

2023 -- S 0152

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

SENATE RESOLUTION

ADOPTING THE RULES OF THE SENATE FOR YEARS 2023-2024

Introduced By: Senators Ruggiero, and Pearson

Date Introduced: February 01, 2023

Referred To: Senate Rules, Government Ethics and Oversight

1 RESOLVED, That the following rules be and the same are hereby adopted as the rules of
2 the Senate for the years 2023-2024.

3 SECTION 1.

4 DEFINITIONS

5 As used in these rules, the following terms are defined as follows:

6 1.1 "Bill" shall include any act, resolve, resolution or petition which comes before the
7 senate for consideration.

8 1.2 "Calendar Day" is that period of twenty-four (24) hours between 12:00 a.m. and
9 12:00 midnight.

10 1.3 "Day" as used in these rules is intended and shall be construed to mean one full
11 legislative day of the same session.

12 1.4 "Deputy President Pro Tempore" is a member of the senate elected to that position,
13 who may preside over the senate in the absence of the president of the senate and the president
14 pro tempore.

15 1.5 "Legislative Day" is a period of time which begins when the senate meets after an
16 adjournment and ends when the senate next adjourns. A legislative day is not defined by, or
17 confined to, a calendar day.

18 1.6 "Limited Directed Proxy" means a singular vote on a piece of legislation or matter
19 before the senate conducted in accordance with rule 10.7-1.

20 ~~1.6~~1.7 "President" is a member of the senate elected to that position, by roll call vote, on

1 the first day of session in odd numbered years, or upon a vacancy due to the death, resignation or
2 removal of the senator serving in that capacity. The president shall preside over the senate in
3 accordance with these Rules.

4 ~~1.7~~1.8 "**President Pro Tempore**" is a member of the senate elected to that position, who
5 presides over the senate in the absence of the president of the senate.

6 ~~1.8~~1.9 "**Prime Sponsor**" shall be that senator whose signature first appears upon the bill.

7 ~~1.9~~1.10 "**Public Bill**" shall include all bills except: those which pertain to a particular
8 city or town; those which relate to an individual's pension and retirement; those which pertain to
9 restoration of corporation charters, and to amendments to authorized holdings by nonprofit
10 organizations of a charitable, civic, library or like nature; resolutions memorializing congress, or
11 of congratulations, or expressing sympathy of condolences, and all resolutions requesting the
12 several departments of state government to grant some privilege, consideration or relief.

13 ~~1.10~~1.11 "**Reading Clerk**" 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, read to the
15 chamber any communication to the senate, resolution, bill or other document and who shall, at the
16 direction of the presiding officer, date the bills and other documents before the senate, date
17 recording thereon the action taken and/or the disposition thereof. The reading clerk also shall, at
18 the direction of the senate, amend any bill and transmit any bill to the house of representatives
19 and perform such other duties as may from time to time be prescribed by the president of the
20 senate.

21 ~~1.11~~1.12 "**Secretary of the Senate**" is the person elected to that position under
22 provisions of section 22-3-2 of the general laws who shall, at the direction of the presiding
23 officer, record the proceedings of the senate in a journal, signing said journal as secretary of the
24 senate, and who shall, upon their referral, deliver bills and other documents to their respective
25 committees, hold and maintain in good order any bill assigned to the calendar or the consent
26 calendar, and transmit any bill or document to the governor. The secretary of the senate also shall
27 perform those duties prescribed in other sections hereof and those which may from time to time
28 be prescribed by the president of the senate.

29 ~~1.12~~1.13 "**The Rise of the Senate**" occurs upon the conclusion of senate floor business
30 and the exact time varies by the amount of business to be conducted on a particular legislative
31 day.

32 ~~1.13~~1.14 "**The Senate Chamber**" or "**Chamber**" shall include the floor, the corridor
33 behind the floor, the cloak room and the senate lounge.

34 ~~1.14~~1.15 "**Vote**" or "**Majority Vote**" as used herein shall mean a majority of members

1 present and voting unless specifically stated otherwise.

2 **SECTION 2.**

3 **PRESIDING OFFICER**

4 **2.1 Presiding Officer.**

5 The president of the senate shall, unless absent from the chamber, be the presiding officer
6 of the sessions of the senate. In the absence of the president from the chair, the president pro
7 tempore shall preside over the senate. The president may appoint a member of the senate to
8 temporarily preside over the senate, but in no event shall such appointment continue beyond the
9 legislative day on which it is made. In case of a vacancy in the offices of president, president pro
10 tempore and the deputy president pro tempore, or in case all said officers are absent at the hour to
11 which the senate stands adjourned, the reading clerk shall call the senate to order, and shall
12 preside until a president pro tempore is elected, which election shall be the first order of business.

13 **2.2 Duties of the Presiding Officer.**

14 The presiding officer shall preserve order and decorum in and about the senate chamber
15 during the senate session in order to prevent interference with the senate's business and
16 deliberations. The presiding officer may speak in preference to the senators, shall decide all
17 questions of order without debate and shall declare all votes. The assignment of bills to
18 committee shall be at the discretion of the president of the senate subject to section 4.4; provided,
19 however, that the president of the senate may delegate such authority to the majority leader of the
20 senate.

