

1 (iv) resolutions memorializing congress, or of congratulations, or expressing sympathy or
2 condolences, and all resolutions requesting the several departments of state government to grant
3 some privilege, consideration or relief.

4 ~~4.4~~1.5 "Prime Sponsor" shall be that senator whose signature first appears upon the bill.

5 ~~4.5~~1.6 "President Pro Tempore" is ~~the person~~ a member of the senate elected to that
6 position ~~under the provisions of section 22-3-10 of the general laws~~, who presides over the senate
7 in the absence of the president of the senate.

8 ~~4.6~~1.7 "Majority Deputy President Pro Tempore" is ~~the person~~ a member of the senate
9 appointed by the president of the senate, who ~~shall~~ may preside over the senate in the absence of
10 the president of the senate and the president pro tempore. ~~The senate shall elect a majority deputy~~
11 ~~president pro tempore from among the senators who are members of the majority political party~~
12 ~~represented in the senate.~~

13 ~~4.7~~1.8 "Minority Deputy President Pro Tempore" is ~~the person~~ a member of the senate
14 appointed by the president of the senate with the consent of the senate minority leader, who ~~shall~~
15 may preside over the senate in the absence of the president of the senate, president pro tempore,
16 and the majority deputy president pro tempore. ~~The senate shall elect a minority deputy president~~
17 ~~pro tempore from among the senators who are members of a minority political party represented~~
18 ~~in the senate.~~

19 ~~4.8~~1.9 "Reading Clerk" is the person elected to that position under provisions of section
20 22-3-2 of the general laws who shall, at the direction of the presiding officer, read to the chamber
21 any communication to the senate, resolution, bill or other document and who shall, at the
22 direction of the presiding officer, except ~~for~~ as provided in section 4.4 hereof, date the bills and
23 other documents before the senate, date recording thereon the action taken and/or the disposition
24 thereof. The reading clerk also shall, at the direction of the senate, amend any bill and transmit
25 any bill to the house of representatives and perform such other duties as may from time to time be
26 prescribed by the president of the senate.

27 ~~4.7~~1.10 "Secretary of the Senate" is the person elected to that position under provisions of
28 section 22-3-2 of the general laws who shall, at the direction of the presiding officer, record the
29 proceedings of the senate in a journal, signing said journal as secretary of the senate, and who
30 shall, upon their referral, deliver bills and other documents to their respective committees, hold
31 and maintain in good order any bill assigned to the calendar or the consent calendar, and transmit
32 any bill or document to the governor. The secretary of the senate also shall perform those duties
33 prescribed in other sections hereof and those which may from time to time be prescribed by the
34 president of the senate.

1 Once sustained, the ruling shall not be subject to another appeal on the same point.

2 SECTION 3

3 ORDER OF BUSINESS ON THE SENATE FLOOR

4 3.1 Commencement of Daily Session.

5 The presiding officer shall take the chair each day at the hour to which the senate shall
6 have adjourned, call the senators to order, and record attendance by electronic roll call. Upon late
7 arrival, at any time prior to the adjournment of the senate a senator may report his or her presence
8 to the secretary of the senate who shall record the senator's attendance in the journal.

9 3.2 Reading the Journal.

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

13 3.3 Daily Business.

14 After the reading of the proceedings of the previous day the order of business shall be as
15 follows:

- 16 (1) Introduction of guests
- 17 (2) Communications
- 18 (3) Reports of committees
- 19 (4) Introduction and reference of new business
- 20 (5) Unfinished business
- 21 (6) Consideration of house transmittals
- 22 (7) Consent calendar
- 23 (8) Calendar
- 24 (9) Introduction of guests
- 25 (10) Personal privilege
- 26 (11) Unanimous consent
- 27 (12) Daily adjournment

28 3.4 Final Adjournment.

29 The last order of business of the senate shall be the vote in conformity with the resolution
30 of final adjournment which must be carried by a majority vote of the senators present and voting.

31 3.5 Time for Sessions.

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

1 **SECTION 4**

2 **ACTS AND RESOLUTIONS**

3 4.1 Form of Bills.

