

2019 -- S 0250 SUBSTITUTE A

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

SENATE RESOLUTION

ADOPTING THE RULES OF THE SENATE FOR YEARS 2019-2020

Introduced By: Senators Lombardi, McCaffrey, Algieri, Ruggerio, and Goodwin

Date Introduced: February 07, 2019

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 ~~2017-2018~~ 2019-2020.

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 ~~1.2~~ 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 ~~1.3~~ 1.5 "Legislative Day" is a period of time which begins when the senate meets after  
16 an adjournment and ends when the senate next adjourns. A legislative day is not defined by, or  
17 confined to, a calendar day.

18 ~~1.4 "Public Bill" shall include all bills except: those which pertain to a particular city or~~  
19 ~~town; those which relate to an individual's pension and retirement; those which pertain to~~  
20 ~~restoration of corporation charters, and to amendments to authorized holdings by nonprofit~~

1 ~~organizations of a charitable, civic, library or like nature; resolutions memorializing congress, or~~  
2 ~~of congratulations, or expressing sympathy or condolences, and all resolutions requesting the~~  
3 ~~several departments of state government to grant some privilege, consideration or relief.~~

4 1.6 "President" is a member of the senate elected to that position, by roll call vote, on  
5 the first day of session in odd numbered years, or upon a vacancy due to the death, resignation or  
6 removal of the senator serving in that capacity. The president shall preside over the senate in  
7 accordance with these Rules.

8 1.7 "President Pro Tempore" is a member of the senate elected to that position, who  
9 presides over the senate in the absence of the president of the senate.

10 ~~1.5~~ 1.8 "Prime Sponsor" shall be that senator whose signature first appears upon the  
11 bill.

12 ~~1.6 "President Pro Tempore" is a member of the senate elected to that position, who~~  
13 ~~presides over the senate in the absence of the president of the senate.~~

14 ~~1.7 "Deputy President Pro Tempore" is a member of the senate appointed by the~~  
15 ~~president of the senate, who may preside over the senate in the absence of the president of the~~  
16 ~~senate and the president pro tempore.~~

17 1.9 "Public Bill" shall include all bills except: those which pertain to a particular city or  
18 town; those which relate to an individual's pension and retirement; those which pertain to  
19 restoration of corporation charters, and to amendments to authorized holdings by nonprofit  
20 organizations of a charitable, civic, library or like nature; resolutions memorializing congress, or  
21 of congratulations, or expressing sympathy of condolences, and all resolutions requesting the  
22 several departments of state government to grant some privilege, consideration or relief.

23 ~~1.8~~ 1.10 "Reading Clerk" is the person elected to that position under provisions of  
24 section 22-3-2 of the general laws who shall, at the direction of the presiding officer, read to the  
25 chamber any communication to the senate, resolution, bill or other document and who shall, at the  
26 direction of the presiding officer, date the bills and other documents before the senate, date  
27 recording thereon the action taken and/or the disposition thereof. The reading clerk also shall, at  
28 the direction of the senate, amend any bill and transmit any bill to the house of representatives  
29 and perform such other duties as may from time to time be prescribed by the president of the  
30 senate.

31 ~~1.9~~ 1.11 "Secretary of the Senate" is the person elected to that position under  
32 provisions of section 22-3-2 of the general laws who shall, at the direction of the presiding  
33 officer, record the proceedings of the senate in a journal, signing said journal as secretary of the  
34 senate, and who shall, upon their referral, deliver bills and other documents to their respective

1 committees, hold and maintain in good order any bill assigned to the calendar or the consent  
2 calendar, and transmit any bill or document to the governor. The secretary of the senate also shall  
3 perform those duties prescribed in other sections hereof and those which may from time to time  
4 be prescribed by the president of the senate.

5 ~~1.10~~ 1.12 **“The Rise of the Senate”** occurs upon the conclusion of senate floor business  
6 and the exact time varies by the amount of business to be conducted on a particular legislative  
7 day.

8 ~~1.11~~ 1.13 **“The Senate Chamber”** or **“Chamber”** shall include the floor, the corridor  
9 behind the floor, the cloak room and the senate lounge.

10 ~~1.12~~ **“Calendar Day”** is that period of 24 hours between 12:00 a.m. and 12:00 midnight.

