

1 presides over the senate in the absence of the president of the senate.

2 **1.7 "Deputy President Pro Tempore"** is a member of the senate appointed by the
3 president of the senate, who may preside over the senate in the absence of the president of the
4 senate and the president pro tempore.

5 **1.8 "Reading Clerk"** is the person elected to that position under provisions of section
6 22-3-2 of the general laws who shall, at the direction of the presiding officer, read to the chamber
7 any communication to the senate, resolution, bill or other document and who shall, at the
8 direction of the presiding officer, except as provided in section 4.4 hereof, date the bills and other
9 documents before the senate, date recording thereon the action taken and/or the disposition
10 thereof. The reading clerk also shall, at the direction of the senate, amend any bill and transmit
11 any bill to the house of representatives and perform such other duties as may from time to time be
12 prescribed by the president of the senate.

13 **1.9 "Secretary of the Senate"** is the person elected to that position under provisions of
14 section 22-3-2 of the general laws who shall, at the direction of the presiding officer, record the
15 proceedings of the senate in a journal, signing said journal as secretary of the senate, and who
16 shall, upon their referral, deliver bills and other documents to their respective committees, hold
17 and maintain in good order any bill assigned to the calendar or the consent calendar, and transmit
18 any bill or document to the governor. The secretary of the senate also shall perform those duties
19 prescribed in other sections hereof and those which may from time to time be prescribed by the
20 president of the senate.

21 **1.10 "The Rise of the Senate"** occurs upon the conclusion of senate floor business and
22 the exact time varies by the amount of business to be conducted on a particular legislative day.

23 **1.11 "The Senate Chamber"** or "**Chamber**" shall include the floor, the corridor behind
24 the floor, the cloak room and the senate lounge.

25 **1.12 "Calendar Day"** is that period of 24 hours between 12:00 a.m. and 12:00 midnight.

26 **1.13 "Vote"** or "**Majority Vote**" as used herein shall mean a majority of members
27 present and voting unless specifically stated otherwise.

28 **SECTION 2.**

29 **PRESIDING OFFICER**

30 **2.1 Presiding Officer.**

31 The president of the senate shall, unless absent from the chamber, be the presiding officer
32 of the sessions of the senate. In the absence of the president from the chair, the president pro
33 tempore shall preside over the senate. The president may appoint a member of the senate to
34 temporarily preside over the senate, but in no event shall such appointment continue beyond the

1 legislative day on which it is made. In case of a vacancy in the offices of president, president pro
2 tempore and the deputy president pro tempore, or in case all said officers are absent at the hour to
3 which the senate stands adjourned, the reading clerk shall call the senate to order, and shall
4 preside until a president pro tempore is elected, which election shall be the first order of business.

5 **2.2 Duties of the Presiding Officer.**

6 The presiding officer shall preserve order and decorum in and about the senate chamber
7 during the senate session in order to prevent interference with the senate's business and
8 deliberations. The presiding officer may speak in preference to the senators, shall decide all
9 questions of order without debate and shall declare all votes. The assignment of bills to
10 committee shall be at the discretion of the president of the senate subject to rule 4.5; provided,
11 however, that the president of the senate may delegate such authority to the majority leader of the
12 senate.

13 **2.3 Appealing the Ruling of Presiding Officer.**

14 Any senator may appeal the ruling of the presiding officer by rising as soon as the ruling
15 is made, even though another has the floor and, without waiting to be recognized by the chair,
16 stating, "I appeal the ruling of the chair," and upon such appeal being seconded, the presiding
17 officer shall immediately and without debate put the question, "Shall the ruling of the chair be
18 sustained?", which question shall be decided by majority vote of the senators present and voting.
19 Once sustained, the ruling shall not be subject to another appeal on the same point.

20 **SECTION 3.**

21 **ORDER OF BUSINESS ON THE SENATE FLOOR**

22 **3.1 Commencement of Daily Session.**

23 The presiding officer shall take the chair at the hour to which the senate shall have
24 adjourned, call the senators to order, and record attendance by electronic roll call. A quorum shall
25 consist of 20 members. Upon late arrival, at any time prior to the adjournment of the senate, a
26 senator may report his or her presence to the secretary of the senate who shall record the senator's
27 attendance in the journal.

28 **3.2 Reading the Journal.**

29 The reading clerk of the senate shall, at the commencement of the session of each
30 legislative day, read the proceedings of the previous legislative day, unless such reading is
31 dispensed with by a majority of the senators present and voting.

32 **3.3 Daily Business.**

33 After the reading of the proceedings of the previous legislative day the order of business
34 shall be as follows unless otherwise ordered by the President of the Senate:

- 1 (1) Introduction of guests
- 2 (2) Communications
- 3 (3) Reports of committees
- 4 (4) Introduction and reference of new business
- 5 (5) Unfinished business
- 6 (6) Consideration of house transmittals
- 7 (7) Consent calendar
- 8 (8) Calendar
- 9 (9) Introduction of guests
- 10 (10) Personal privilege
- 11 (11) Address of important matters
- 12 (12) Daily adjournment

13 **3.4 Final Adjournment.**

14 The last order of business of the annual session of the senate shall be the vote in
15 conformity with the resolution of final adjournment or recess which must be carried by a majority
16 vote of the senators present and voting.

17 **3.5 Time for Sessions.**

18 Unless otherwise provided for by agreement of president of the senate, the majority
19 leader and minority leader, sessions of the senate shall convene at 4:00 p.m. All sessions must
20 adjourn at or before 11:00 p.m.

21 **SECTION 4.**

22 **ACTS AND RESOLUTIONS**

23 **4.1 Form of Bills.**

24 Every bill offered which is intended to amend any part or parts of an existing statute, any
25 part or parts intended to be stricken shall be contained in the bill and by appropriate mechanical
26 mark, struck through. All new matter contained in the bill shall be underlined, underscored or
27 printed in italics so that the new matter shall be easily discerned. If the bill contains all new
28 matter constituting a totally new law or a totally new section, and the bill itself so indicates, no
29 underlining, underscoring or italics shall be required. Every bill containing a commission to
30 which appointments shall be made shall be indicated in the title of such bill.