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

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

13 All bills introduced on behalf of any general officer, branch, department or division of
14 state government shall be stamped on the face sheet thereof with the title of the general officer or
15 the name of the branch, department or division on whose behalf the bill is introduced.

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

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

21 All bills shall be processed through legislative council.

22 4.2 Explanation of Bills.

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

26 4.3 Copies of Bills.

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

32 4.4 Prefiling.

33 A bill may be filed by any senator or senator-elect by registered mail or in person with
34 the secretary of the senate at any time from November 15 to the day prior to the commencement

1 of the regular annual session. The secretary of the senate shall immediately date and number such
2 bill, present the bill to the president of the senate for the purposes of assigning it to committee,
3 order it printed, as required by section 4.11 hereof, and make said bill available for first reading
4 on the second day of the succeeding session.

5 4.5 [Filing with Secretary of the Senate.](#)

6 All senators desiring to introduce a bill shall file the bill with the secretary of the senate
7 not later than the time at which the presiding officer calls the senate to order. The secretary of the
8 senate shall transmit to the office of the president of the senate all bills on the day of their
9 introduction. On the day of introduction, the president shall, upon adjournment, assign bills to
10 committee. The secretary of the senate shall cause all bills introduced to be published in the
11 senate journal for that day. Any senator may object to the committee assignment of any bill on the
12 first or second legislative day following the bill's introduction. Upon objection being made, the
13 presiding officer shall assign the bill to the committee requested by the senator making the
14 objection; provided, however, that if another senator objects to any assignment or proposed
15 assignment of the bill, then the presiding officer shall call for a vote of the senate on any motion
16 for assignment which has been made and seconded, such motion requiring a majority vote of
17 those Senators present and voting for assignment to a particular committee. First reading of all
18 such bills and resolutions shall be by acceptance of the bill and the committee assignment.

19 4.6 [Deadline for Introductions.](#)

20 No public bill shall be introduced in the senate after ~~February 8, 2007~~ [February 19, 2009](#)
21 for the year ~~2007~~ [2009](#) and ~~February 7, 2008~~ [February 11, 2010](#) for the year ~~2008~~ [2010](#), except by
22 consent of a majority of the senators present and voting. Except as otherwise expressly directed
23 by the president of the senate, all requests for the preparation of public bills shall be submitted to
24 the offices of Legislative Council no later than the close of business on the Friday next preceding
25 the bill-introduction deadline set forth herein.

26 4.7 [Omnibus Claims Against the State and Forfeitures of Charters.](#)

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

32 (b) All acts seeking to vacate the forfeiture of a charter previously granted under the laws
33 of this state shall be placed upon the consent calendar.

34 4.8 [Resolutions of Congratulations and Condolences.](#)

1 Notwithstanding any other provisions of these rules, all resolutions of congratulations or
2 expressing sympathy or condolences except with respect to former and present members of the
3 general assembly, general officers, members of the judiciary and elected state or federal officials,
4 shall be placed on the consent calendar, ~~in order for introduction and consideration on the last~~
5 ~~legislative day of each week~~, unless otherwise ordered by the president of the senate. Said
6 resolution of congratulations and condolences shall not require concurrent action; upon passage,
7 shall be forthwith transmitted to the secretary of state, and an appropriate notice of the action of
8 the senate thereon shall be forwarded, as requested in the resolution, by the secretary of state. One
9 formal resolution may include all the expressions of sympathy or congratulations of the several
10 senators.

11 4.9 Enactment of Laws.

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

14 4.10 Printing Requirements.

15 4.10-1 Public Bills.

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

20 4.10-2 Committee Amendments.

21 No public bill amended in a committee of the senate shall be considered upon the senate
22 floor unless it has been electronically available to the senators.

23 4.10-3 Materially Altered Bills.

24 Whenever a committee shall have determined to report a bill which has been materially
25 altered by the committee, the committee chair shall forthwith provide for printing and electronic
26 reproduction of the same. In the event that a bill is not deemed to have been materially altered,
27 which determination shall be made by the committee chair, a bill shall be printed only upon the
28 request of the president of the senate, the majority leader or the minority leader. Nothing in these
29 rules shall preclude the committee chair, with a majority of the committee, to change an act to a
30 resolution or a resolution to an act on a substitute bill.

