ask for the statement of the question, which the President shall give standing.

Rule 22. No member shall speak more than twice to the same question, until every other member choosing to speak shall have spoken.

Rule 23. After a motion is stated by the President, or read by the Secretary, it shall be deemed in the possession of the Convention, but it may be withdrawn by leave of the Convention at any time before a decision is announced or amendment made.

Rule 24. The President shall propound all questions in the order in which they shall be moved, unless the subsequent motion be previous in its nature, except that in filling blanks, and in assigning times for the consideration of business, the smallest sum or percentage and the longest time shall be preferred.

Rule 25. A motion to adjourn and a motion to lay on the table shall be always in order, except when a motion for the previous question is pending, at which time neither can be entertained until the motion for the previous question is disposed of, without the unanimous consent of the Convention. And these motions shall be decided without debate.

Rule 26. The President shall put the previous question in the following form: "Shall the main question now be put?" and all amendments or further debate of the main question shall be suspended until the previous question shall be decided; and the previous question shall not be put unless seconded.

by three members. And a call for the ayes and nays shall be in order after the main question has been ordered to be put. After the adoption of the previous question, the vote shall forthwith be taken upon amendments in the order presented and then upon the main question.

Rule 27. When a motion or question has been once put and a decision rendered by the Chair, it shall be in order for any member who voted in the majority, or when the Convention is equally divided, for a member who voted in the negative, to move for a reconsideration thereof, on the same or succeeding day, and such motion shall take precedence over all other questions, except a motion to lay on the table, or a motion to adjourn. A motion for reconsideration being put and lost, it shall not be renewed on the same day, but such motion for reconsideration may be renewed on the succeeding day, and not thereafter.

Rule 28. Any member may call for a division of a question which shall be divided if it comprehends propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Convention. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall preclude neither amendments nor motion to strike out and insert.

Rule 29. Every member who shall be within the bar of the Convention when a question is put, shall give his vote as his name appears upon the roll, unless the Convention, for special reasons, shall excuse him, and when the yeas and nays are ordered, no member shall leave his seat until the vote is declared.

Rule 30. A member who is not within the bar of the Convention when a vote is taken upon any question, shall not be allowed to vote on that question, except by consent of the Convention.

Rule 31. The yeas and nays shall be ordered upon the request of any member, but a call of the Convention shall not be made without the consent of eight members.

Rule 32. No new motion or proposition shall be admitted under the color of an amendment, as a substitute for the motion or question under debate.

Rule 33. When a question is under debate, no motions shall be received but:

- (a) To adjourn.

- (b) To lay on the table.
- (c) For the previous question.
- (d) To commit to Committee of the Whole.
- (e) To commit to standing committee.
- (f) To commit to select committee.
- (g) To amend.
- (h) To postpone to a certain day.
- (i) To postpone indefinitely.

Which several motions shall have precedence in the order in which they are arranged.

Rule 34. The following questions shall be undebatable:

- (a) Motion to adjourn.
- (b) Motion to lay on table.
- (c) Motion for the previous question.
- (d) Motion to suspend a rule, or the rules.
- (e) An appeal from the decision of the Chair, when it relates to violations of the rules, or to disorder or to priority of business, or when the previous question was pending at the time the appeal was taken.
- (f) Questions of order arising after an order is made for the previous question or upon debatable business.
- (g) Questions relating to priority of business.

Rule 35. If any member in speaking or otherwise shall transgress the rules of the Convention, the President shall, or any member of the Convention may, call him to order, and the member called to order shall take his seat, if required to do so by the President, until the question of order is decided.

Rule 36. The President shall decide all questions of order, subject to an appeal by any member, on which appeal no member shall speak more than once, unless by permission of the Convention, except the member appealing, who may speak twice.

Rule 37. Every question of order which shall be decided on appeal shall be entered on the Minutes with the decision thereon.

Rule 38. If any member be called to order for words spoken in debate, the member calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the Secretary's table, and no member shall be held to answer or be subject to the censure of the Convention for words

spoken in debate; if any other member has spoken or other business intervened after the words are spoken, and before exception to them be taken.

Rule 39. When any member shall be guilty of a breach of any of the rules or orders of the Convention and the Convention determine that he has so transgressed, he shall not be allowed to vote or speak, except by way of excuse for the same, until he shall have made satisfaction.

Rule 40. Any member having obtained leave of absence, and having in his possession any papers relative to the business before the Convention, shall leave the same with the Secretary.

Rule 41. An interim between any two sessions of the Convention on the same day shall be called a recess; and on reassembling at the appointed hour any question pending at the time of taking such recess shall be resumed without motion to that effect.

Rule 42. All committees, except such as the Convention shall from time to time determine to select shall be named by the President.

