

1 condolences, and all resolutions requesting the several departments of state government to grant
2 some privilege, consideration or relief.

3 1.5 "Prime Sponsor" shall be that senator whose signature first appears upon the bill.

4 1.6 "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 1.7 "Deputy President Pro Tempore" is a member of the senate appointed by the
7 president of the senate, who may preside over the senate in the absence of the president of the
8 senate and the president pro tempore.

9 1.8 "Minority Deputy President Pro Tempore" is a member of the senate appointed by the
10 president of the senate with the consent of the senate minority leader, who may preside over the
11 senate in the absence of the president of the senate, president pro tempore, and the deputy
12 president pro tempore.

13 1.9 "Reading Clerk" is the person elected to that position under provisions of section 22-
14 3-2 of the general laws who shall, at the direction of the presiding officer, read to the chamber
15 any communication to the senate, resolution, bill or other document and who shall, at the
16 direction of the presiding officer, except as provided in section 4.4 hereof, date the bills and other
17 documents before the senate, date recording thereon the action taken and/or the disposition
18 thereof. The reading clerk also shall, at the direction of the senate, amend any bill and transmit
19 any bill to the house of representatives and perform such other duties as may from time to time be
20 prescribed by the president of the senate.

21 1.10 "Secretary of the Senate" is the person elected to that position under provisions of
22 section 22-3-2 of the general laws who shall, at the direction of the presiding officer, record the
23 proceedings of the senate in a journal, signing said journal as secretary of the senate, and who
24 shall, upon their referral, deliver bills and other documents to their respective committees, hold
25 and maintain in good order any bill assigned to the calendar or the consent calendar, and transmit
26 any bill or document to the governor. The secretary of the senate also shall perform those duties
27 prescribed in other sections hereof and those which may from time to time be prescribed by the
28 president of the senate.

29 1.11 "The Rise of the Senate" occurs upon the conclusion of senate floor business and the
30 exact time varies by the amount of business to be conducted on a particular legislative day.

31 SECTION 2

32 PRESIDING OFFICER

33 2.1 Presiding Officer.

34 The president of the senate shall, unless absent from the chamber, be the presiding officer

1 of the sessions of the senate. In the absence of the president from the chair, the president pro
2 tempore shall preside over the senate. The president may appoint a member of the senate to
3 temporarily preside over the senate, but in no event shall such appointment continue beyond the
4 day upon which it is made. In case of a vacancy in the offices of president, president pro tempore
5 and the deputy president pro tempore, or in case all said officers are absent at the hour to which
6 the senate stands adjourned, the reading clerk shall call the senate to order, and shall preside until
7 a president pro tempore is elected, which election shall be the first order of business. In the
8 absence of the president, president pro tempore, both deputy presidents pro tempore and the
9 reading clerk, less than a quorum may elect a president pro tempore, who shall declare a lack of
10 quorum and continue the session until the next day.

11 **2.2 Duties of the Presiding Officer.**

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

19 **2.3 Appealing the Ruling of Presiding Officer.**

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

26 **SECTION 3**

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

28 **3.1 Commencement of Daily Session.**

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

33 **3.2 Reading the Journal.**

34 The reading clerk of the senate shall, at the commencement of the session of each day,

1 read the proceedings of the previous day, unless such reading is dispensed with by a majority of
2 the senators present and voting.

3 **3.3 Daily Business.**

4 After the reading of the proceedings of the previous day the order of business shall be as
5 follows unless otherwise ordered by the president of the senate:

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

18 **3.4 Final Adjournment.**

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

21 **3.5 Time for Sessions.**

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

25 **SECTION 4**

26 **ACTS AND RESOLUTIONS**

27 **4.1 Form of Bills.**

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

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

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

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

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

11 All bills shall be processed through legislative council.

12 **4.2 Explanation of Bills.**

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

16 **4.3 Copies of Bills.**

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

22 **4.4 Prefiling.**

23 A bill may be filed by any senator or senator-elect by registered mail or in person with
24 the secretary of the senate at any time from November 15 to the day prior to the commencement
25 of the regular annual session. The secretary of the senate shall immediately date and number such
26 bill, present the bill to the president of the senate for the purposes of assigning it to committee,
27 order it printed, as required by section 4.11 hereof, and make said bill available for first reading
28 on the second day of the succeeding session.