31 4.11 Copies of Bills and Voting Records.

32 The secretary of the senate shall retain in the files of the senate as many copies of each
33 bill as the secretary of the senate deems necessary and the voting records on each question.

34 4.12 Requests for Funding of Community Service Objectives.

1 Requests for the funding of community service objectives grants shall not be presented in
2 bill or resolution form, but shall be submitted to the senate fiscal advisor in writing upon a form
3 approved by the chairperson of the senate committee on finance.

4 4.13 [Death of a Member.](#)

5 In the event that any member or member-elect shall die after filing and before
6 consideration by committee, the death of said member or member-elect shall constitute automatic
7 withdrawal of said bill or resolution and automatic withdrawal of the number of said bill or
8 resolution and said number shall not be used again during the legislative session; provided,
9 however, that where a bill or resolution shall have had more than one sponsor, said bill or
10 resolution and number shall not be withdrawn and the member whose name appears second on
11 said bill or resolution shall become the prime sponsor.

12 **SECTION 5**

13 **COMMITTEES**

14 5.1 [Standing Committees.](#)

15 The senate shall have, from and after the adoption of these rules, the following standing
16 committees:

17 5.1-1 [Committee on Judiciary.](#)

18 It shall be the duty of the committee on judiciary to consider the appointments of the
19 governor referred to it by the senate which require the advice and consent of the senate and all
20 legislation and matters which affect the penal code, judicial system, ethics, open meetings, access
21 to public records and election laws of the state, and to consider such other matters as may be
22 referred to it by the senate. In the matters of judicial appointments and those public hearings
23 designated by the committee chair, all testimony shall be under oath and preserved by
24 stenographic record which shall be transcribed upon the order of the chair.

25 5.1-2 [Committee on Finance.](#)

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

34 5.1-3 [Committee on Housing and Municipal Government.](#)

1 It shall be the duty of the committee on housing and municipal government to consider
2 the appointments of the governor referred to it by the senate which require the advice and consent
3 of the senate and all legislation and matters affecting housing, municipal government,
4 transportation and to consider such other matters as may be referred to it by the senate.

5 5.1-4 [Committee on Labor.](#)

6 It shall be the duty of the committee on labor to consider the appointments of the
7 governor referred to it by the senate which require the advice and consent of the senate and all
8 legislation and matters relating to the workers' compensation and labor laws of the state and to
9 consider such other matters as may be referred to it by the senate.

10 5.1-5 [Committee on Constitutional and Regulatory Issues.](#)

11 It shall be the duty of the committee on constitutional and regulatory issues to consider
12 the appointments of the governor referred to it by the senate which require the advice and consent
13 of the senate and all legislation and matters relating to constitutional amendments, liquor laws,
14 gaming issues, license plates, domestic animals, commissions and resolutions, and to consider
15 such other matters as may be referred to it by the senate.

16 5.1-6 [Committee on Health and Human Services.](#)

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

2 5.1-8 [Committee on Corporations.](#)

3 It shall be the duty of the committee on corporations 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 financial institutions, business regulation, property and casualty
6 insurance, technology and telecommunications, for profit as well as not-for-profit business
7 entities, and to consider such other matters as may be referred to it by the senate.

8 5.1-9 [Committee on Environment and Agriculture.](#)

9 It shall be the duty of the committee on environment and agriculture to consider the
10 appointments of the governor referred to it by the senate which require the advice and consent of
11 the senate and all legislation and matters relating to the conservation of the air, land, water, plant,
12 animal, mineral and other natural resources of the state, and to adopt all means necessary and
13 proper by law to protect the natural environment of the people of the state by providing adequate
14 resource planning for the control and regulation of the use of the natural resources of the state and
15 for the preservation, regeneration, and restoration of the natural environment of the state and to
16 consider such other matters as may be referred to it by the senate.