31 No bill without a body or substantive content shall be introduced at any time, nor shall a
32 substitute bill be accepted which is not consistent with the title and substance of the original bill.

33 All bills introduced on behalf of any general officer, branch, department or division of
34 state government shall state on the face sheet thereof with the title of the general officer or the

1 name of the branch, department or division on whose behalf the bill is introduced.

2 A prime sponsor may withdraw a bill or resolution previously introduced at any time
3 prior to its consideration by a committee, upon written request to the secretary of the senate.

4 Other than the prime sponsor of a bill, a senator may elect in writing to the secretary of
5 the senate to have his/her name disassociated from the bill and the secretary of the senate shall
6 immediately notify the committee clerk to which the bill is assigned.

7 All bills shall be processed through legislative council.

8 **4.2 Explanation of Bills.**

9 There shall be attached to each bill a brief explanation thereof and the explanation of
10 such bill shall indicate the proposed changes, and/or the statute or existing law which such bill
11 purports to amend.

12 **4.3 Copies of Bills.**

13 Each bill introduced shall be accompanied by not less than eight (8) copies thereof, with
14 said copies delivered by the secretary of the senate to the office of the president of the senate for
15 subsequent distribution as determined by the president of the senate. Nothing in this section shall
16 prevent a senator from obtaining a preliminary draft of legislation for his/her review prior to
17 introduction.

18 **4.4 Prefiling**

19 A bill or resolution may be filed by delivery to the secretary of the senate at any time
20 from November 15 to the day prior to the commencement of the annual session. The secretary of
21 the senate shall order it printed by Legislative Council and make said bill or resolution available
22 for first reading on the second legislative day of the succeeding session.

23 **4.5 Filing with Secretary of the Senate**

24 All senators desiring to introduce a bill shall file the bill with the secretary of the senate
25 not later than the time at which the presiding officer calls the senate to order. The secretary of the
26 senate shall transmit to the office of the president of the senate all bills on the legislative day of
27 their introduction. On the day of introduction, the president shall, upon adjournment, assign bills
28 to committee. The secretary of the senate shall cause all bills introduced to be published in the
29 senate journal for that legislative day. Any senator may object to the committee assignment of
30 any bill on the first or second legislative day following the bill's introduction. Upon objection
31 being made, the presiding officer shall assign the bill to the committee requested by the senator
32 making the objection; provided, however, that if another senator objects to any assignment or
33 proposed assignment of the bill, then the presiding officer shall call for a vote of the senate on
34 any motion for assignment which has been made and seconded, such motion requiring a majority

1 vote of those Senators present and voting for assignment to a particular committee. First reading
2 of all such bills and resolutions shall be by acceptance of the bill and the committee assignment.

3 **4.6 Deadline for Introductions.**

4 No public bill shall be introduced in the senate after ~~Thursday, February 12, 2015 for the~~
5 ~~year 2015 and February 11, 2016~~ the second Thursday in February of each session, except with
6 the consent of the President of the Senate. Except as otherwise expressly directed by the president
7 of the senate, all requests for the preparation of public bills shall be submitted to the offices of
8 Legislative Council no later than the close of business on the Friday next preceding the bill-
9 introduction deadline set forth herein.

10 **4.7 Omnibus Claims Against the State.**

11 Claims against the state in the amount of one thousand dollars (\$1,000) or less shall not
12 be presented in bill or resolution form, but shall be submitted to the clerk of the joint committee
13 on accounts and claims in writing upon a form approved by the chairperson of the joint
14 committee on accounts and claims. Any claims approved by the joint committee shall be
15 submitted in the form of an omnibus bill which will be placed upon the consent calendar.

16 **4.8 Resolutions of Congratulations and Condolences.**

17 Notwithstanding any other provisions of these rules, all resolutions of congratulations or
18 expressing sympathy or condolences except with respect to former and present members of the
19 general assembly, general officers, members of the judiciary and elected state or federal officials,
20 shall be placed on the consent calendar, unless otherwise ordered by the president of the senate.
21 Said resolution of congratulations and condolences shall not require concurrent action; upon
22 passage, shall be forthwith transmitted to the secretary of state, and an appropriate notice of the
23 action of the senate thereon shall be forwarded, as requested in the resolution, by the secretary of
24 state. One formal resolution may include all the expressions of sympathy or congratulations of the
25 several senators.

26 **4.9 Enactment of Laws.**

27 The concurrence of the two houses in the same session shall be necessary for the
28 enactment of all bills except for senate resolutions.

29 **4.10 Electronic Availability of Public Bills--Requirements.**

30 **4.10-1 Public Bills.**

31 No public bill shall be considered upon its merits unless it has been electronically
32 available to the members at least two (2) calendar days prior to its consideration on the merits,
33 except any public bill passed by the senate and amended by the house, provided that the amended
34 public bill shall be electronically available to the senators before consideration.

- 1 • Committee on Finance
- 2 • Committee on Housing and Municipal Government
- 3 • Committee on Labor
- 4 • Committee on Special Legislation and Veterans' Affairs
- 5 • Committee on Health and Human Services
- 6 • Committee on Education
- 7 • Committee on Commerce
- 8 • Committee on Environment and Agriculture
- 9 • Committee on Government Oversight
- 10 • Committee on Rules

11 **5.1-1 Committee on Judiciary.**

12 It shall be the duty of the committee on judiciary to consider the appointments of the
13 governor referred to it by the senate which require the advice and consent of the senate and all
14 legislation and matters which affect the penal code, judicial system, ethics, open meetings, access
15 to public records and election laws of the state, to maintain oversight over the application,
16 execution and operation of the laws within its jurisdiction and to consider such other matters as
17 may be referred to it by the senate. In the matters of judicial appointments and those public
18 hearings designated by the committee chair, all testimony shall be under oath and preserved by
19 stenographic record which shall be transcribed upon the order of the chair.