Rule 43. Reports of committees shall be considered in the order in which they shall have been presented to the Convention.

Rule 44. All reports of the committees shall be signed by the members thereof who concur therein, except, if the report be unanimous, it may be signed by the chairman alone.

Rule 45. All committee reports shall be presented by the chairman of the respective committees or by a member thereof properly authorized.

Rule 46. Propositions, resolutions or other matters referred to any committee, may, at the discretion of the Convention be withdrawn therefrom and placed before the Convention for its consideration at any time.

Rule 47. When the Convention shall go into Committee of the Whole, the President shall appoint the member who shall take the chair.

Rule 48. The same rules shall be observed in Committee of the Whole as in the Convention, so far as the same are applicable, except that the previous question shall not apply, nor the yeas and nays be taken, nor a limit be made as to the number of times a member may speak.

Rule 49. In Committee of the Whole propositions shall be read by the chairman and considered item by item, unless otherwise directed by the committee, leaving the preambles, if any, last to be considered. The body of the proposition shall not be defaced, or interlined, but amendments shall be noted

by the chairman or secretary upon a separate piece of paper, and so reported to the Convention.

Rule 50. There shall be a special calendar for the Committee of the Whole, on which shall be placed all propositions and other matters which by order of the Convention or under these rules are referred to such committee. Every proposition shall be considered and acted upon in the Committee of the Whole in its order upon the calendar.

Rule 51. A motion for the Committee of the Whole to rise and report progress shall be in order at any stage, and shall be decided without debate.

Rule 52. All matters intended to become a part of the Constitution shall be presented by a member of the Convention or one of the standing committees thereof, in the form of a proposition, and shall be in writing and in the following form:

#### A PROPOSITION.

No. ....

Introduced by Mr. .... of ..... County.

A Proposition relative to .....

It is hereby proposed:

Rule 53. The regular order to be taken by Propositions introduced in the Convention shall be as follows:

(a) Upon introduction a Proposition shall be read first time in full, whereupon the President shall announce, "First reading of the Proposition."

(b) Unless otherwise ordered the Proposition shall be referred to the Committee on Printing and Clerks. In the absence of a contrary motion, there shall be printed five hundred copies of each Proposition. Within two days, exclusive of the day of reference, the Proposition shall be reported back to the Convention, together with the printed copies thereof.

(c) The Proposition shall be read a second time in full, whereupon the President shall announce, "Second reading of the Proposition," and shall refer it to an appropriate standing committee. The committee to which the Proposition shall be so referred shall examine the same, and within eight days, exclusive of the day of reference, unless otherwise ordered by the Convention, the chairman of the committee or a member thereof authorized to do so, shall return the Proposition and present the committee's recommendation. All amendments proposed by the committee shall be clearly set out in the committee's report by specific reference to the Proposition, or section or sections

to be amended, together with the words proposed to be stricken out, inserted or substituted, and said report shall be accompanied by a copy of the Proposition, section or sections, as it or they would read if amended as recommended.

(d) The Proposition shall be placed upon the calendar of the Committee of the Whole in the order in which it shall have been reported to the Convention, which position it shall continue to occupy on the calendars of the Committee of the Whole and of the Convention, until finally disposed of; except, that a Proposition may be recommitted to the same or a different committee at any time previous to its final disposition, in which event, if any amendment be reported, the Proposition shall be subject to the same procedure as when reported by the committee to which it was originally committed.

(e) When a Proposition shall have been examined and reported upon by the Committee of the Whole it shall be placed on the calendar of the Convention under the head of Order of the Day in the order in which reported by the Committee of the Whole. The question shall be, first, upon the adoption of the reports, respectively of the Committee of the Whole and the standing committee which examined the Proposition; second, if the Proposition be not amended, "Shall the Proposition have a third reading?" or if there be amendments, "Shall the Proposition be engrossed and have a third reading?" and if decided in the affirmative it shall be placed upon the calendar in its proper order. A Proposition ordered engrossed shall be referred to the Committee on Style, Revision and Compilation for engrossment.

(f) So soon as any entire Proposition shall have been adopted, such Proposition shall be referred to the Committee on Style, Revision and Compilation. The committee shall have power to revise the language used in the interest of grammatical excellence, uniformity, accuracy, clearness, brevity, and consistency, but must not in any way destroy the sense of any Proposition adopted by the Convention.

(g) The Committee on Style, Revision and Compilation having completed its revision shall report the Proposition to the Convention, within two days, exclusive of the day of reference, when the revised Proposition shall be read in full and the question shall be on the adoption of the Proposition so revised. If the same shall be decided in the affirmative the Proposition shall be again reported to the Committee on Style, Revision and Compilation to be

by that committee embodied in its proper place in the Constitution.