21 **2.3 Appealing the Ruling of Presiding Officer.**

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

28 **SECTION 3.**

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

30 **3.1 Commencement of Daily Session.**

31 The presiding officer shall take the chair at the hour to which the senate shall have
32 convened, call the senators to order, and record attendance by electronic roll call. A quorum shall
33 consist of a majority of the members elected. Upon late arrival, at any time prior to the
34 adjournment of the senate, a senator may report his or her presence to the secretary of the senate

1 who shall record the senator's attendance in the journal.

2 **3.2 Reading the Journal.**

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

6 **3.3 Daily Business.**

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

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

21 **3.4 Final Adjournment.**

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

25 **3.5 Time for Sessions.**

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

29 **SECTION 4.**

30 **ACTS AND RESOLUTIONS**

31 **4.1 Form of Bills.**

32 Every bill offered which is intended to amend any part or parts of an existing statute, any
33 part or parts intended to be stricken shall be contained in the bill and by appropriate mechanical
34 mark, struck through. All new matter contained in the bill shall be underlined, underscored or

1 printed in italics so that the new matter shall be easily discerned. If the bill contains all new
2 matter constituting a totally new law or a totally new section, and the bill itself so indicates, no
3 underlining, underscoring or italics shall be required. Every bill containing a commission to
4 which appointments shall be made shall be indicated in the title of such bill.

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

7 All bills introduced on behalf of any general officer, branch, department or division of
8 state government shall state on the face sheet thereof with the title of the general officer or the
9 name of the branch, department or division on whose behalf the bill is introduced.

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

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

15 All bills shall be processed through legislative council.

16 **4.2 Explanation of Bills.**

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

20 **4.3 Copies of Bills.**

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

26 **4.4 Filing with Secretary of the Senate**

27 All senators desiring to introduce a bill shall file the bill with the secretary of the senate
28 not later than the time at which the presiding officer calls the senate to order. The secretary of the
29 senate shall transmit to the office of the president of the senate all bills on the legislative day of
30 their introduction. On the day of introduction, the president shall, upon adjournment, assign bills
31 to committee. The secretary of the senate shall cause all bills introduced to be published in the
32 senate journal for that legislative day. Any senator may object to the committee assignment of
33 any bill on the first or second legislative day following the bill's introduction. Upon objection
34 being made, the presiding officer shall assign the bill to the committee requested by the senator

1 making the objection; provided, however, that if another senator objects to any assignment or
2 proposed assignment of the bill, then the presiding officer shall call for a vote of the senate on
3 any motion for assignment which has been made and seconded, such motion requiring a majority
4 vote of those Senators present and voting for assignment to a particular committee. First reading
5 of all such bills and resolutions shall be by acceptance of the bill and the committee assignment.

6 **4.5 Deadline for Introductions.**

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

12 **4.6 Omnibus Claims Against the State.**

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

18 **4.7 Resolutions of Congratulations and Condolences.**

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

28 **4.8 Enactment of Laws.**

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

31 **4.9 Electronic Availability of Public Bills--Requirements.**

32 **4.9-1 Public Bills.**

33 No public bill shall be considered upon its merits unless it has been electronically
34 available to the members at least two (2) calendar days prior to its consideration on the merits,

1 except any public bill passed by the senate and amended by the house, provided that the amended
2 public bill shall be electronically available to the senators before consideration.

3 **4.9-2 Committee Amendments.**

4 Except by majority vote, no public bill amended in a committee of the senate shall be
5 considered upon the senate floor unless it has been electronically available to the senators.

6 **4.9-3 Materially Altered Bills.**

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

14 **4.10 Copies of Bills and Voting Records.**

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

17 **4.11 Requests for Funding of Community Service Objectives.**

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

21 **4.12 Death or Resignation of a Member.**

22 In the event that any member or member-elect shall die or resign after filing and before
23 consideration by committee, the death or resignation of said member or member-elect shall
24 constitute automatic withdrawal of said bill or resolution and automatic withdrawal of the number
25 of said bill or resolution and said number shall not be used again during the legislative session;
26 provided, however, that where a bill or resolution shall have had more than one sponsor, said bill
27 or resolution and number shall not be withdrawn and the member whose name appears second on
28 said bill or resolution shall become the prime sponsor.

29 **4.13 Limitation on Number of Bills Introduced.**

30 No Senator shall introduce more than twenty-five (25) public bills during the annual
31 session except with the permission of the President of the Senate.