17 5.1-10 [Committee on Government Oversight.](#)

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

31 5.1-11 [Committee on Senate Rules.](#)

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

34 5.2 [Committee Membership.](#)

1 Each of the standing committees of the senate shall consist of the president of the senate
2 and the majority and minority leaders of the senate, ex officio, with voting rights, and senators to
3 be appointed by the president of the senate, each to serve until ~~January 6, 2009~~[January 4, 2011](#).
4 Provided, however, that the president of the senate may change the committee assignment of a
5 member with the member's consent; and provided, further, however, that each senator other than
6 the president and the majority and minority leaders, shall serve as a member of one of the
7 following standing committees: committee on housing and municipal government; committee on
8 corporations; committee on finance; committee on the judiciary.

9 5.3 [Vacancies on Committees.](#)

10 All vacancies occurring in any committee of the senate shall be filled by the president of
11 the senate.

12 5.4 [Officers of Committees.](#)

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

16 5.5 [Select Committees.](#)

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

23 5.6 [Referral to Committee.](#)

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

29 5.7 [Committees of Conference.](#)

30 There shall be appointed from time to time committees of conference to which are
31 referred matters of difference with the house with respect to bills or resolutions. Such committees
32 shall be appointed by the speaker and the president of the senate, and shall be comprised of five
33 (5) members from the house and five (5) members from the senate. At least one (1) member in
34 each chamber shall be a member of the minority party. When possible, one (1) member shall be

1 the prime sponsor of the bill or resolution being considered before the committee of conference
2 and one (1) member shall be from the committee that shall have considered the bill or resolution.
3 The committee may propose any changes within the scope of the bill or resolution, but any action,
4 including changes, taken by committee shall be by a majority vote of the members of each
5 chamber on the committee. The committee report shall be made to both chambers at the same
6 time. Each chamber shall vote to accept or reject the report. A vote by either chamber to accept
7 the report of the committee shall be the final action by that chamber on the bill or resolution. If
8 both chambers vote to accept the report of the committee, the bill is passed or the resolution
9 adopted as of the time the last chamber votes to accept the report. If either chamber rejects the
10 report of the committee, the bill or resolution is defeated and the second chamber shall not be
11 required to consider the committee report. The report of the committee may be accepted or
12 rejected, but it may not be amended. The committee report shall contain the following
13 information: the bill number and title, the members of the committee, the action of the committee,
14 and the signature of the members of the committee accepting or rejecting the report.

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

21 SECTION 6

22 PROCEEDINGS IN COMMITTEE

23 6.1 Time for Committee Meetings.

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

27 6.2 Committee Agenda -- Posting.

28 At least forty-eight (48) hours before any standing committee meeting, a committee
29 agenda containing the number, title and a short explanation of the bill to be considered must be
30 placed on the bulletin boards provided for such agenda. The rule shall not apply to bills
31 previously passed by the senate and amended by the house. There shall be at least two (2) bulletin
32 boards for such posting, at least one (1) of which shall be for the public's use and shall be under
33 the control of and situated at the main entrance to the state library. There shall also be at least one
34 (1) bulletin board for the exclusive use of the senators which shall be situated in a convenient

1 location.

2 6.3 [Convening of Meeting.](#)

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

5 6.4 [Public Participation.](#)

6 6.4.1 [Open Meetings.](#)

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

10 6.4.2 [Executive Sessions.](#)

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

20 6.4.3 [Public Hearings.](#)

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

29 6.5 [Hearing and Consideration of Bills.](#)

30 (a) Upon a written request by the prime sponsor of any public bill received by the
31 secretary of the senate before the closing of the next legislative day after the deadline for
32 introduction as specified in section 4.6 that a committee hearing be held with respect to such bill,
33 the committee chair shall schedule a committee hearing within eight (8) days of such request
34 unless a later date is agreed to by the prime sponsor. "Received" as used herein shall mean receipt

1 in hand by the secretary of the senate or his/her designee. The secretary shall note the date and
2 time of receipt on the request and such notation shall be dispositive. The committee chair may
3 consider hearings on related matters. The committee shall consider said bill not more than eight
4 (8) days after the committee hearing, unless a later date is agreed to by the prime sponsor. If the
5 committee does not consider the bill then the committee shall be discharged of its responsibility
6 to consider such bill and such bill shall be placed on the senate calendar pursuant to section 7.6
7 hereof. Consideration by a committee shall be interpreted to mean any one of the following
8 actions: recommendation of passage, recommendation of passage as amended, transfer to another
9 committee, indefinite postponement, hold for further study or defeat of the bill.