(h) At a reasonable time, to be determined by the Convention, at least eight days before final adjournment, the Committee on Style, Revision and Compilation shall report to the Convention all Propositions adopted and submitted to it as heretofore provided, carefully revised and logically arranged and compiled into a complete Constitution for the State of Arizona, and the same shall be printed and referred to the Committee of the Whole, to be by that committee acted upon section by section.

(i) The report of the Committee of the Whole on the completed Constitution shall be acted upon by the Convention and the Constitution considered section by section, and no Proposition shall be embodied in the Constitution or become a part thereof without it receives the approval by an aye and nay vote of a majority of the members elected to the Constitutional Convention.

(j) After being so adopted section by section, and as a whole, the compiled Constitution shall be again referred to the Committee on Style, Revision and Compilation to be accurately engrossed and enrolled and the same shall be reported by said committee to the Convention at a date to be determined by the Convention at least two days before final adjournment. When reported by the Committee on Style, Revision and Compilation it shall be read in full, and prior to final adjournment of the Convention shall be submitted to a final vote, and if it receives the approval by an aye and nay vote of a majority of the members elected to the Convention it shall be declared to be adopted. Upon such reading no amendments shall be permitted.

(k) After such final passage the Constitution shall be signed by the President and all the members of the Convention.

Rule 54. All proposed action touching the rules and order of business, shall be referred, as of course, to the Committee on Rules. Such Committee may sit during the sessions of the Convention without special leave, and report at any time upon rules, or order of business, so referred to it. It will be in order to call up for consideration at any time a report from the Committee on Rules. No other committee shall sit during the session of the Convention without special leave.

Rule 55. No rule or order of the Convention shall be suspended, altered or repealed unless two-thirds of the members present shall consent thereto.

Rule 56. No rule or order of the Convention shall be altered or repealed,

nor shall any new standing rule or order be adopted unless one day's previous notice thereof be given in each case, and such notice shall be entered on the minutes.

Rule 57. The rules of parliamentary practice comprised in Robert's Rules shall govern the Convention in all cases in which they are not inconsistent with the standing rules and orders of the Convention.

Rule 58. The Convention shall have twenty-four standing committees as follows:

**Committees for Conducting the Convention.**

1. Rules and Procedure. (5) Members.
2. Finance, Accounts and Expenses. (3) Members.
3. Printing and Clerks. (3) Members.

**Committees for Constitution Making.**

1. Preamble and Declaration of Rights. (3) Members.
2. Legislative Department, Distribution of Powers and Apportionment. (13) Members.
3. Executive, Impeachment and Removal from Office. (9) Members.
4. Judiciary. (13) Members.
5. Suffrage and Elections. (11) Members.
6. Counties and Municipalities. (5) Members.
7. Education and Public Institutions. (5) Members.
8. State and School Lands. (5) Members.
9. Public Service Corporations other than Railroads. (9) Members.
10. Private Corporations and Banks. (9) Members.
11. Railroads. (7) Members.
12. Agriculture, Irrigation and Water Rights. (5) Members.
13. Mines and Mining. (5) Members.
14. Federal Relations. (3) Members.
15. Militia and Public Defense. (3) Members.
16. Public Debt, Revenue and Taxation. (13) Members.
17. Labor. (5) Members.
18. Schedule, Mode of Amending and Miscellaneous. (5) Members.
19. Ordinance. (3) Members.
20. Matters for Separate Submission. (5) Members.
21. Style Revision and Compilation. (5) Members.

## CONFERENCE COMMITTEES.

Should either house refuse to concur in and adopt an amendment passed by the other house, such house refusing to concur shall at once notify the other house and shall return all papers with its message of refusal to concur. Such other house shall then either insist on or recede from its amendment.

In case it recedes from such amendment it shall return the papers to the other house with notification of such action.

In case the amendment is insisted upon, the house insisting shall notify the other house of such action and may request a conference committee on the subject of disagreement.

The conference committee shall be appointed by the presiding officer of each house, and such action and the names of the members of such committee shall be sent to the other house. The number of members on the committee from each house shall consist of either three (3) or five (5). Such conference committee shall meet and confer and each committee shall report to its respective house the result of the conference.

The papers shall be returned first to the house which refused to concur in the amendments of the other house. Notice of such the action of such house shall be sent to the other house. Should the amendment be concurred in and adopted, such house shall send the papers to the other house.

In the event of a disagreement of the conference committee, the papers shall remain with the house which insisted on its amendment.

The report of the conference committee shall be signed in duplicate by all members of the committee, or by a majority of those of each house.

Should either house disagree to the report of the committee such house may request the appointment of a second committee. When either house shall adhere to its disagreement a bill or resolution is lost.

The action for a committee of conference and the reception of a report of such committee shall be in order at any time.