32 **SECTION 5.**

33 **COMMITTEES**

34 **5.1 Standing Committees.**

1 The senate shall have the following standing committees:

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

12 **5.1-1 Committee on Judiciary.**

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

22 **5.1-2 Committee on Finance.**

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

32 **5.1-3 Committee on Housing and Municipal Government.**

33 It shall be the duty of the committee on housing and municipal government to consider
34 the appointments of the governor referred to it by the senate which require the advice and consent

1 of the senate and all legislation and matters affecting housing, municipal government,
2 transportation, to maintain oversight over the application, execution and operation of the laws
3 within its jurisdiction and to consider such other matters as may be referred to it by the senate.

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

5 It shall be the duty of the committee on labor 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 the workers' compensation and labor laws of the state, to
8 maintain oversight over the application, execution and operation of the laws within its jurisdiction
9 and to consider such other matters as may be referred to it by the senate.

10 **5.1-5 Committee on Special Legislation and Veterans' Affairs.**

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

17 **5.1-6 Committee on Health and Human Services.**

18 It shall be the duty of the committee on health and human services 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 to consider all reports of the departments of health, of human services, of
21 behavioral healthcare, developmental disabilities and hospitals, of children, youth and families,
22 and of elderly affairs; to consider all legislation and matters expanding or defining further areas
23 of responsibility of the foregoing and to consider all legislation and matters relative to public
24 health and welfare; health care and human service access and quality; health and human service
25 professional standards of practice, and facility standards of care; to maintain oversight over the
26 application, execution and operation of the laws within its jurisdiction; and to consider such other
27 matters as may be referred to it by the senate.

28 **5.1-7 Committee on Education.**

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

1 of all legislation and grants of authority relating to all levels of public education in the state by all
2 agencies, state and local, charged and empowered by the general assembly in relating to all levels
3 of public education, to maintain oversight over the application, execution and operation of the
4 laws within its jurisdiction and to consider such other matters as may be referred to it by the
5 senate.

6 **5.1-8 Committee on Commerce.**

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

13 **5.1-9 Committee on Environment and Agriculture.**

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

23 **5.1-10 Committee on Rules, Government Ethics and Oversight**

24 It shall be the duty of the committee on rules, government ethics and oversight consider
25 the appointments of the governor referred to it by the senate which require the advice and consent
26 of the senate, and (1) Consider all matters relating to the rules of the senate; (2) to ensure that the
27 members of the Senate and its staff, through education, monitoring and disseminating the
28 opinions of the Rhode Island Ethics Commission, adhere to the highest standards of ethical
29 conduct, respect the public trust and the rights of all persons, be open, accountable and
30 responsive, avoid the appearance of impropriety, and not use their position for private gain or
31 advantage; (3) to monitor and evaluate past, current and prospective performance of public bodies
32 and statutory entities, including quasi-public agencies that exercise executive governmental
33 functions (except public bodies and statutory entities of the legislative and judiciary branches of
34 the state) and any other public or private person, including any agencies, partnerships, corporation

1 or business entity insofar as such person is acting on behalf of and/or in place of any public
2 agency; (4) to consider the organization, reorganization, creation or termination of such public
3 bodies, statutory entities, including quasi-public agencies and public or private persons; (5) to
4 review and consider the reports of the auditor general; (6) to report its opinion and/or
5 recommendation of legislation or action regarding the foregoing matters; (7) to consider any bill
6 referred to it by the senate, including, but not limited to any act, resolve, resolution or petition;
7 and (8) to consider such other matters that are referred to it by the senate.

8 **5.2 Committee Membership.**

9 Each of the standing committees of the senate shall consist of the president of the senate,
10 ex officio with voting rights, and the majority and minority leaders of the senate, ex officio, with
11 voting rights, and senators appointed by the president of the senate, each to serve until ~~January 3,~~
12 ~~2023~~ January 7, 2025. Provided, however, that the president of the senate may change the
13 committee assignment of a member without the member's consent, for cause only; and provided
14 further, however, that each senator other than the president and the majority and minority leaders,
15 shall serve as a member of one of the following standing committees: committee on health and
16 human services; committee on commerce; committee on finance; committee on the judiciary. In
17 addition to the committees appointed by the president of the senate, the majority and minority
18 whips of the senate shall serve ex officio, with voting rights on all standing committees of the
19 senate.

20 **5.3 Vacancies on Committees.**

21 All vacancies occurring in any committee of the senate shall be filled by the president of
22 the senate.

23 **5.4 Officers of Committees.**

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

27 **5.5 Select Committees.**

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

34 **5.6 Referral to Committee.**

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

6 **5.7 Committees of Conference.**

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

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

32 **5.8 Oaths Administered in Committee.**

33 In the discretion of the chair, any witness may, before testifying, be required to declare
34 that they will testify truthfully, by oath or affirmation.

1 **SECTION 6.**

2 **PROCEEDINGS IN COMMITTEE**

3 **6.1 Time for Committee Meetings.**

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

7 **6.2 Committee Agenda – Posting.**

8 At least forty-eight (48) hours before any standing committee meeting, a committee
9 agenda containing the number, title and a short explanation of each bill to be considered will be
10 placed on the official general assembly website, as well as on a bulletin or electronic board of
11 which shall be for the public's use and shall be situated at the main entrance to the state library
12 and the legislative data bulletin board. The rule shall not apply to bills previously passed by the
13 senate and amended by the house.