20 **5.1-2 Committee on Finance.**

21 It shall be the duty of the committee on finance to consider the appointments of the
22 governor referred to it by the senate which require the advice and consent of the senate and all
23 legislation and matters relative to revenue, appropriations and taxes, to inquire into the state of
24 the public debt, to report from time to time its opinion thereon and such propositions relative
25 thereto as it shall deem expedient, to maintain oversight over the application, execution and
26 operation of the laws within its jurisdiction and to consider such other matters as may be referred
27 to it by the senate. The chair of the committee shall be authorized to appoint as many sub-
28 committees as he or she deems necessary, including, but not limited to, a sub-committee on
29 veterans affairs.

30 **5.1-3 Committee on Housing and Municipal Government.**

31 It shall be the duty of the committee on housing and municipal government to consider
32 the appointments of the governor referred to it by the senate which require the advice and consent
33 of the senate and all legislation and matters affecting housing, municipal government,
34 transportation, to maintain oversight over the application, execution and operation of the laws

1 within its jurisdiction and to consider such other matters as may be referred to it by the senate.

2 **5.1-4 Committee on Labor.**

3 It shall be the duty of the committee on labor to consider the appointments of the
4 governor referred to it by the senate which require the advice and consent of the senate and all
5 legislation and matters relating to the workers' compensation and labor laws of the state, to
6 maintain oversight over the application, execution and operation of the laws within its jurisdiction
7 and to consider such other matters as may be referred to it by the senate.

8 **5.1-5 Committee on Special Legislation and Veterans' Affairs.**

9 It shall be the duty of the committee on special legislation and veterans' affairs to
10 consider the appointments of the governor referred to it by the senate which require the advice
11 and consent of the senate and all legislation and matters relating to constitutional amendments,
12 liquor laws, gaming issues, license plates, veterans' affairs, domestic animals, commissions and
13 resolutions, to maintain oversight over the application, execution and operation of the laws within
14 its jurisdiction and to consider such other matters as may be referred to it by the senate.

15 **5.1-6 Committee on Health and Human Services.**

16 It shall be the duty of the committee on health and human services to consider the
17 appointments of the governor referred to it by the senate which require the advice and consent of
18 the senate and to consider all reports of the departments of health, of human services, of mental
19 health, retardation and hospitals, of children and their families, and of elderly affairs; to consider
20 all legislation and matters expanding or defining further areas of responsibility of the foregoing
21 and to consider all legislation and matters relative to public health and welfare; health care and
22 human service access and quality; health and human service professional standards of practice,
23 and facility standards of care; to maintain oversight over the application, execution and operation
24 of the laws within its jurisdiction; and to consider such other matters as may be referred to it by
25 the senate.

26 **5.1-7 Committee on Education.**

27 It shall be the duty of the committee on education to consider the appointments of the
28 governor referred to it by the senate which require the advice and consent of the senate and all
29 legislation and matters relating to student performance, governance, programming, teacher
30 preparation and planning, as well as the work and operation of all state agencies regarding all
31 levels of education, make findings, and recommend policy initiatives and other actions to the
32 general assembly. The commission shall also exercise oversight in relation to the implementation
33 of all legislation and grants of authority relating to all levels of public education in the state by all
34 agencies, state and local, charged and empowered by the general assembly in relating to all levels

1 of public education, to maintain oversight over the application, execution and operation of the
2 laws within its jurisdiction and to consider such other matters as may be referred to it by the
3 senate.

4 **5.1-8 Committee on Commerce.**

5 It shall be the duty of the committee on commerce to consider the appointments of the
6 governor referred to it by the senate which require the advice and consent of the senate and all
7 legislation and matters relating to financial institutions, business regulation, property and casualty
8 insurance, technology and telecommunications, for profit as well as not-for-profit business
9 entities, to maintain oversight over the application, execution and operation of the laws within its
10 jurisdiction and to consider such other matters as may be referred to it by the senate.

11 **5.1-9 Committee on Environment and Agriculture.**

12 It shall be the duty of the committee on environment and agriculture to consider the
13 appointments of the governor referred to it by the senate which require the advice and consent of
14 the senate and all legislation and matters relating to the conservation of the air, land, water, plant,
15 animal, mineral and other natural resources of the state, and to adopt all means necessary and
16 proper by law to protect the natural environment of the people of the state by providing adequate
17 resource planning for the control and regulation of the use of the natural resources of the state and
18 for the preservation, regeneration, and restoration of the natural environment of the state, to
19 maintain oversight over the application, execution and operation of the laws within its jurisdiction
20 and to consider such other matters as may be referred to it by the senate.

21 **5.1-10 Committee on Government Oversight**

22 It shall be the duty of the committee on government oversight consider the appointments
23 of the governor referred to it by the senate which require the advice and consent of the senate, and
24 (1) to monitor and evaluate past, current and prospective performance of public bodies and
25 statutory entities, including quasi-public agencies that exercise executive governmental functions
26 (except public bodies and statutory entities of the legislative and judiciary branches of the state)
27 and any other public or private person, including any agencies, partnerships, corporation or
28 business entity insofar as such person is acting on behalf of and/or in place of any public agency;
29 (2) to consider the organization, reorganization, creation or termination of such public bodies,
30 statutory entities, including quasi-public agencies and public or private persons; (3) to review and
31 consider the reports of the auditor general; (4) to report its opinion and/or recommendation of
32 legislation or action regarding the foregoing matters; (5) to consider any bill referred to it by the
33 senate, including, but not limited to any act, resolve, resolution or petition; and (6) to consider
34 such other matters that are referred to it by the senate.

1 **5.1-11 Committee on Rules.**

2 It shall be the duty of the committee on senate rules to consider all matters relating to the
3 rules of the senate.

4 **5.2 Committee Membership.**

5 Each of the standing committees of the senate shall consist of the president of the senate,
6 ex officio with voting rights, and the majority and minority leaders of the senate, ex officio, with
7 voting rights, and senators appointed by the president of the senate, each to serve until January 3,
8 2017. Provided, however, that the president of the senate may change the committee assignment
9 of a member with the member's consent; and provided further, however, that each senator other
10 than the president and the majority and minority leaders, shall serve as a member of one of the
11 following standing committees: committee on housing and municipal government; committee on
12 commerce; committee on finance; committee on the judiciary.

