

ITEM 55 | COMMITTEE OF THE WHOLE

When an assembly has to consider a subject which it does not wish to refer to a committee, and yet where the subject matter is not well digested and put into proper form for its definite action, or when, for any other reason, it is desirable for the assembly to consider a subject with all the freedom of an ordinary committee, it is the practice to refer the matter to the "Committee of the Whole." If it is desired to consider the question at once, the motion is made, "That the assembly do now resolve itself into a committee of the whole, to take under consideration," etc., or, "That we go into committee of the whole to consider," etc., specifying the subject. This is really a motion to "commit." [See 32 for its order of precedence, etc.] If adopted, the chairman immediately calls another member to the chair, and takes his place as a member of the committee. The committee is under the rules of the assembly, excepting as stated hereafter in this section.

The only motions in order are to amend and adopt, and that the committee "rise and report," as it cannot adjourn; nor can it order the "yeas and nays." An appeal from the decision of the chair can be made, and it must be voted on directly, as it cannot be laid on the table or postponed, those motions not being allowed in committee of the whole. Each member can speak only once on the appeal. The only way to close or limit debate in committee of the whole is for the assembly, before going into committee of the whole, to vote that the debate in committee shall cease at a certain time, or that after a certain time no debate shall be allowed, excepting on new amendments, and then only one speech in favor of and one against it, of, say, five minutes each; or in some other way to regulate the time for debate.

If no limit is prescribed, any member may speak as often as he can get the floor, and as long each time as is allowed in debate in the assembly, but he cannot speak a second time provided a member wishes the floor who has not spoken on that particular question. Debate having been closed at a particular time by order of the assembly, the committee has not the power, even by unanimous consent, to extend the time. The committee cannot refer the subject to another committee. Like other committees, it cannot alter the text of any resolution referred to it; but if the resolution originated in the committee, then all the amendments are incorporated in it.

When the committee is through with the consideration of the subject referred to it, or if it wishes to adjourn, or to have the assembly



limit debate, a motion is made that "the committee rise and report," etc., specifying the result of its proceedings. The motion to "rise" is equivalent to the motion to adjourn in the assembly, and is always in order (except while voting or when another member has the floor), and is undebatable and cannot be amended. As soon as this motion is adopted the presiding officer takes the chair, and the chairman of the committee, having resumed his place in the assembly, rises, addresses the chair, and says: "The Committee of the Whole has had under consideration (here he describes the resolution or other matter) and has directed me to report the same with (or without, as the case may be) amendments," provided the committee has concluded its business. If the committee has failed to come to a conclusion, strike out of the report all after "and has" and insert "come to no conclusion thereon." If no amendments are reported, the chair at once states the question on the resolution or other matter referred to the committee. If amendments are reported the reporting member reads them, and hands the paper to the chair, who reads, and states and puts the question on the amendments as a whole, unless a member asks for a separate vote on one or more amendments, in which case a single vote is taken on all the other amendments, and then the question is stated separately on each of the amendments for which a separate vote was asked. The amendments may be debated and amended.

The secretary does not record in the minutes the proceedings of the committee, but should keep a memorandum of the proceedings for its use. In large assemblies the secretary vacates his chair, which is occupied by the chairman of the committee, and the assistant secretary acts as secretary of the committee. Should the committee become disorderly, and the chairman be unable to control it, the presiding officer should take the chair and declare the committee dissolved. The quorum of the committee of the whole is the same as that of the assembly [64]. If the committee finds itself without a quorum, it can only rise and report the fact to the assembly, which in such case must adjourn.

In large assemblies, such as the U.S. House of Representatives, where a member can speak to any question only once, the committee of the whole seems almost a necessity, as it allows the freest discussion of a subject, while at any time it can rise and thus bring into force the strict rules of the assembly. In small assemblies it is usually more convenient to substitute for it either the "Quasi (as if in) Committee of the Whole," as used in the U.S. Senate, or "Informal Consideration," as frequently used



in ordinary societies. These are explained in the next two sections.