14 **6.3 Convening of Meeting.**

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

17 **6.4 Public Participation.**

18 **6.4-1 Open Meetings.**

19 Every standing committee meeting, except executive sessions, shall be open to the public
20 during the consideration of all matters coming before it. At such open meetings, persons other
21 than members of the committee may testify at the discretion of the committee chair on any matter
22 posted for a hearing. Any matter posted for consideration only shall not be open for public
23 testimony.

24 **6.4-2 Executive Sessions.**

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

34 **6.4-3 Public Hearings.**

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

9 **6.5 Hearing and Consideration of Bills.**

10 Upon a written request by the prime sponsor of any public bill received by the secretary
11 of the senate before the closing of the next legislative day after the deadline for introduction as
12 specified in section 4.5 that a committee hearing be held with respect to such bill, the committee
13 chair shall schedule a committee hearing within eight (8) legislative days of such request unless a
14 later date is agreed to by the prime sponsor. "Received" as used herein shall mean receipt in hand
15 by the secretary of the senate or his or her designee. The secretary shall note the date and time of
16 receipt on the request and such notation shall be dispositive. On the same day, the sponsor shall
17 hand deliver copies of the request to the president of the senate and to the committee chair or their
18 designees. The committee shall consider said bill not more than eight (8) legislative days after the
19 committee hearing, unless a later date is agreed to by the prime sponsor. If the committee does
20 not consider the bill then the committee shall be discharged of its responsibility to consider such
21 bill and such bill shall be placed on the senate calendar pursuant to section 7.6 hereof.
22 Consideration by a committee shall mean any one of the following actions: recommendation of
23 passage, recommendation of passage as amended, transfer to another committee, indefinite
24 postponement, hold for further study or defeat of the bill. Provided further, the minority leader
25 may request in writing within twenty-four (24) hours after the deadline for introductions specified
26 in section 4.5 a hearing on any senate bill in committee. In the event a request is made pursuant to
27 this rule at a time less than sixteen (16) days before the deadline for committee consideration set
28 forth in section 6.9, then such request shall not be proper and shall be automatically denied.

29 **6.6 Quorum.**

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

33 **6.7 Minority Representation.**

34 When there is no minority member present and the committee is to consider a bill, the

1 committee chair shall notify the office of the minority leader. Unless waived by the minority
2 leader, the committee shall not conduct business for a reasonable time not to exceed fifteen (15)
3 minutes or until a minority member of the committee is present. Once a minority member is
4 present, his or her subsequent absence will not require further notice to the minority leader. For
5 purposes of this rule, an independent senator shall be considered to be a minority member.

6 **6.8 Committee Votes.**

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

12 **6.9 Deadline for Consideration.**

13 After the Thursday preceding the spring recess week of each session, committees shall
14 consider only those public bills which have been acted upon and transmitted to the senate by the
15 house of representatives; provided, however, that the president of the senate may request a senate
16 committee to immediately consider a senate bill then in committee and said bill shall be
17 considered by the committee.

18 **6.10 Discharge from Committee.**

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

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

32 On the first day of each week, there shall be printed in the journal of the senate the
33 petitions pending under these rules, together with the signatures thereto; provided, however, that
34 as soon as a majority of all the senators elected to the senate shall have affixed their signatures to

1 any such petition to discharge a committee under this rule, the presiding officer shall cause notice
2 thereof to be given to chair and clerk of the committee to which such bill was referred, and such
3 notice shall, thereupon, automatically discharge the committee from further consideration of the
4 bill and the bill shall be placed upon the calendar in accordance with section 7.6 hereof.

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

7 **6.11 Compelling Committee Action.**

8 If a committee to which a bill has been referred fails to consider such bill within sixteen
9 (16) legislative days of its referral, the prime sponsor of such bill, or a majority of the appointed
10 members, but not less than four (4) committee members, may, in writing, request the chair of the
11 committee, through the presiding officer of the senate, that such bill be considered. The request
12 shall be printed in the journal of the senate. The committee shall consider such bill at its first
13 meeting held at least three (3) legislative days after such request is made. If the committee does
14 not consider the bill within nine (9) legislative days of receipt of the request then the committee
15 shall be discharged of its responsibility to consider such bill and such bill shall be placed on the
16 senate calendar pursuant to section 7.6 hereof. Consideration by a committee shall be interpreted
17 to mean any one of the following actions: recommendation of passage, recommendation of
18 passage as amended, transfer to another committee, indefinite postponement, hold for further
19 study or defeat of the bill. Nothing contained in this section shall be construed to change the
20 deadline for consideration as specified in section 6.9.