13 **5.3 Vacancies on Committees.**

14 All vacancies occurring in any committee of the senate shall be filled by the president of
15 the senate.

16 **5.4 Officers of Committees.**

17 The president of the senate shall appoint from the membership of each committee a chair,
18 vice chair and secretary and such other committee officers as the president of the senate deems
19 appropriate.

20 **5.5 Select Committees.**

21 The senate may, from time to time, by resolution, provide for the establishment of select
22 committees upon such subjects as it may deem proper, and upon the adoption of such resolution,
23 the president of the senate shall appoint the chair and members thereof, and shall provide for
24 minority party representation. Any committee created pursuant to this rule shall be deemed a
25 standing committee for all purposes of law, including the applicability of section 22-6-2.1 of the
26 general laws.

27 **5.6 Referral to Committee.**

28 No bill shall be considered or acted upon by the senate unless the same has been
29 considered by, reported, or recalled from a committee thereof, or from a joint committee, except
30 as otherwise provided in these rules. All acts seeking to vacate the forfeiture of a charter
31 previously granted under the laws of this state shall not be referred to committee but rather
32 directly assigned to the calendar.

33 **5.7 Committees of Conference.**

34 There shall be appointed from time to time committees of conference to which are

1 referred matters of difference with the house with respect to bills or resolutions. Such committees
2 shall be appointed by the speaker and the president of the senate, and shall be comprised of five
3 (5) members from the house and five (5) members from the senate. At least one (1) member in
4 each chamber shall be a member of the minority party. When possible, one (1) member shall be
5 the prime sponsor of the bill or resolution being considered before the committee of conference
6 and one (1) member shall be from the committee that shall have considered the bill or resolution.
7 The committee may propose any changes within the scope of the bill or resolution, but any action,
8 including changes, taken by committee shall be by a majority vote of the members of each
9 chamber on the committee. The committee report shall be made to both chambers at the same
10 time. Each chamber shall vote to accept or reject the report. A vote by either chamber to accept
11 the report of the committee shall be the final action by that chamber on the bill or resolution. If
12 both chambers vote to accept the report of the committee, the bill is passed or the resolution
13 adopted as of the time the last chamber votes to accept the report. If either chamber rejects the
14 report of the committee, the bill or resolution is defeated and the second chamber shall not be
15 required to consider the committee report. The report of the committee may be accepted or
16 rejected, but it may not be amended. The committee report shall contain the following
17 information: the bill number and title, the members of the committee, the action of the committee,
18 and the signature of the members of the committee accepting or rejecting the report.

19 The conferees shall confine themselves to the differences which exist within bills or
20 resolutions between the house and senate. The presentation of reports of committees of
21 conference shall be in order after having been signed by a majority of the members of the
22 committee of each chamber. Consideration of a report of a committee of conference by the senate
23 shall be in order when it has been made electronically available to all members and listed on the
24 calendar for the required period of time according to these rules.

25 SECTION 6.

26 PROCEEDINGS IN COMMITTEE

27 6.1 Time for Committee Meetings.

28 The president of the senate, in consultation with the chairs, shall establish regular
29 calendar days and times for the meetings of all standing committees. The committee chair may
30 call such other meetings as may be required to conduct the business of the committee.

31 6.2 Committee Agenda – Posting.

32 At least forty-eight (48) hours before any standing committee meeting, a committee
33 agenda containing the number, title and a short explanation of each bill to be considered must
34 placed on the bulletin boards provided for such agenda. The rule shall not apply to bills

1 previously passed by the senate and amended by the house. There shall be at least two (2) bulletin
2 boards for such posting, at least one (1) of which shall be for the public's use and shall be under
3 the control of and situated at the main entrance to the state library. There shall also be at least one
4 (1) bulletin board for the exclusive use of the senators which shall be situated in a convenient
5 location.

6 **6.3 Convening of Meeting.**

7 The chair of the committee or, in the chair's absence, the vice chair, shall call all regular
8 sessions of the committee, set agenda and proceed with the order of business.

9 **6.4 Public Participation.**

10 **6.4-1 Open Meetings.**

11 Every standing committee meeting, except executive sessions, shall be open to the public
12 during the consideration of all matters coming before it. At such open meetings, persons other
13 than members of the committee may testify at the discretion of the committee chair.

14 **6.4-2 Executive Sessions.**

15 Any standing committee may be called into executive session by the chair or upon
16 motion of one of the committee members if the matter under consideration is deemed by the chair
17 to comply with those provisions of the "Open Meetings" law (chapter 42-46) which provides for
18 closed meetings; provided, however, when the chair of any standing committee calls the
19 committee into executive session, the majority of those members present in the executive session
20 may vote not to meet in executive session after having heard the reasons for such executive
21 session but no other votes shall be permitted in executive sessions. The chair of the committee
22 which may be called into executive session shall provide a general description to the public of the
23 reason for calling such committee into executive session.

24 **6.4-3 Public Hearings.**

25 In the discretion of the chair, public hearings may be advertised in newspapers,
26 stenographic records kept and hearings held at locations other than the state house. The purpose
27 of the public hearing shall be to solicit the comments of the public on the matter being
28 considered. At the public hearing all persons shall be permitted to testify; provided, however, the
29 committee chair may limit the amount of time allotted to speakers except that the prime sponsor
30 shall not have a time limit to speak and shall upon request be the first speaker at the hearing.
31 After the public hearing has been held for a reasonable period and if there are still persons
32 wishing to speak, the committee chair may continue the hearing until another date.