10 (b) Provided further, the minority leader may request in writing within twenty-four (24)
11 hours after the deadline for introductions specified in section 4.6 a hearing on any senate bill in
12 committee.

13 (c) In the event a request is made pursuant to this rule at a time less than sixteen (16) days
14 before the deadline for committee consideration set forth in section 6.9, then such request shall
15 not be proper and shall be automatically denied.

16 6.6 [Quorum.](#)

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

20 6.7 [Minority Representation.](#)

21 When there is no minority member present and the committee is to consider a bill, the
22 committee chair shall notify the office of the minority leader that there is no senator from the
23 minority present. Unless waived by the minority leader, the committee shall not conduct business
24 for a reasonable time or until a senator from the minority is present.

25 6.8 [Committee Votes.](#)

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

31 6.9 [Deadline for Consideration.](#)

32 After ~~April 12, 2007~~ [April 9, 2009](#) for the year ~~2007~~ [2009](#) and ~~April 10, 2008~~ [April 11,](#)
33 [2010](#) for the year ~~2008~~ [2010](#), committees shall consider only those public bills which have been
34 acted upon and transmitted to the senate by the house of representatives; provided, however, that

1 the president of the senate may request a senate committee to immediately consider a senate bill
2 then in committee and said bill shall be considered by the committee.

3 6.10 Discharge from Committee.

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

6 ~~(a) By a two thirds (2/3) recorded vote of all the members elected to the senate by a~~
7 ~~petition in writing signed by a majority of all persons elected to the senate and distributed to each~~
8 ~~senator before the vote, or~~

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

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

27 (b)(e) Nothing contained in this section shall be construed to change the deadline for
28 consideration as specified in section 6.9.

29 6.11 Compelling Committee Action.

30 If a committee to which a bill has been referred fails to consider such bill within sixteen
31 (16) days of its introduction or transmittal, the prime sponsor of such bill, or four (4) committee
32 members, may, in writing, request the chair of the committee, through the presiding officer of the
33 senate, that such bill be considered. The request shall be printed in the journal of the senate. The
34 committee shall consider such bill at its first meeting held at least two (2) days after such request

1 is made. If the committee does not consider the bill within eight (8) days of receipt of the request
2 then the committee shall be discharged of its responsibility to consider such bill and such bill
3 shall be placed on the senate calendar pursuant to section 7.6 hereof. Consideration by a
4 committee shall be interpreted to mean any one of the following actions: recommendation of
5 passage, recommendation of passage as amended, transfer to another committee, indefinite
6 postponement, hold for further study or defeat of the bill. Nothing contained in this section shall
7 be construed to change the deadline for consideration as specified in section 6.9.

8 6.12 Defeat of a Bill.

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

11 6.13 Indefinite Postponement.

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

14 6.14 Transfer of Bills.

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

19 6.15 Committee Records.

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

26 6.16 Attribution of Bills.

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

30 **SECTION 7**

31 **PROCEEDINGS ON THE SENATE FLOOR**

32 7.1 Right to the Floor.

33 No senator shall address another except through the presiding officer. A senator shall rise
34 to put a question, may state it or read a paper sitting. When any senator wishes to speak or to

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

10 7.2 [Personal Privilege.](#)

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

18 7.3 [Unanimous Consent.](#)

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

24 7.4 [Language.](#)

25 No senator shall use profane, insulting, or abusive language in the course of public debate
26 in the senate chamber, or in testimony before any committee of the general assembly.

27 7.5 [Priority of Business.](#)

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

30 7.6 [Calendar.](#)

31 There shall be a calendar kept by the secretary of the senate upon which shall be placed
32 the bills reported by all committees, and all other matters ordered placed thereon by the senate.
33 Matters on the calendar shall be arranged by the secretary of the senate in numerical order by
34 committee unless otherwise ordered by the president of the senate in agreement with the majority

1 leader and the minority leader. Such calendar shall be electronically available to all members of
2 the senate. Except as provided in section 7.13, and during consideration of the calendar, no other
3 business shall intervene except to receive a message communication from the house or a motion
4 to suspend section 3.5.