21 **6.12 Defeat of a Bill.**

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

24 **6.13 Indefinite Postponement.**

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

27 **6.14 Transfer of Bills.**

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

32 **6.15 Committee Records.**

33 All recorded votes of committees, all written testimony submitted to a committee, and the
34 transcripts of any recorded testimony shall be retained by the clerk of each committee, shall

1 constitute public records, and shall be available for inspection to any senator and to any person
2 upon request. All committee votes, transcripts and testimony shall be transmitted to the secretary
3 of state pursuant to state law and senate policy following final adjournment in even numbered
4 years.

5 **6.16 Attribution of Bills.**

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

9 **6.17 Companion Bills.**

10 Any house bill, identical to a senate bill previously heard in committee, may be
11 considered without further hearing.

12 **6.18 Substitute Bills.**

13 Any proposed substitute bill, or a substitute of a bill held by a committee, shall be posted
14 at least twenty-four (24) hours prior to consideration. Such postings will be placed on the official
15 general assembly website, as well as on the legislative data bulletin board and on a bulletin or
16 electronic board of which shall be for the public's use and shall be situated at the main entrance to
17 the state library. The electronic posting shall be considered the official date of the posting. In the
18 event that the electronic posting is inoperable, then the official posting shall be the legislative data
19 bulletin board. The chair may waive this twenty-four (24) hour posting requirement, for
20 amendments technical, grammatical, or not substantive or substantial in nature. This section shall
21 not apply to the annual state budget bill.

22 **SECTION 7.**

23 **PROCEEDINGS ON THE SENATE FLOOR**

24 **7.1 Right to the Floor.**

25 No senator shall address another except through the presiding officer. A senator shall rise
26 to put a question, may state it or read a paper sitting. When any senator wishes to speak or to
27 deliver any matter to the senate, the senator shall press his or her recognition control and the
28 presiding officer shall recognize the senator who so requests recognition and the order of
29 recognition shall be determined by the presiding officer. The senator so recognized shall not be
30 interrupted while speaking except by a call to order or a motion to suspend section 3.5. The
31 senator shall then immediately be seated unless permitted by the senate to proceed, which shall be
32 determined upon motion without debate. No senator, exclusive of the majority and minority
33 leaders, the prime sponsor or floor manager, or the chair of the committee from which the bill or
34 resolution was reported, shall speak more than twice to the same question without leave of the

1 senate, which shall be determined without debate; nor more than once until every member
2 choosing to speak shall have spoken; nor for longer than five (5) minutes without the leave of the
3 senate, which shall be determined without debate. A senator may yield his or her right to the floor
4 to another senator.

5 **7.2 Personal Privilege.**

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

13 **7.3 Addressing the Senate on Important Matters.**

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

19 **7.4 Objectionable Language.**

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

23 **7.5 Priority of Business.**

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

26 **7.6 Calendar.**

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

1 All business on the calendar not disposed of at the time of adjournment shall be first in
2 order on the calendar the next day. No matter of business on the calendar shall be considered
3 upon its merits unless it has been on such calendar for at least two (2) calendar days; except that
4 the president of the senate may order a bill placed on the calendar for less than two (2) calendar
5 days; provided, however, a bill passed by the senate and amended by the house of representatives
6 may be considered by the senate without being on the calendar for two (2) calendar days if the
7 requirements of section 4.9-1 have been met.

8 **7.7 Consent Calendar.**

9 Notwithstanding the provisions of section 7.6, the secretary of the senate shall also
10 maintain a separate calendar, designated as the consent calendar, upon which shall be placed
11 resolutions required by section 4.7, acts seeking to vacate the forfeiture of a corporate charter and
12 such other bills as directed by the president of the senate. Matters on the consent calendar shall be
13 in order for disposal on each day and shall include all such matters reported or referred thereto
14 from the previous day. Such consent calendar shall be posted in the chamber of the senate. All
15 matters on the consent calendar shall be disposed by roll call vote on a single motion except such
16 matters as may be objected to by any single senator, which said matter or matters shall be held
17 over on the regular calendar for the next legislative day.

18 **7.8 Reports of Joint Committees.**

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

28 **7.9 Messages from the House.**

29 When a message is received from the house of representatives, transmitting any papers,
30 the secretary of the senate shall transmit to the office of the president of the senate all house
31 transmittals received on that day. The president of the senate shall assign house transmittals to
32 committees upon adjournment of the senate. The secretary of the senate shall cause all house
33 transmittals to be published in the senate journal for the day such transmittals are received. Any
34 senator may object to the committee assignment for any transmittal received during the previous

1 legislative day. Upon objection being made, the presiding officer shall assign the transmittal to
2 the committee requested by the senator making the objection, provided, however, that if another
3 senator objects to any assignment or proposed assignment of the transmittal, then the presiding
4 officer shall call for a vote of the senate on any motion for assignment which has been made and
5 seconded, such motion requiring a majority vote of those senators present and voting for
6 assignment to a particular committee.