33 **6.5 Hearing and Consideration of Bills.**

34 Upon a written request by the prime sponsor of any public bill received by the secretary

1 of the senate before the closing of the next legislative day after the deadline for introduction as
2 specified in section 4.6 that a committee hearing be held with respect to such bill, the committee
3 chair shall schedule a committee hearing within eight (8) legislative days of such request unless a
4 later date is agreed to by the prime sponsor. "Received" as used herein shall mean receipt in hand
5 by the secretary of the senate or his/her designee. The secretary shall note the date and time of
6 receipt on the request and such notation shall be dispositive. On the same day, the sponsor shall
7 hand deliver copies of the request to the president of the senate and to the committee chair or their
8 designees. The committee shall consider said bill not more than eight (8) days after the committee
9 hearing, unless a later date is agreed to by the prime sponsor. If the committee does not consider
10 the bill then the committee shall be discharged of its responsibility to consider such bill and such
11 bill shall be placed on the senate calendar pursuant to section 7.6 hereof. Consideration by a
12 committee shall mean any one of the following actions: recommendation of passage,
13 recommendation of passage as amended, transfer to another committee, indefinite postponement,
14 hold for further study or defeat of the bill. Provided further, the minority leader may request in
15 writing within twenty-four (24) hours after the deadline for introductions specified in section 4.6
16 a hearing on any senate bill in committee. In the event a request is made pursuant to this rule at a
17 time less than sixteen (16) days before the deadline for committee consideration set forth in
18 section 6.9, then such request shall not be proper and shall be automatically denied.

19 **6.6 Quorum.**

20 A committee shall not vote upon any bill in the absence of a quorum which shall consist
21 of a majority of the committee's members; provided, however, that at the discretion of the chair,
22 less than a quorum may conduct any hearing including public hearings.

23 **6.7 Minority Representation.**

24 When there is no minority member present and the committee is to consider a bill, the
25 committee chair shall notify the office of the minority leader. Unless waived by the minority
26 leader, the committee shall not conduct business for a reasonable time not to exceed fifteen (15)
27 minutes or until a minority member of the committee is present. Once a minority member is
28 present, his or her subsequent absence will not require further notice to the minority leader. For
29 purposes of this rule, an independent senator shall be considered to be a minority member.

30 **6.8 Committee Votes.**

31 All votes in committee on public bills shall be a recorded roll call vote. The vote upon all
32 motions or bills not considered a "public bill" shall, upon the request of any member of the
33 committee, be a recorded roll call vote. Otherwise all votes shall be put by yeas and nays.
34 Committee chairs shall submit all bills approved by committee to the floor forthwith, with a

1 record of the committee vote.

2 **6.9 Deadline for Consideration.**

3 After ~~April 9, 2013~~ April 13, 2017 for the year ~~2015 for the year 2015~~ 2017 and ~~April 14,~~
4 ~~2016~~ April 12, 2018 for the year ~~2016~~ 2018, committees shall consider only those public bills
5 which have been acted upon and transmitted to the senate by the house of representatives;
6 provided, however, that the president of the senate may request a senate committee to
7 immediately consider a senate bill then in committee and said bill shall be considered by the
8 committee.

9 **6.10 Discharge from Committee.**

10 No bill shall be taken or called from any such committee, or the committee discharged
11 from the consideration thereof, except:

12 Any senator may present a petition, in writing, to discharge a committee from further
13 consideration of a bill which has been in the possession of the committee for thirty (30)
14 legislative days without having been considered, but only one petition on a particular bill may be
15 presented during the course of a session. Prior to presenting the petition, the senator must
16 introduce a resolution of intent to discharge such committee. Such resolution of intent shall
17 contain the bill number and the committee to be discharged. The presiding officer shall cause the
18 resolution of intent to be printed in the journal of the senate. The petition shall be placed in the
19 custody of the presiding officer who shall arrange some convenient place for the signatures of the
20 senators to be placed thereon in the presence of the reading clerk during the hours in which the
21 senate is in session. A signature may be withdrawn by a senator at any time before the petition
22 shall become effective.

23 On the first day of each week, there shall be printed in the journal of the senate the
24 petitions pending under these rules, together with the signatures thereto; provided, however, that
25 as soon as a majority of all the senators elected to the senate shall have affixed their signatures to
26 any such petition to discharge a committee under this rule, the presiding officer shall cause notice
27 thereof to be given to chair and clerk of the committee to which such bill was referred, and such
28 notice shall, thereupon, automatically discharge the committee from further consideration of the
29 bill and the bill shall be placed upon the calendar in accordance with section 7.6 hereof.

30 Nothing contained in this section shall be construed to change the deadline for
31 consideration as specified in section 6.9.

32 **6.11 Compelling Committee Action.**

33 If a committee to which a bill has been referred fails to consider such bill within sixteen
34 (16) legislative days of its referral, the prime sponsor of such bill, or a majority of the appointed

1 members, but not less than four (4) committee members, may, in writing, request the chair of the
2 committee, through the presiding officer of the senate, that such bill be considered. The request
3 shall be printed in the journal of the senate. The committee shall consider such bill at its first
4 meeting held at least two (2) legislative days after such request is made. If the committee does not
5 consider the bill within eight (8) legislative days of receipt of the request then the committee shall
6 be discharged of its responsibility to consider such bill and such bill shall be placed on the senate
7 calendar pursuant to section 7.6 hereof. Consideration by a committee shall be interpreted to
8 mean any one of the following actions: recommendation of passage, recommendation of passage
9 as amended, transfer to another committee, indefinite postponement, hold for further study or
10 defeat of the bill. Nothing contained in this section shall be construed to change the deadline for
11 consideration as specified in section 6.9.

12 **6.12 Defeat of a Bill.**

13 Once a bill is defeated in committee, the same shall not be acted upon or considered
14 again during the same legislative year.

15 **6.13 Indefinite Postponement.**

16 Whenever any bill is postponed indefinitely in committee, the same shall not be acted
17 upon or considered again during the same legislative year.

18 **6.14 Transfer of Bills.**

19 In the event the chair of any standing committee determines that any bill then pending
20 before the committee would more properly be pending before another standing committee of the
21 senate, the chair shall transfer such bill to such other standing committee as is deemed appropriate
22 during the reports of committees.

23 **6.15 Committee Records.**

24 All recorded votes of committees, all written testimony submitted to a committee, and the
25 transcripts of any recorded testimony shall be retained by the clerk of each committee, shall
26 constitute public records, and shall be available for inspection to any senator and to any person
27 upon request. All committee votes, transcripts and testimony shall be transmitted to the secretary
28 of state pursuant to state law and senate policy following final adjournment in even numbered
29 years.

30 **6.16 Attribution of Bills.**

31 Upon presentation of testimony before a committee, the prime sponsor of the bill shall
32 provide to the committee the name of any individual, group or organization responsible for the
33 substantive basis or text of the bill.