29 **4.5 Filing with Secretary of the Senate.**

30 All senators desiring to introduce a bill shall file the bill with the secretary of the senate
31 not later than the time at which the presiding officer calls the senate to order. The secretary of the
32 senate shall transmit to the office of the president of the senate all bills on the day of their
33 introduction. On the day of introduction, the president shall, upon adjournment, assign bills to
34 committee. The secretary of the senate shall cause all bills introduced to be published in the

1 senate journal for that day. Any senator may object to the committee assignment of any bill on the
2 first or second legislative day following the bill's introduction. Upon objection being made, the
3 presiding officer shall assign the bill to the committee requested by the senator making the
4 objection; provided, however, that if another senator objects to any assignment or proposed
5 assignment of the bill, then the presiding officer shall call for a vote of the senate on any motion
6 for assignment which has been made and seconded, such motion requiring a majority vote of
7 those senators present and voting for assignment to a particular committee. First reading of all
8 such bills and resolutions shall be by acceptance of the bill and the committee assignment.

9 **4.6 Deadline for Introductions.**

10 No public bill shall be introduced in the senate after February 17, 2011 for the year 2011
11 and February 16, 2012 for the year 2012, except by consent of a majority of the senators present
12 and voting. Except as otherwise expressly directed by the president of the senate, all requests for
13 the preparation of public bills shall be submitted to the offices of legislative council no later than
14 the close of business on the Friday next preceding the bill-introduction deadline set forth herein.

15 **4.7 Omnibus Claims Against the State.**

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

21 **4.8 Resolutions of Congratulations and Condolences.**

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

31 **4.9 Enactment of Laws.**

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

34 **4.10 Electronic Availability of Public Bills –Requirements.**

1 **4.10-1 Public Bills.**

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

6 **4.10-2 Committee Amendments.**

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

9 **4.10-3 Materially Altered Bills.**

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

17 **4.11 Copies of Bills and Voting Records.**

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

20 **4.12 Requests for Funding of Community Service Objectives.**

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

24 **4.13 Death of a Member.**

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

32 **4.14 Limitation on number of Bills introduced.**

33 No senator shall introduce more than twenty-five (25) public bills during the annual
34 session except with the permission of the president of the senate.

1 of the governor referred to it by the senate which require the advice and consent of the senate and
2 all legislation and matters relating to constitutional amendments, liquor laws, gaming issues,
3 license plates, domestic animals, commissions and resolutions, and to consider such other matters
4 as may be referred to it by the senate.

5 **5.1-6 Committee on Health and Human Services.**

6 It shall be the duty of the committee on health and human services to consider the
7 appointments of the governor referred to it by the senate which require the advice and consent of
8 the senate and to consider all reports of the departments of health, of human services, of mental
9 health, retardation and hospitals, of children and their families, and of elderly affairs; to consider
10 all legislation and matters expanding or defining further areas of responsibility of the foregoing
11 and to consider all legislation and matters relative to public health and welfare; health care and
12 human service access and quality; health and human service professional standards of practice,
13 and facility standards of care; and to consider such other matters as may be referred to it by the
14 senate.

15 **5.1-7 Committee on Education.**

16 It shall be the duty of the committee on education to consider the appointments of the
17 governor referred to it by the senate which require the advice and consent of the senate and all
18 legislation and matters relating to student performance, governance, programming, teacher
19 preparation and planning, as well as the work and operation of all state agencies regarding all
20 levels of education, make findings, and recommend policy initiatives and other actions to the
21 general assembly. The commission shall also exercise oversight in relation to the implementation
22 of all legislation and grants of authority relating to all levels of public education in the state by all
23 agencies, state and local, charged and empowered by the general assembly in relating to all levels
24 of public education and to consider such other matters as may be referred to it by the senate.

25 **5.1-8 Committee on Corporations.**

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

31 **5.1-9 Committee on Environment and Agriculture.**

32 It shall be the duty of the committee on environment and agriculture to consider the
33 appointments of the governor referred to it by the senate which require the advice and consent of
34 the senate and all legislation and matters relating to the conservation of the air, land, water, plant,

1 animal, mineral and other natural resources of the state, and to adopt all means necessary and
2 proper by law to protect the natural environment of the people of the state by providing adequate
3 resource planning for the control and regulation of the use of the natural resources of the state and
4 for the preservation, regeneration, and restoration of the natural environment of the state and to
5 consider such other matters as may be referred to it by the senate.