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

13 **7.10 Amendments.**

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

22 **7.11 Votes in Concurrence.**

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

27 **7.12 Motions.**

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

32 **7.13 Interruption of Debate.**

33 When a question is under debate, no motion shall be received except to suspend section
34 3.5, to adjourn, to recommit, for the previous question, to close debate, to fix a time for closing

1 debate, to take a recess, to lay on the table, to take from the table, to transmit, to postpone
2 indefinitely, to change calendar arrangement, or to amend, and any motion or resolution the
3 purpose of which is to take any bill or any other matter from committees of the senate or to
4 discharge a committee from the consideration thereof, which several motions shall have
5 precedence in the order in which they are here arranged and shall be decided by majority vote
6 without debate; provided further that a motion to recommit as to any bill which is placed on the
7 senate calendar may be voted by yeas and nays; however, if the prime sponsor timely objects, the
8 motion shall be voted on by electronic roll of the senate.

9 **7.14 Adjournment.**

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

13 **7.15 Lay on the Table.**

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

16 **7.16 Dividing Questions.**

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

19 **7.17 Non-Germane Amendments.**

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

22 **7.18 Motion for Reconsideration.**

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

29 **7.19 Printed Material.**

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

32 **7.20 Recommittal.**

33 No motion to recommit shall be entertained by the presiding officer as to any bill which
34 is placed on the calendar as the result of section 6.10 until every senator desiring to be heard has

1 been recognized, notwithstanding the provisions of section 7.13.

2 **7.21 Immediate Consideration.**

3 During the time for introduction and reference of new business, as provided in section
4 3.3, a senator may introduce a bill and move for immediate consideration of the bill at that time.
5 If there is no objection to the motion, for immediate consideration it is deemed to be approved,
6 but if there is objection to the motion for immediate consideration, the presiding officer shall
7 submit the motion to a vote of the senate; such motion for immediate consideration shall require
8 the votes of two-thirds (2/3) of those senators present and voting, for approval. If the bill is not
9 available electronically to all members of the senate at the time of the request for immediate
10 consideration, then a hard copy of the bill shall be made available to any senator upon request.

11 **7.22 Questions During Debate.**

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

20 **SECTION 8.**

21 **VOTING ON THE SENATE FLOOR**

22 **8.1 Method of Voting.**

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

27 **8.2 Voting Machine Inoperative.**

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

33 **8.3 Who May Vote.**

34 Any member who is present on the senate floor must vote. Any senator who is not on the

1 floor at such time, but who returns before the machine is locked, shall be permitted to vote.
2 Without objection or with a majority vote, a senator may be permitted to cast a vote after the
3 results have been announced, provided however such request shall be made on the same
4 legislative day and, only if the vote if so permitted, will not change the result previously
5 announced.

6 **8.4 Control of Electronic Voting System.**

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

9 **8.5 Conducting a Vote.**

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

19 **8.6 Announcing the Tally.**

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

23 **8.7 Changing a Vote.**

24 No vote may be changed after the system has been locked and the vote recorded except
25 that, after a vote has been recorded, any senator may, by a majority vote of the senate, be
26 permitted to change his or her vote, provided that such change be effected on the same calendar
27 day as his or her original vote.

28 **8.8 Recording Votes.**

29 **8.8-1** On any recorded vote, no senator shall be recorded as having voted unless he or she
30 has been recorded or recognized as being present prior to the conduct of said vote.

31 **8.8-2** Upon request, on any non-recorded vote, any senator shall have his or her vote
32 recorded so that it shall appear in the journal of the senate.

33 **8.9 Voting for Another.**

34 No senator may vote for another senator; nor may any person cast a vote for a senator,

1 except as otherwise provided in section 8.5. A senator who voted for another senator may be
2 punished in a manner the senate determines. A person voting for a senator, when not authorized
3 by section 8.5, is barred from the floor of the senate and may be further punished as the senate
4 determines.

5 **8.10 Explanation of Vote.**

6 No explanation of any vote will be permitted during the voting or after a vote has been
7 cast.

8 **8.11 Statement of the Question.**

9 After the question has been put, but before the system is locked, any senator may call for
10 a statement of the question.

11 **8.12 No Interruption.**

12 While the presiding officer is putting the question, or the vote is being recorded, no
13 senator shall speak or leave his or her place.

14 **SECTION 9.**

15 **PROCEEDINGS ON NOMINATIONS**

16 **9.1 Scope.**

17 The senate's exercise of its constitutional obligation to give advice and consent to
18 executive appointees shall be governed solely and exclusively by these rules.

19 **9.2 Delivery**

20 Nominations shall be delivered to the Secretary of the Senate, or his or her designee, at
21 the Office of the Secretary for presentation to the Senate.

22 **9.3 Presentation to the Senate.**

23 When a nomination shall be presented to the Senate for advice and consent, it shall,
24 unless otherwise ordered, be referred to the appropriate committee or committees and a copy of
25 the nomination shall be delivered to the senator within whose district the nominee resides. Except
26 as set forth herein, nominations shall follow the same course and be subject to the same
27 procedures as bills introduced pursuant to Rules of the Senate.