1 SECTION 7.

2 PROCEEDINGS ON THE SENATE FLOOR

3 **7.1 Right to the Floor.**

4 No senator shall address another except through the presiding officer. A senator shall rise
5 to put a question, may state it or read a paper sitting. When any senator wishes to speak or to
6 deliver any matter to the senate, the senator shall press his or her recognition control and the
7 presiding officer shall recognize the senator who so requests recognition and the order of
8 recognition shall be determined by the presiding officer. The senator so recognized shall not be
9 interrupted while speaking except by a call to order or a motion to suspend section 3.5. The
10 senator shall then immediately be seated unless permitted by the senate to proceed, which shall be
11 determined upon motion without debate. No senator shall speak more than twice on the same
12 question without leave of the senate which shall be determined without debate, nor more than
13 once until the other senators who have not spoken shall speak if they so desire, provided, however
14 that a senator may yield his or her right to the floor to another senator.

15 **7.2 Personal Privilege.**

16 Only at the time provided for in section 3.3, a senator may claim the floor to address the
17 senate on personal privilege. Personal privilege shall include the right to reply to criticism, or to
18 discuss anything clearly derogatory to the member or which reflects upon his or her character that
19 appears in the press or other public medium but shall not include the right to discuss favorable
20 references to the senator, nor to reply to generalized criticism of the senate which does not refer
21 to him or to her specifically, nor to attack another member of the senate personally. Whether a
22 member's remarks constitute personal privilege shall be determined by the presiding officer.

23 **7.3 Addressing the Senate on Important Matters.**

24 Only at the time provided for in section 3.3, a senator may request unanimous consent of
25 the senators present to address the senate on a topic or matter of importance to the welfare of the
26 state. A senator granted the right to so address the senate may be interrupted at any time by
27 another senator who wishes to object to the first senator's right to continue to address the senate
28 and upon such objection the first senator's right to address the senate shall terminate.

29 **7.4 Objectionable Language.**

30 No senator shall use profane, insulting, or abusive language or act in any manner that is
31 disruptive to the course of public debate on the senate floor, or in testimony before any committee
32 of the general assembly.

1 **7.5 Priority of Business.**

2 All questions relating to priority of business to be acted upon shall be decided by the
3 presiding officer without debate.

4 **7.6 Calendar.**

5 There shall be a calendar kept by the secretary of the senate upon which shall be placed
6 the bills reported by all committees, and all other matters ordered placed thereon by the senate.
7 Matters on the calendar shall be arranged by the secretary of the senate in numerical order by
8 committee unless otherwise ordered by the president of the senate in agreement with the majority
9 leader and the minority leader. Such calendar shall be electronically available to all members of
10 the senate. Except as provided in section 7.13, and during consideration of the calendar, no other
11 business shall intervene except to receive a communication from the house or a motion to
12 suspend section 3.5.

13 All business on the calendar not disposed of at the time of adjournment shall be first in
14 order on the calendar the next day. No matter of business on the calendar shall be considered
15 upon its merits unless it has been on such calendar for at least two (2) calendar days; except that
16 the president of the senate may order a bill placed on the calendar for less than two (2) calendar
17 days; provided, however, a bill passed by the senate and amended by the house of representatives
18 may be considered by the senate without being on the calendar for two (2) calendar days if the
19 requirements of section 4.10-1 have been met.

20 **7.7 Consent Calendar.**

21 Notwithstanding the provisions of section 7.6, the secretary of the senate shall also
22 maintain a separate calendar, designated as the consent calendar, upon which shall be placed
23 resolutions required by Rule 4.8, acts seeking to vacate the forfeiture of a corporate charter and
24 such other bills as directed by the president of the senate. Matters on the consent calendar shall be
25 in order for disposal on each day and shall include all such matters reported or referred thereto
26 from the previous day. Such consent calendar shall be posted in the chamber of the senate. All
27 matters on the consent calendar shall be disposed by roll call vote on a single motion except such
28 matters as may be objected to by any single senator, which said matter or matters shall be held
29 over on the regular calendar for the next legislative day.

30 **7.8 Reports of Joint Committees.**

31 No bill reported by or forwarded on the recommendation of a joint committee of the two
32 houses shall be in order for concurrence by the senate if it shall appear that the members of such
33 joint committee on the part of the senate, if in attendance on the general assembly, shall not have
34 been notified or present when the subject was acted on by such joint committee. No report shall

1 be acted on in the senate from any joint committee unless as subscribed by a senator who is a
2 member of said committee. Any report from a joint committee shall be made on the floor of the
3 senate by a member of said committee, notwithstanding that said member may not have
4 concurred in the report and said report shall be held on the desk unless ordered placed on the
5 calendar pursuant to section 7.6 by the president of the senate or by a majority vote of the senate.

6 **7.9 Messages from the House.**

7 When a message is received from the house of representatives, transmitting any papers, the
8 secretary of the senate shall transmit to the office of the president of the senate all house
9 transmittals received on that day. The president of the senate shall assign house transmittals to
10 committees upon adjournment of the senate. The secretary of the senate shall cause all house
11 transmittals to be published in the senate journal for the day such transmittals are received. Any
12 senator may object to the committee assignment for any transmittal received during the previous
13 legislative day. Upon objection being made, the presiding officer shall assign the transmittal to
14 the committee requested by the senator making the objection, provided, however, that if another
15 senator objects to any assignment or proposed assignment of the transmittal, then the presiding
16 officer shall call for a vote of the senate on any motion for assignment which has been made and
17 seconded, such motion requiring a majority vote of those senators present and voting for
18 assignment to a particular committee.

19 During the time for consideration of house transmittals, a senator may move for
20 immediate consideration of a house transmittal, received by the secretary of the senate on the
21 previous legislative day. If there is no objection to the motion, it is deemed to be approved, but if
22 there is objection to the motion for immediate consideration, the presiding officer shall submit the
23 motion to a vote of the senate, such motion for immediate consideration shall require the votes of
24 two-thirds (2/3) of those senators present and voting, for approval.