6 **5.1-10 Committee on Government Oversight.**

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

20 **5.1-11 Committee on Rules.**

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

23 **5.2 Committee Membership.**

24 Each of the standing committees of the senate shall consist of the president of the senate
25 and the majority and minority leaders of the senate, ex officio, with voting rights, and senators
26 appointed by the president of the senate, each to serve until January 1, 2013. Provided, however,
27 that the president of the senate may change the committee assignment of a member with the
28 member's consent; and provided, further, however, that each senator other than the president and
29 the majority and minority leaders, shall serve as a member of one of the following standing
30 committees: committee on housing and municipal government; committee on corporations;
31 committee on finance; committee on the judiciary.

32 **5.3 Vacancies on Committees.**

33 All vacancies occurring in any committee of the senate shall be filled by the president of
34 the senate.

1 **5.4 Officers of Committees.**

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

5 **5.5 Select Committees.**

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

12 **5.6 Referral to Committee.**

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

18 **5.7 Committees of Conference.**

19 There shall be appointed from time to time committees of conference to which are
20 referred matters of difference with the house with respect to bills or resolutions. Such committees
21 shall be appointed by the speaker of the house of representatives and the president of the senate,
22 and shall be comprised of five (5) members from the house and five (5) members from the senate.
23 At least one member in each chamber shall be a member of the minority party. When possible,
24 one member shall be the prime sponsor of the bill or resolution being considered before the
25 committee of conference and one member shall be from the committee that shall have considered
26 the bill or resolution. The committee may propose any changes within the scope of the bill or
27 resolution, but any action, including changes, taken by committee shall be by a majority vote of
28 the members of each chamber on the committee. The committee report shall be made to both
29 chambers at the same time. Each chamber shall vote to accept or reject the report. A vote by
30 either chamber to accept the report of the committee shall be the final action by that chamber on
31 the bill or resolution. If both chambers vote to accept the report of the committee, the bill is
32 passed or the resolution adopted as of the time the last chamber votes to accept the report. If
33 either chamber rejects the report of the committee, the bill or resolution is defeated and the
34 second chamber shall not be required to consider the committee report. The report of the

1 committee may be accepted or rejected, but it may not be amended. The committee report shall
2 contain the following information: the bill number and title, the members of the committee, the
3 action of the committee, and the signature of the members of the committee accepting or rejecting
4 the report.

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

11 SECTION 6

12 PROCEEDINGS IN COMMITTEE

13 **6.1 Time for Committee Meetings.**

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

17 **6.2 Committee Agenda -- Posting.**

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

26 **6.3 Convening of Meeting.**

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

29 **6.4 Public Participation.**

30 **6.4-1 Open Meetings.**

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

34 **6.4-2 Executive Sessions.**

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

10 **6.4-3 Public Hearings.**

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

19 **6.5 Hearing and Consideration of Bills.**

20 (a) Upon a written request by the prime sponsor of any public bill received by the
21 secretary of the senate before the closing of the next legislative day after the deadline for
22 introduction as specified in section 4.6 that a committee hearing be held with respect to such bill,
23 the committee chair shall schedule a committee hearing within eight (8) days of such request
24 unless a later date is agreed to by the prime sponsor. "Received" as used herein shall mean receipt
25 in hand by the secretary of the senate or his/her designee. The secretary shall note the date and
26 time of receipt on the request and such notation shall be dispositive. On the same day, the sponsor
27 shall hand deliver copies of the request to the president of the senate and to the committee chair
28 or their designees. The committee shall consider said bill not more than eight (8) days after the
29 committee hearing, unless a later date is agreed to by the prime sponsor. If the committee does
30 not consider the bill then the committee shall be discharged of its responsibility to consider such
31 bill and such bill shall be placed on the senate calendar pursuant to section 7.6 hereof.
32 Consideration by a committee shall mean any one of the following actions: recommendation of
33 passage, recommendation of passage as amended, transfer to another committee, indefinite
34 postponement, hold for further study or defeat of the bill.

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

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

7 **6.6 Quorum.**

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

11 **6.7 Minority Representation.**

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

16 **6.8 Committee Votes.**

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

22 **6.9 Deadline for Consideration.**

23 After April 14, 2011 for the year 2011 and April 12, 2012 for the year 2012, committees
24 shall consider only those public bills which have been acted upon and transmitted to the senate by
25 the house of representatives; provided, however, that the president of the senate may request a
26 senate committee to immediately consider a senate bill then in committee and said bill shall be
27 considered by the committee.