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

12 7.7 Consent Calendar.

13 Notwithstanding the provisions of section 7.6, the secretary of the senate shall also
14 maintain a separate calendar, designated as the consent calendar, upon which shall be placed
15 those resolutions required by Rule 4.8 and such other bills as directed by the president of the
16 senate ~~all bill which are not public bills~~. Matters on the consent calendar shall be in order for
17 disposal on each day and shall include all such matters reported or referred thereto from the
18 previous day. Such consent calendar shall be posted in the chamber of the senate. All matters on
19 the consent calendar shall be disposed by ~~a~~ roll call vote on a single motion except such matters
20 as may be objected to by any single senator, which said matter or matters shall be held over on
21 the regular calendar for the next day.

22 7.8 Reports of Joint Committees.

23 No bill reported by or forwarded on the recommendation of a joint committee of the two
24 houses shall be in order for concurrence by the senate if it shall appear that the members of such
25 joint committee on the part of the senate, if in attendance on the general assembly, shall not have
26 been notified or present when the subject was acted on by such joint committee. No report shall
27 be acted on in the senate from any joint committee unless as subscribed by a senator who is a
28 member of said committee. Any report from a joint committee shall be made on the floor of the
29 senate by a member of said committee, notwithstanding that said member may not have
30 concurred in the report and said report shall be held on the desk unless ordered placed on the
31 calendar pursuant to section 7.6 by the president of the senate or by a majority vote of the senate.

32 7.9 Messages from the House.

33 When a message is received from the house of representatives, transmitting any papers,
34 the secretary of the senate shall transmit to the office of the president of the senate all house

1 transmittals received on that day. The president of the senate shall assign house transmittals to
2 committees upon adjournment of the senate. The secretary of the senate shall cause all house
3 transmittals to be published in the senate journal for the day such transmittals are received. Any
4 senator may object to the committee assignment for any transmittal received during the previous
5 legislative day. Upon objection being made, the presiding officer shall assign the transmittal to
6 the committee requested by the senator making the objection, provided, however, that if another
7 senator objects to any assignment or proposed assignment of the transmittal, then the presiding
8 officer shall call for a vote of the senate on any motion for assignment which has been made and
9 seconded, such motion requiring a majority vote of those senators present and voting for
10 assignment to a particular committee.

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

17 7.10 [Amendments.](#)

18 No senator may amend from the floor any bill pending before the senate unless such
19 amendment be submitted, electronically or in writing, with sufficient copies signed by the
20 proponent, and read to the body; provided, however, that no amendment to the annual budget bill
21 making appropriations for the support of the state may be offered, except with the agreement of
22 two-thirds (2/3) of the members present, unless copies thereof shall have been filed with the
23 secretary of the senate no later than 12:00 o'clock noon on the legislative day preceding the
24 legislative day on which the budget bill shall be in order for consideration.

25 7.11 [Votes in Concurrence.](#)

26 Whenever any bill shall come before the senate for concurrence, and be concurred in
27 without amendments, or nonconcurred with, the secretary of the senate may announce the
28 concurrence or nonconcurrence to the other house with the title of the bill or paper, but the
29 original bill concurred in by the senate without amendments or non-concurred with, shall not be
30 transmitted to the other house.

31 7.12 [Motions.](#)

32 No motion shall be debated until it has been seconded. For the purpose of recorded votes
33 only the first second shall be recorded. A motion may be withdrawn by the mover at any time
34 before a decision or a motion to amend, except a motion to reconsider, which shall not be

1 withdrawn after the time has elapsed within which it could be originally made.

2 7.13 [Interruption of Debate.](#)

3 When a question is under debate, no motion shall be received except to suspend section
4 3.5, to adjourn, to recommit, for the previous question, to close debate, to fix a time for closing
5 debate, to take a recess, to lay on the table, to take from the table, to transmit, to postpone
6 indefinitely, to change calendar arrangement, or to amend, and any motion or resolution the
7 purpose of which is to take any bill or any other matter from committees of the senate or to
8 discharge a committee from the consideration thereof, which several motions shall have
9 precedence in the order in which they are here arranged and shall be decided by majority vote
10 without debate.

