

## **BOX 3.5** Selected Procedures Governing Markup

*Notice.* Chamber and committee rules require public notice of markup sessions.

*Quorum.* Chamber and committee rules set a quorum for markups at one-third of the membership of the panel.

*Markup Vehicle.* The chair selects and lays down the vehicle to be considered for markup.

*Opening Statements.* The committee chair, often in consultation with the ranking minority member, determines if all or only some panel members will make opening statements and for what length of time.

*Reading for Amendment.* In the Senate, the text is considered as read and open to amendment at any point. In the House, there is a requirement that the measure must be read in its entirety, but this can be avoided by a nondebatable motion to waive the reading if printed copies of the text are available to the members. Typically, the markup vehicle is read section by section, and after each section is read, the bill is open to amendment. A House committee, by unanimous consent, may agree to read the bill by title or that it be open to amendment at any point.

*Amending Process.* In general, the same amending rules apply during markup as apply on the House or Senate floor. In the Senate, there are ordinarily no limits on either debate or the number of amendments that senators may offer. In the House, amendments are considered under the **5-minute rule**. A member seeks recognition from the chair to speak for 5 minutes on the pending amendment(s).

*Voting.* Proxy voting, or voting while absent, is prohibited in the House; it is permitted in the Senate under limitations stated in chamber and committee rules. In both chambers, voting is by voice, division (show of hands), or roll call.

*Reporting the Measure.* Both chambers require that a majority of the panel's membership must be physically present to report, or vote out, the legislation.