25 **7.10 Amendments.**

26 No senator may amend from the floor any bill pending before the senate unless such
27 amendment be submitted, electronically or in writing, with sufficient copies signed by the
28 proponent, and read to the body; provided, however, that no amendment to the annual budget bill
29 making appropriations for the support of the state may be offered, except with the agreement of
30 two-thirds (2/3) of the members present, unless copies thereof shall have been filed with the
31 secretary of the senate no later than 12:00 o'clock noon on the legislative day preceding the
32 legislative day on which the budget bill shall be in order for consideration: provided however that
33 with majority consent a senator may make an oral amendment of a technical or minor nature.

1 **7.11 Votes in Concurrence.**

2 Whenever any bill shall come before the senate for concurrence, and the senate concurs
3 without amendments, or fails to concur, the secretary of the senate may announce the concurrence
4 or nonconcurrence to the other house, but the original bill received by the senate shall not be
5 transmitted to the other house.

6 **7.12 Motions.**

7 No motion shall be debated until it has been seconded. For the purpose of recorded votes
8 only the first second shall be recorded. A motion may be withdrawn by the mover at any time
9 before a decision or a motion to amend, except a motion to reconsider, which shall not be
10 withdrawn after the time has elapsed within which it could be originally made.

11 **7.13 Interruption of Debate.**

12 When a question is under debate, no motion shall be received except to suspend section
13 3.5, to adjourn, to recommit, for the previous question, to close debate, to fix a time for closing
14 debate, to take a recess, to lay on the table, to take from the table, to transmit, to postpone
15 indefinitely, to change calendar arrangement, or to amend, and any motion or resolution the
16 purpose of which is to take any bill or any other matter from committees of the senate or to
17 discharge a committee from the consideration thereof, which several motions shall have
18 precedence in the order in which they are here arranged and shall be decided by majority vote
19 without debate; provided further that a motion to recommit as to any bill which is placed on the
20 senate calendar may be voted by yeas and nays; however, if the prime sponsor timely objects, the
21 motion shall be voted on by electronic roll of the senate.

22 **7.14 Adjournment.**

23 When time for meeting of the senate shall have been previously fixed, a motion to
24 adjourn and a motion to suspend section 3.5 shall always be in order. The senate shall not be
25 adjourned except by affirmative vote of a majority of the senators present and voting.

26 **7.15 Lay on the Table.**

27 When an amendment proposed to any pending measure be laid on the table, it shall not
28 carry with it, or prejudice such measure.

29 **7.16 Dividing Questions.**

30 A question that is susceptible of division shall, at the request of the majority, be divided
31 and put separately upon the propositions of which it is compounded.

32 **7.17 Non-Germane Amendments.**

33 No motion or proposition of a subject different from that under consideration shall be
34 admitted under color of amendment.

1 **7.18 Motion for Reconsideration.**

2 A senator on the prevailing side of any vote may, on the same legislative day, move to
3 reconsider the vote on the same or following legislative day. When a bill has been reconsidered it
4 shall not be reconsidered again during the session. Bills and other papers in reference to which a
5 motion to reconsider is pending shall, unless otherwise ordered, remain in the possession of the
6 secretary of the senate until the right of reconsideration has expired. The privilege to reconsider
7 granted by this rule may be suspended by a majority vote of the senators present and voting.

8 **7.19 Printed Material.**

9 If the reading of any printed or written paper be objected to, the matter shall be
10 determined by a majority vote of the senate without debate.

11 **7.20 Recommittal.**

12 No motion to recommit shall be entertained by the presiding officer as to any bill which
13 is placed on the calendar as the result of section 6.10 until every senator desiring to be heard has
14 been recognized, notwithstanding the provisions of section 7.13.

15 **7.21 Immediate Consideration.**

16 During the time for introduction and reference of new business, as provided in section
17 3.3, a senator may introduce a bill and move for immediate consideration of the bill at that time.
18 If there is no objection to the motion, for immediate consideration it is deemed to be approved,
19 but if there is objection to the motion for immediate consideration, the presiding officer shall
20 submit the motion to a vote of the senate; such motion for immediate consideration shall require
21 the votes of two-thirds (2/3) of those senators present and voting, for approval. If the bill is not
22 available electronically to all members of the senate at the time of the request for immediate
23 consideration, then a hard copy of the bill shall be made available to any senator upon request.

24 **7.22 Questions During Debate.**

25 A senator, while speaking after recognition by the chair, may, upon request of a senator,
26 yield to him or her temporarily without thereby relinquishing his or her prior right to the floor
27 and, thereafter, may terminate such interruption and resume speaking at any time; provided,
28 however, that it shall not be in order for a senator to rise and request that a senator, other than the
29 one with the right to the floor, yield to a question. Furthermore, it shall not be in order for a
30 senator, with the right to the floor, to ask another senator to yield to a question, unless such
31 senator has previously spoken during the debate on the matter. All questions and responses shall
32 be directed through the chair and the presiding officer shall not be interrupted when speaking.

1 **SECTION 8.**

2 **VOTING ON THE SENATE FLOOR**

3 **8.1 Method of Voting.**

4 The electronic roll call of the senate shall be called on any vote pertaining to a public bill,
5 on passage of the consent calendar and on any other vote at the request of any senator present;
6 otherwise, votes shall be put by yeas and nays. In naming sums or numbers, and fixing times, the
7 largest sum or longest time shall be put first.

8 **8.2 Voting Machine Inoperative.**

9 In the event the machine is not to be used to record a vote or is not operating properly, all
10 votes and other determinations may be taken as required by senate rules, either by voice vote,
11 division vote or by calling the roll alphabetically and recording the yeas and nays. If a senator's
12 voting device is out of order, the senator shall rise and announce it to the presiding officer and
13 cast his or her vote orally prior to the declaration of the result of the vote.

14 **8.3 Who May Vote.**

15 Any member who is present on the senate floor must vote. Any senator who is not on the
16 floor at such time, but who returns before the machine is locked, shall be permitted to vote.
17 Without objection or with a majority vote, a senator may be permitted to cast a vote after the
18 results have been announced, provided however such request shall be made on the same calendar
19 day and, only if the vote if so permitted, will not change the result previously announced.