11 7.14 [Adjournment.](#)

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

15 7.15 [Lay on the Table.](#)

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

18 7.16 [Dividing Questions.](#)

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

21 7.17 [Non-Germane Amendments.](#)

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

24 7.18 [Reconsideration.](#)

25 When any vote is passed any senator recorded voting with the prevailing side may by
26 motion made on the same day move to reconsider it on the same or next day of the same session;
27 when a bill is reconsidered it shall not be reconsidered again during the session. Bills and other
28 papers in reference to which any senator has a right to move reconsideration, shall, unless
29 otherwise ordered, remain in the possession of the secretary of the senate until the right of
30 reconsideration has expired. The privilege to reconsider granted by this rule may be suspended by
31 a majority vote of the senators present and voting.

32 7.19 [Printed Material.](#)

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

1 cast his or her vote orally prior to the declaration of the result of the vote.

2 8.3 [Who May Vote.](#)

3 Any member who is present in the senate chamber must vote. Any senator who is not in
4 the chamber at such time, but who returns before the machine is locked, shall be permitted to
5 vote. [With unanimous consent, a senator may be permitted to cast a vote after the results have
6 been announced, provided however such request shall be made on the same legislative day and,
7 only if the vote if so permitted, will not change the result previously announced.](#)

8 8.4 [Control of Electronic Voting System.](#)

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

11 8.5 [Conducting a Vote.](#)

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

21 8.6 [Announcing the Tally.](#)

22 When the vote is completely recorded, the Secretary of the Senate shall advise the
23 presiding officer of the result; and the presiding officer shall announce the result to the senate and
24 the result shall be recorded in the journal.

25 8.7 [Changing a Vote.](#)

26 No vote may be changed after the system has been locked and the vote recorded except
27 that, after a vote has been recorded, any senator may, by a majority vote of the senate, ~~request that~~
28 [be permitted to change](#) his or her vote ~~be-changed~~, provided that such change be effected on the
29 same day as his or her original vote.

30 8.8 [Recording Votes.](#)

31 8.8-1 On any recorded vote, no senator shall be recorded as having voted unless he or she
32 has been recorded or recognized as being present prior to the conduct of said vote.

33 8.8-2 Upon request, on any non-recorded vote, any senator shall have his or her vote
34 recorded so that it shall appear in the journal of the senate.

1 [9.49.5 Effect of Non-action.](#)

2 Nominations neither confirmed nor rejected during the annual session at which they are
3 made shall not be acted upon at any succeeding session unless renewed by the appointing
4 authority; and if the Senate shall adjourn or [be in](#) recess for a period in excess of thirty (30) days,
5 all nominations pending and not finally acted upon at the time of such adjournment or recess shall
6 be returned by the Secretary of the Senate to the appointing authority, and shall not again be
7 considered unless they shall again be made [and delivered](#) to the Senate by the appointing
8 authority.

9 [9.59.6 Withdrawal of Nominations.](#)

10 Nominations may be withdrawn by the appointing authority at any time prior to final
11 action thereon by the Senate.

12 **SECTION 10**

13 **MISCELLANEOUS**

14 10.1 [Legislative Aides.](#)

15 The president of the senate may appoint and prescribe the duties and terms of a
16 parliamentarian and one head page and as many assistant pages, doorkeepers and legislative aides
17 as the president of the senate shall deem necessary; and any or all of them may be removed at the
18 pleasure of the president of the senate.

19 10.2 [Absence of a Quorum.](#)

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

23 10.3 [Amendment and Suspension of Rules.](#)

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

26 10.4 [Access to the Senate Floor.](#)

27 10.4-1 [Lobbying.](#)

28 Lobbying on the floor of the senate while the senate is in session is prohibited, ~~and no~~
29 ~~No~~ lobbyist shall be ~~admitted to~~ [permitted on](#) the floor of the senate [after the bell sounds,](#)
30 [signaling a convening of the senate, and](#) while the senate is in session; [except with the permission](#)
31 [of the president](#) ~~provided, however, that the president may make special admission to the floor for~~
32 ~~persons who, by reason of disability, are unable to gain access to the senate gallery.~~