28 **9.4 Questions Presented.**

29 The final question on every nomination shall be, "Will the Senate provide its advice and
30 consent to [insert nominee name and position]?" which question shall not be put on the same
31 legislative day on which the nomination is received, nor on the legislative day on which it may be
32 reported by a committee. Provided, however, that this provision may be waived by vote of a
33 majority of the Senate.

34 **9.5 Effect of Non-action.**

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

8 **9.6 Withdrawal of Nominations.**

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

11 **SECTION 10.**

12 **MISCELLANEOUS**

13 **10.1 Legislative Aides.**

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

18 **10.2 Absence of a Quorum.**

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

22 **10.3 Amendment and Suspension of Rules.**

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

25 **10.4 Access to the Senate Chamber.**

26 **10.4-1 Access During Senate Session.**

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

32 **10.4-2 Senators' Seats.**

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

1 **10.4-3 Sheriff's Duties.**

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

6 **10.4-4 Gallery.**

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

10 **10.5 Confidentiality of Drafting.**

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

15 **10.6 Misuse of Rules.**

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

19 **10.7 Extraordinary and Special Session.**

20 In the event of the calling of an extraordinary session of the general assembly by the
21 governor, or a reconvened session by the speaker of the house and the president of the senate,
22 said session shall be conducted pursuant to these rules; provided, however, that sections 4.9-1,
23 6.2, 7.6 and 7.8 are not applicable to any such session; and, provided further, that any bill, act or
24 resolution for consideration of which the session is called shall have been provided to the
25 members at least twenty-four (24) hours prior to the consideration of the senate.

26 ~~**10.7-2 Voting by Proxy During Declared State of Emergency**~~ **10.7-1 Voting by**
27 **Proxy.**

28 Notwithstanding any senate rule to the contrary, during any declared state of emergency
29 and while the senate is in session, a senator may request from the presiding officer permission to
30 vote by proxy on any bill or matter before the senate. The presiding officer shall, when deciding
31 to grant or deny the request, consider whether the senator making the request would face a
32 hardship in attending session, or, during a contagion, falls within a high-risk category as defined
33 by the Rhode Island Department of Health or an equivalent agency. The presiding officer may
34 also authorize a member to vote at session by limited-directed proxy if the member is unable to

1 be physically present in the chamber due to a health or medical condition. A member may
2 provide a written request to the presiding officer for authorization to vote by proxy pursuant to
3 this rule. The presiding officer may require that the member provide documentation from a
4 physician verifying that the member is unable to be physically present at session, and the
5 presiding officer may limit the duration of authorization under this rule. Authorization to vote by
6 proxy pursuant to this rule shall be reported in the senate journal. If the presiding officer grants a
7 senator permission to vote by proxy, the presiding officer shall notify the secretary of the senate
8 of the decision to allow such vote by proxy. The secretary of the senate shall prepare a proxy(ies)
9 for each senator voting by proxy, in a form substantially as follows: The bill number or matter to
10 be voted on followed by a box to approve and a box to disapprove. The secretary of the senate
11 shall deliver the proxy(ies), by email or hand delivery, to each senator authorized to vote by
12 proxy. Any senator voting by proxy shall have their signature notarized and shall return the
13 notarized proxy(ies), by email or hand delivery, to the leader of their respective caucus. The
14 majority or minority leader shall forward the executed proxy(ies) to the secretary of the senate to
15 be recorded in the journal. ~~The right to vote by proxy shall cease on the date that the state of~~
16 ~~emergency is officially declared over.~~

17 **10.7-2 Remote committee hearings.**

18 Notwithstanding any senate rule to the contrary, during any declared state of emergency
19 and while the senate is in session, a committee chairperson, with the permission of the presiding
20 officer, may schedule a remote meeting of the committee in which they serve as chairperson for
21 the purpose of hearing and/or considering any matter that has been assigned to the committee.
22 Unless otherwise provided for, the chairperson or vice chairperson of the committee shall ensure
23 that all requirements of section 6 of these rules are complied with. This rule shall be construed to
24 allow for both remote and in person/remote participation.

25 **10.8 Mason's Rules.**

26 Mason's Rules of Order shall govern procedure on the senate floor and in the committees
27 of the senate in all cases in which they are not inconsistent with these rules or with any joint rules
28 of the senate and house.

29 **10.9 Use of Facilities.**

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

32 **10.10 Decorum.**

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

1 preserve decorum and order in the senate chamber. While in the senate chamber, members and
2 staff shall be required to dress in proper and appropriate attire, such as blouses, dress slacks and
3 collared shirts with accompanying jacket.

4 **10.11 Smoking Prohibited.**

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

8 **10.12 Consumption of Food and Alcoholic Beverages.**

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

12 **10.13 Electronic Devices.**

13 Members shall be courteous and professional when using electronic devices.

14 **10.14 Photographic Equipment.**

15 During sessions, photographic equipment that blocks ingress or egress or unduly creates a
16 disturbance as determined by the president of the senate or the senate committee chair, shall not
17 be used on the floor of the senate or in committee hearing rooms when committee meetings are in
18 session.