28 **6.10 Discharge from Committee.**

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

31 (a) Any senator may present a petition, in writing, to discharge a committee from further
32 consideration of a bill which has been in the possession of the committee for sixteen (16) days
33 without having been considered, but only one petition on a particular bill may be presented during
34 the course of a session. Prior to presenting the petition, the senator must introduce a resolution of

1 intent to discharge such committee. Such resolution of intent shall contain the bill number and the
2 committee to be discharged. The presiding officer shall cause the resolution of intent to be printed
3 in the journal of the senate. The petition shall be placed in the custody of the presiding officer
4 who shall arrange some convenient place for the signatures of the senators to be placed thereon in
5 the presence of the reading clerk during the hours in which the senate is in session. A signature
6 may be withdrawn by a senator at any time before the petition shall become effective.

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

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

16 **6.11 Compelling Committee Action.**

17 If a committee to which a bill has been referred fails to consider such bill within sixteen
18 (16) days of its introduction or transmittal, the prime sponsor of such bill, or four (4) committee
19 members, may, in writing, request the chair of the committee, through the presiding officer of the
20 senate, that such bill be considered. The request shall be printed in the journal of the senate. The
21 committee shall consider such bill at its first meeting held at least two (2) days after such request
22 is made. If the committee does not consider the bill within eight (8) days of receipt of the request
23 then the committee shall be discharged of its responsibility to consider such bill and such bill
24 shall be placed on the senate calendar pursuant to section 7.6 hereof. Consideration by a
25 committee shall be interpreted to mean any one of the following actions: recommendation of
26 passage, recommendation of passage as amended, transfer to another committee, indefinite
27 postponement, hold for further study or defeat of the bill. Nothing contained in this section shall
28 be construed to change the deadline for consideration as specified in section 6.9.

29 **6.12 Defeat of a Bill.**

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

32 **6.13 Indefinite Postponement.**

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

1 appears in the press or other public medium but shall not include the right to discuss favorable
2 references to the senator, nor to reply to generalized criticism of the senate which does not refer
3 to him or to her specifically, nor to attack another member of the senate personally. Whether a
4 member's remarks constitute personal privilege shall be determined by the presiding officer.

5 **7.3 Unanimous Consent.**

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

11 **7.4 Language.**

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

14 **7.5 Priority of Business.**

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

17 **7.6 Calendar.**

18 There shall be a calendar kept by the secretary of the senate upon which shall be placed
19 the bills reported by all committees, and all other matters ordered placed thereon by the senate.
20 Matters on the calendar shall be arranged by the secretary of the senate in numerical order by
21 committee unless otherwise ordered by the president of the senate in agreement with the majority
22 leader and the minority leader. Such calendar shall be electronically available to all members of
23 the senate. Except as provided in section 7.13, and during consideration of the calendar, no other
24 business shall intervene except to receive a message communication from the house or a motion
25 to suspend section 3.5.

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

33 **7.7 Consent Calendar.**

34 Notwithstanding the provisions of section 7.6, the secretary of the senate shall also

1 maintain a separate calendar, designated as the consent calendar, upon which shall be placed
2 resolutions required by Rule 4.8, acts seeking to vacate the forfeiture of a corporate charter and
3 such other bills as directed by the president of the senate. Matters on the consent calendar shall be
4 in order for disposal on each day and shall include all such matters reported or referred thereto
5 from the previous day. Such consent calendar shall be posted in the chamber of the senate. All
6 matters on the consent calendar shall be disposed by roll call vote on a single motion except such
7 matters as may be objected to by any single senator, which said matter or matters shall be held
8 over on the regular calendar for the next day.

9 **7.8 Reports of Joint Committees.**

10 No bill reported by or forwarded on the recommendation of a joint committee of the two
11 (2) houses shall be in order for concurrence by the senate if it shall appear that the members of
12 such joint committee on the part of the senate, if in attendance on the general assembly, shall not
13 have been notified or present when the subject was acted on by such joint committee. No report
14 shall be acted on in the senate from any joint committee unless as subscribed by a senator who is
15 a member of said committee. Any report from a joint committee shall be made on the floor of the
16 senate by a member of said committee, notwithstanding that said member may not have
17 concurred in the report and said report shall be held on the desk unless ordered placed on the
18 calendar pursuant to section 7.6 by the president of the senate or by a majority vote of the senate.