33 10.4-2 ~~Credentials Required~~ [Access of Persons Other Than Lobbyists.](#)

34 ~~Except as provided in Rule 10.4-1, current and former general officers of the state; judges~~

1 ~~of the supreme, superior, family, district and workers' compensation courts and the traffic~~
2 ~~tribunal; current and former senators; current and former members of the house of~~
3 ~~representatives; employees of the senate, the house of representatives and agencies of the general~~
4 ~~assembly; the executive counsel and the chief administrative assistant to the governor or their~~
5 ~~designees, the librarian of the state library; representatives of the news media; and other persons~~
6 ~~as may be permitted by the president of the senate and subject to such limitations and regulations~~
7 ~~as the president of the senate may from time to time prescribe. In no event shall any person be~~
8 ~~permitted to be seated on the floor without permission of the president of the senate, the majority~~
9 ~~leader and/or the minority leader.~~ From the sounding of the bell prior to the commencement of
10 any session, to the adjournment or recess of said session, no persons other than members of the
11 general assembly, general assembly staff, guests of a senator, and authorized representatives of
12 the news media shall be admitted to the senate floor except with permission from the senate
13 president.

14 10.4-3 Senators' Seats.

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

17 10.4-4 Sheriff's Duties.

18 It shall be the duty of the sheriff, or the sheriff's deputies in attendance in the senate, or in
19 their absence, a member of the capitol police department, to see that rules 10.4-1, 10.4-2, 10.4-3,
20 10.4-5 and 10.4-9 are enforced, and that all senate entrances and exits are kept completely clear
21 and open to passage to and from the chamber.

22 10.4-5 Gallery.

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

26 10.5 Confidentiality of Drafting.

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

31 10.6 Misuse of Rules.

32 If it appears that the rules are being used as a tactic to impede senate business, the
33 presiding officer may make a decision to that effect and put the matter before the senate and a
34 majority vote of the senators present shall sustain with finality the rule of the presiding officer.

1 10.7 [Extraordinary and Special Session.](#)

2 In the event of the calling of an extraordinary session of the general assembly by the
3 governor, or a reconvened session by the speaker of the house and the president of the senate,
4 said session shall be conducted pursuant to the foregoing rules; provided, however, that rules
5 4.11-1, 6.2, 7.6 and 7.8 are not applicable to any such session; and, provided further, that any bill,
6 act or resolution for consideration of which the session is called shall have been provided to the
7 members at least twenty-four (24) hours prior to the consideration of the senate.

8 10.8 [Robert's Rules.](#)

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

12 10.9 [Use of Facilities.](#)

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

15 10.10 [Decorum.](#)

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

18 10.11 [Smoking Prohibited.](#)

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

22 10.12 [Consumption of Food and Alcoholic Beverages.](#)

23 The consumption of food and alcoholic beverages shall be prohibited ~~in~~ [on](#) the senate
24 ~~chamber~~ [floor](#).

25 10.13 [Appropriate Attire Required.](#)

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

28 10.14 [Electronic Devices.](#)

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

32 10.15 [Photographic Equipment.](#)

33 During sessions, photographic equipment shall not be used on the floor of the senate or in
34 committee hearing rooms when committee meetings are in session unless he or she has the

1 permission of the president of the senate or the senate committee chair. This section shall not
2 apply to properly credentialed representatives of the news media.

3 10.16 [Display of Posters, Signs, and Banners on the Floor.](#)

4 No placard, sign, poster, banner, chart or other visual aid of similar nature shall be
5 displayed on the floor of the Senate or used in debate at any time when the Senate is in session
6 without the consent of the presiding officer. Any decision of the presiding officer under this rule
7 may be appealed to the body.

8 10.17 [Display of Posters, Signs, and Banners Prohibited in the Gallery.](#)

9 No placard, sign, poster, banner, chart or visual aid of similar nature shall be displayed in
10 the gallery at any time when the Senate is in session. The presiding officer shall order any such
11 object so displayed to be removed.

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H.

SENATE RESOLUTION
ADOPTING THE RULES OF THE SENATE

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LC02225/SUB A
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Presented by