20 **8.4 Control of Electronic Voting System.**

21 The electronic voting system shall be under the control of the presiding officer and shall
22 be operated by such personnel as the president of the senate so designates.

23 **8.5 Conducting a Vote.**

24 At a reasonable time prior to any vote being taken, the presiding officer shall announce
25 that a vote is about to be taken. When any senator other than the president of the senate is
26 presiding, such senator may direct either the Secretary of the Senate or the reading clerk to cast
27 his or her vote at his or her voting station, but at no other time may a senator designate any other
28 person to cast his or her vote. Until the completion of the voting, no senator shall be recognized,
29 and no other business shall be transacted. When sufficient time has elapsed for each senator to
30 vote prior to locking the machine, the presiding officer shall ask if any member present desires to
31 vote or change his or her vote. The presiding officer shall then order the machine locked and
32 activate the recording process. The voting machine shall remain locked between all votes.

1 **10.2 Absence of a Quorum.**

2 When there shall be seven (7) or more senators, but less than a quorum of the senate
3 present, a majority of the senators present may direct the presiding officer to compel the
4 attendance of absent senators in accordance with law.

5 **10.3 Amendment and Suspension of Rules.**

6 No rule shall be repealed, suspended or amended, or the operation thereof temporarily
7 suspended except by two-thirds (2/3) of the members present and voting.

8 **10.4 Access to the Senate Chamber.**

9 **10.4-1 Access During Senate Session.**

10 Ten minutes prior to the time the senate is scheduled to convene, the secretary of the
11 senate shall clear the senate chamber of all persons other than members of the general assembly,
12 general assembly staff, guests of a senator, and authorized representatives of the news media.
13 From this time to the adjournment or recess of said session no persons other than those listed
14 above shall be admitted to the senate chamber except with permission from the senate president.

15 **10.4-2 Senators' Seats.**

16 The seat of each senator shall be assigned by the president of the senate, and in no event
17 shall any other person be permitted to occupy such assigned seat.

18 **10.4-3 Sheriff's Duties.**

19 It shall be the duty of the sheriff, or the sheriff's deputies in attendance in the senate, or in
20 their absence, a member of the capitol police department, to see that rules 10.4-1, 10.4-2, 10.4-3,
21 10.4-4 and 10.4-9 are enforced, and that all senate entrances and exits are kept completely clear
22 and open to passage to and from the chamber.

23 **10.4-4 Gallery.**

24 When the normal seating accommodations for visitors in the gallery have been filled, no
25 additional seats shall be installed, and no persons shall be thereafter admitted to the gallery of the
26 senate while in session except to fill vacancies.

27 **10.5 Confidentiality of Drafting.**

28 At the request of any senator or senate attorney to the director of the legislative council,
29 an entry into the word processing system may be made confidential so that the entry shall be
30 accessible only to the senator or senate attorney making such request or his or her designee. An
31 entry may be a bill, letter, memorandum or any other document.

32 **10.6 Misuse of Rules.**

33 If it appears that the rules are being used as a tactic to impede senate business, the
34 presiding officer may make a decision to that effect and put the matter before the senate and a

1 majority vote of the senators present shall sustain with finality the ruling of the presiding officer.

2 **10.7 Extraordinary and Special Session.**

3 In the event of the calling of an extraordinary session of the general assembly by the
4 governor, or a reconvened session by the speaker of the house and the president of the senate,
5 said session shall be conducted pursuant to these rules; provided, however, that rules 4.10-1, 6.2,
6 7.6 and 7.8 are not applicable to any such session; and, provided further, that any bill, act or
7 resolution for consideration of which the session is called shall have been provided to the
8 members at least twenty-four (24) hours prior to the consideration of the senate.

9 **10.8 Robert's Rules.**

10 Robert's Rules of Order shall govern procedure on the senate floor and in the committees
11 of the senate in all cases in which they are not inconsistent with these rules or with any joint rules
12 of the senate and house.

13 **10.9 Use of Facilities.**

14 The senate locker room, lounge and corridor adjacent to them shall be for the exclusive
15 use of the senators and their guests.

16 **10.10 Decorum.**

17 No senator shall use profane, insulting or abusive language or act in any manner that
18 interferes with the orderly conduct of the session of the senate.

19 **10.11 Smoking Prohibited.**

20 Smoking shall be prohibited in all senate areas including, but not limited to: the chamber,
21 gallery, lounge, committee rooms, offices, restrooms or hallways. The presiding officer shall
22 enforce this rule.

23 **10.12 Consumption of Food and Alcoholic Beverages.**

24 The consumption of food and alcoholic beverages shall be prohibited on the senate floor.
25 Except at the specific request of a member, all beverages consumed on the floor shall be in paper
26 or plastic cups.

27 **10.13 Appropriate Attire Required.**

28 All persons on the floor of the senate while the senate is in session shall be properly
29 dressed, and the presiding officer shall enforce this rule by appropriate means.

30 **10.14 Electronic Devices.**

31 During sessions cell phones shall not be used on the floor of the senate or in committee
32 hearing rooms when committee meetings are in session. Further, pagers may be used only on the
33 silent/vibrate mode.

1 screened and published on the general assembly website and/or broadcast on capitol television.

2 **11.2 Publication of Committee Votes.**

3 To the extent possible, committee votes shall be published on the general assembly
4 website prior to the floor vote on the bill; provided however, that failure of a committee vote to
5 appear on the website prior to the floor vote shall not be grounds for objection to consideration of
6 the bill on the floor.

7 **11.3 Televising or Otherwise Recording Committee Hearing.**

8 To the extent possible, committee hearings shall be video recorded and broadcast to the
9 public on capitol television.

10 **11.4 Publication of Votes.**

11 All votes on public bills recorded electronically or by roll call shall be placed forthwith
12 on the general assembly website.

13 **11.5 Publication of the Senate Rules.**

14 The senate rules together with an index thereof shall be published on the general
15 assembly website.

16 **11.6 Authorization and Direction.**

17 The president of the senate and the senate staff are authorized and directed to take such
18 reasonable and prudent action as may be necessary to carry out the policies and directives set
19 forth in this section.

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