19 **7.9 Messages from the House.**

20 When a message is received from the house of representatives, transmitting any papers,
21 the secretary of the senate shall transmit to the office of the president of the senate all house
22 transmittals received on that day. The president of the senate shall assign house transmittals to
23 committees upon adjournment of the senate. The secretary of the senate shall cause all house
24 transmittals to be published in the senate journal for the day such transmittals are received. Any
25 senator may object to the committee assignment for any transmittal received during the previous
26 legislative day. Upon objection being made, the presiding officer shall assign the transmittal to
27 the committee requested by the senator making the objection, provided, however, that if another
28 senator objects to any assignment or proposed assignment of the transmittal, then the presiding
29 officer shall call for a vote of the senate on any motion for assignment which has been made and
30 seconded, such motion requiring a majority vote of those senators present and voting for
31 assignment to a particular committee.

32 During the time for consideration of house transmittals, a senator may move for
33 immediate consideration of a house transmittal, received by the secretary of the senate on the
34 previous legislative day. If there is no objection to the motion, it is deemed to be approved, but if

1 there is objection to the motion for immediate consideration, the presiding officer shall submit the
2 motion to a vote of the senate, such motion for immediate consideration shall require the votes of
3 two-thirds (2/3) of those senators present and voting, for approval.

4 **7.10 Amendments.**

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

13 **7.11 Votes in Concurrence.**

14 Whenever any bill shall come before the senate for concurrence, and be concurred in
15 without amendments, or non-concurred with, the secretary of the senate may announce the
16 concurrence or non-concurrence to the other house with the title of the bill or paper, but the
17 original bill concurred in by the senate without amendments or non-concurred with, shall not be
18 transmitted to the other house.

19 **7.12 Motions.**

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

24 **7.13 Interruption of Debate.**

25 When a question is under debate, no motion shall be received except to suspend section
26 3.5, to adjourn, to recommit, for the previous question, to close debate, to fix a time for closing
27 debate, to take a recess, to lay on the table, to take from the table, to transmit, to postpone
28 indefinitely, to change calendar arrangement, or to amend, and any motion or resolution the
29 purpose of which is to take any bill or any other matter from committees of the senate or to
30 discharge a committee from the consideration thereof, which several motions shall have
31 precedence in the order in which they are here arranged and shall be decided by majority vote
32 without debate.

33 **7.14 Adjournment.**

34 When time for meeting of the senate shall have been previously fixed, a motion to

1 adjourn and a motion to suspend section 3.5 shall always be in order. The senate shall not be
2 adjourned except by affirmative vote of a majority of the senators present and voting.

3 **7.15 Lay on the Table.**

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

6 **7.16 Dividing Questions.**

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

9 **7.17 Non-Germane Amendments.**

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

12 **7.18 Reconsideration.**

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

20 **7.19 Printed Material.**

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

23 **7.20 Recommittal.**

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

27 **7.21 Immediate Consideration.**

28 During the time for introduction and reference of new business, as provided in section
29 3.3, a senator may introduce a bill and move for immediate consideration of the bill at that time.
30 If there is no objection to the motion, for immediate consideration it is deemed to be approved,
31 but if there is objection to the motion for immediate consideration, the presiding officer shall
32 submit the motion to a vote of the senate; such motion for immediate consideration shall require
33 the votes of two-thirds (2/3) of those senators present and voting, for approval. If the bill is not
34 available electronically to all members of the senate at the time of the request for immediate

1 consideration, then a hard copy of the bill shall be made available to any senator upon request.

2 **7.22 Questions During Debate.**

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

11 **SECTION 8**

12 **VOTING ON THE SENATE FLOOR**

13 **8.1 Method of Voting.**

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

18 **8.2 Voting Machine Inoperative.**

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

24 **8.3 Who May Vote.**

25 Any member who is present in the senate chamber must vote. Any senator who is not in
26 the chamber at such time, but who returns before the machine is locked, shall be permitted to
27 vote. Without objection or with a majority vote, a senator may be permitted to cast a vote after
28 the results have been announced, provided, however, such request shall be made on the same
29 legislative day and, only if the vote if so permitted, will not change the result previously
30 announced.

31 **8.4 Control of Electronic Voting System.**

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

34 **8.5 Conducting a Vote.**

1 At a reasonable time, prior to any vote being taken, the presiding officer shall announce
2 that a vote is about to be taken. When any senator other than the president of the senate is
3 presiding, such senator may direct either the secretary of the senate or the reading clerk to cast his
4 or her vote at his or her voting station, but at no other time may a senator designate any other
5 person to cast his or her vote. Until the completion of the voting, no senator shall be recognized,
6 and no other business shall be transacted. When sufficient time has elapsed for each senator to
7 vote prior to locking the machine, the presiding officer shall ask if any member present desires to
8 vote or change his or her vote. The presiding officer shall then order the machine locked and
9 activate the recording process. The voting machine shall remain locked between all votes.