19 **10.15 Display of Posters, Signs, and Banners on the Floor.**

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

24 **10.16 Display of Posters, Signs, and Banners Prohibited in the Gallery or Hearing
25 Rooms.**

26 No placard, sign, poster, banner, chart or visual aid of similar nature shall be displayed in
27 the gallery or committee hearing room at any time when the Senate or a committee is in session.
28 The presiding officer shall order any such object so displayed to be removed.

29 **10.17 Official Notice.**

30 Except as otherwise provided in these rules, notice to a member transmitted from the
31 Office of the President through the Rhode Island General Assembly email system to the
32 rileislature.gov email address assigned to the member shall constitute official written notice to
33 the member as of the date and time of the transmission. It is the responsibility of the members to
34 monitor their rileislature.gov email address on a regular basis, or to have email messages

1 forwarded to an address which is monitored on a regular basis. Alternatively, a member may elect
2 to receive such notice directly at an email address other than the member's rilegislature.gov email
3 address by executing a form available in the Office of the President. Once designated,
4 transmissions to the alternate email address shall constitute written notice to the member as of the
5 date and time of the transmission and will continue to be such until the Office of the President is
6 notified of a different address.

7 **10.18 Continuing Ethics Education.**

8 All state senators and senate employees shall annually participate in a continuing
9 education program presented by the Rhode Island Ethics Commission on the Rhode Island Code
10 of Ethics and related laws.

11 **10.19 Continuing Education and Training.**

12 All state senators and senate employees, shall annually participate in a continuing
13 education program presented by the Rhode Island Commission for Human Rights.

14 **10.20 Discipline of a Member.**

15 The extraordinary power of expulsion generally should be reserved for very serious
16 breaches of legal or ethical responsibilities of members. A complaint to expel a member shall
17 commence with a resolution sponsored by the senate president; provided however, if the president
18 is the subject of the resolution to expel, the resolution shall be sponsored by the president pro
19 tempore. The secretary of the senate shall refer the resolution to the committee on judiciary. The
20 committee shall investigate the matter and shall have the right to compel witnesses and produce
21 documents by subpoena and other customary means. The committee shall afford the member due
22 process. Due process shall be defined as customary legislative process for hearings, to include:
23 properly served notice of all hearings, the right to testify and refute the allegations and the right to
24 present evidence. In addition, individual notice shall be served upon the member and the member
25 shall have the right to cross examine any witness. The vote of a majority of the committee shall
26 be sent to the floor for the next legislative day available for consideration. All testimony shall be
27 under oath and preserved by stenographic record which shall be transcribed upon the order of the
28 chair. Expulsion shall require by two-thirds of the members elected voting for approval of the
29 resolution to expel.

30 **10.21 Elections.**

31 (1) On the first day of session, in an odd-numbered year, the senate shall be called to
32 order by the senior member in continuous service present from Newport: "from Newport" shall be
33 defined as any member who lives in Newport, if none, then the senior member whose district
34 includes any of the City of Newport. If there are two (2) or more members of equal seniority of

1 service, then by that one of them that shall be senior in age. The roll of members as appears by
2 the list of senators shall then be called by the clerk. If a quorum is present, the member calling the
3 senate to order as provided above shall call for nominations for the office of president of the
4 senate, and shall call for a roll call vote of all members voting, and after the votes have been
5 counted by him or her and by the clerks of the senate, he or she shall declare the result, and the
6 voting shall continue until some person receives a majority of all the votes, and the person
7 receiving that majority shall be the president of the senate for the ensuing term of two (2) years;
8 (2) The member so calling the senate to order shall not receive, entertain, or put to vote any
9 motion or question whatever, or point of order, excepting, the adoption of interim Senate Rules
10 which shall precede any election; (3) Immediately upon the election of a president, the senate
11 shall proceed to elect by roll call vote a president pro tempore, deputy president pro tempore,
12 secretary of the senate and reading clerk, and shall immediately notify the house of
13 representatives that it is duly organized and ready to proceed with the business of the session; (4)
14 The secretary and clerk shall be employees of the legislative department under the jurisdiction
15 and control of the senate, and shall hold office for two (2) years, and until their successors are
16 elected and qualified; (5) Should the office of president pro tempore, deputy president pro
17 tempore, secretary of the senate and reading clerk become vacant during the session term, the
18 president shall call for elections. Should the office of president become vacant during the session
19 term, the president pro tempore shall preside over an election using subsection (1) above.

20 SECTION 11.

21 TRANSPARENCY

22 11.1 Policy.

23 It is declared to be the policy of the senate that to the maximum extent possible senate
24 votes on public bills, elections and proceedings on the floor and in committee shall be recorded,
25 or video screened and published on the general assembly website and/or broadcast on capitol
26 television.

27 11.2 Publication of Committee Votes.

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

32 11.3 Televising or Otherwise Recording Committee Hearing.

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

1 **11.4 Publication of Votes.**

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

4 **11.5 Publication of the Senate Rules.**

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

7 **11.6 Authorization and Direction.**

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

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