10 **8.6 Announcing the Tally.**

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

14 **8.7 Changing a Vote.**

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

19 **8.8 Recording Votes.**

20 8.8-1 On any recorded vote, no senator shall be recorded as having voted unless he or she
21 has been recorded or recognized as being present prior to the conduct of said vote.

22 8.8-2 Upon request, on any non-recorded vote, any senator shall have his or her vote
23 recorded so that it shall appear in the journal of the senate.

24 **8.9 Voting for Another.**

25 No senator may vote for another senator; nor may any person cast a vote for a senator,
26 except as otherwise provided in section 8.5. A senator who voted for another senator may be
27 punished in a manner the senate determines. A person voting for a senator, when not authorized
28 by section 8.5, is barred from the floor of the senate and may be further punished as the senate
29 determines.

30 **8.10 Explanation of Vote.**

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

33 **8.11 Statement of the Question.**

34 After the question has been put, but before the system is locked, any senator may call for

1 a statement of the question.

2 **8.12 No Interruption.**

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

5 **SECTION 9**

6 **PROCEEDINGS ON NOMINATIONS**

7 **9.1 Scope.**

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

10 **9.2 Delivery.**

11 Nominations shall be delivered to the secretary of the senate, or his/her designee, at the
12 office of the secretary for presentation to the senate.

13 **9.3 Presentation to the Senate.**

14 When a nomination shall be presented to the senate for advice and consent, it shall,
15 unless otherwise ordered, be referred to the appropriate committee or committees and a copy of
16 the nomination shall be delivered to the senator within whose district the nominee resides. Except
17 as set forth herein, nominations shall follow the same course and be subject to the same
18 procedures as bills introduced pursuant to rules of the senate.

19 **9.4 Questions Presented.**

20 The final question on every nomination shall be, "Will the senate advise and consent to
21 this nomination?" which question shall not be put on the same day on which the nomination is
22 received, nor on the day on which it may be reported by a committee. Provided, however, that
23 this provision may be waived by vote of a majority of the senate.

24 **9.5 Effect of Non-action.**

25 Nominations neither confirmed nor rejected during the annual session at which they are
26 made shall not be acted upon at any succeeding session unless renewed by the appointing
27 authority; and if the senate shall adjourn or be in recess for a period in excess of thirty (30) days,
28 all nominations pending and not finally acted upon at the time of such adjournment or recess shall
29 be returned by the secretary of the senate to the appointing authority, and shall not again be
30 considered unless they shall again be made and delivered to the senate by the appointing
31 authority.

32 **9.6 Withdrawal of Nominations.**

33 Nominations may be withdrawn by the appointing authority at any time prior to final
34 action thereon by the senate.

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

4 **10.5 Confidentiality of Drafting.**

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

9 **10.6 Misuse of Rules.**

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

13 **10.7 Extraordinary and Special Session.**

14 In the event of the calling of an extraordinary session of the general assembly by the
15 governor, or a reconvened session by the speaker of the house and the president of the senate,
16 said session shall be conducted pursuant to these rules; provided, however, that rules 4.11-1, 6.2,
17 7.6 and 7.8 are not applicable to any such session; and, provided further, that any bill, act or
18 resolution for consideration of which the session is called shall have been provided to the
19 members at least twenty-four (24) hours prior to the consideration of the senate.

20 **10.8 Robert's Rules.**

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

24 **10.9 Use of Facilities.**

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

27 **10.10 Decorum.**

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

30 **10.11 Smoking Prohibited.**

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

34 **10.12 Consumption of Food and Alcoholic Beverages.**

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

4 **10.13 Appropriate Attire Required.**

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

7 **10.14 Electronic Devices.**

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

11 **10.15 Photographic Equipment.**

12 During sessions, photographic equipment shall not be used on the floor of the senate or in
13 committee hearing rooms when committee meetings are in session unless he or she has the
14 permission of the president of the senate or the senate committee chair. This section shall not
15 apply to properly credentialed representatives of the news media.

16 **10.16 Display of Posters, Signs, and Banners on the Floor.**

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

21 **10.17 Display of Posters, Signs, and Banners Prohibited in the Gallery.**

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

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