11 ~~1.13~~ 1.14 **“Vote”** or **“Majority Vote”** as used herein shall mean a majority of members  
12 present and voting unless specifically stated otherwise.

## 13 **SECTION 2.**

### 14 **PRESIDING OFFICER**

#### 15 **2.1 Presiding Officer.**

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

#### 24 **2.2 Duties of the Presiding Officer.**

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

#### 32 **2.3 Appealing the Ruling of Presiding Officer.**

33 Any senator may appeal the ruling of the presiding officer by rising as soon as the ruling  
34 is made, even though another has the floor and, without waiting to be recognized by the chair,

1 stating, "I appeal the ruling of the chair," and upon such appeal being seconded, the presiding  
2 officer shall immediately and without debate put the question, "Shall the ruling of the chair be  
3 sustained?", which question shall be decided by majority vote of the senators present and voting.  
4 Once sustained, the ruling shall not be subject to another appeal on the same point.

### 5 SECTION 3.

#### 6 ORDER OF BUSINESS ON THE SENATE FLOOR

##### 7 3.1 Commencement of Daily Session.

8 The presiding officer shall take the chair at the hour to which the senate shall have  
9 convened, call the senators to order, and record attendance by electronic roll call. A quorum shall  
10 consist of ~~20~~ a majority of the members elected. Upon late arrival, at any time prior to the  
11 adjournment of the senate, a senator may report his or her presence to the secretary of the senate  
12 who shall record the senator's attendance in the journal.

##### 13 3.2 Reading the Journal.

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

##### 17 3.3 Daily Business.

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

- 20 (1) Introduction of guests
- 21 (2) Communications
- 22 (3) Reports of committees
- 23 (4) Introduction and reference of new business
- 24 (5) Unfinished business
- 25 (6) Consideration of house transmittals
- 26 (7) Consent calendar
- 27 (8) Calendar
- 28 (9) Introduction of guests
- 29 (10) Personal privilege
- 30 (11) Address of important matters
- 31 (12) Daily adjournment

##### 32 3.4 Final Adjournment.

33 The last order of business of the annual session of the senate shall be the vote in  
34 conformity with the resolution of final adjournment or recess which must be carried by a majority

1 vote of the senators present and voting.

2 **3.5 Time for Sessions.**

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

6 **SECTION 4.**

7 **ACTS AND RESOLUTIONS**

8 **4.1 Form of Bills.**

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

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

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

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

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

26 All bills shall be processed through legislative council.

27 **4.2 Explanation of Bills.**

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

31 **4.3 Copies of Bills.**

32 Each bill introduced shall be accompanied by not less than eight (8) copies thereof, with  
33 said copies delivered by the secretary of the senate to the office of the president of the senate for  
34 subsequent distribution as determined by the president of the senate. Nothing in this section shall

1 prevent a senator from obtaining a preliminary draft of legislation for his or her review prior to  
2 introduction.

#### 3 **4.4 Filing with Secretary of the Senate**

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

#### 17 **4.5 Deadline for Introductions.**

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

#### 23 **4.6 Omnibus Claims Against the State.**

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

#### 29 **4.7 Resolutions of Congratulations and Condolences.**

30 Notwithstanding any other provisions of these rules, all resolutions of congratulations or  
31 expressing sympathy or condolences except with respect to former and present members of the  
32 general assembly, general officers, members of the judiciary and elected state or federal officials,  
33 shall be placed on the consent calendar, unless otherwise ordered by the president of the senate.  
34 Said resolution of congratulations and condolences shall not require concurrent action; upon

1 passage, shall be forthwith transmitted to the secretary of state, and an appropriate notice of the  
2 action of the senate thereon shall be forwarded, as requested in the resolution, by the secretary of  
3 state. One formal resolution may include all the expressions of sympathy or congratulations of the  
4 several senators.

#### 5 **4.8 Enactment of Laws.**

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

#### 8 **4.9 Electronic Availability of Public Bills--Requirements.**

##### 9 **4.9-1 Public Bills.**

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

##### 14 **4.9-2 Committee Amendments.**

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

##### 17 **4.9-3 Materially Altered Bills.**

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

#### 25 **4.10 Copies of Bills and Voting Records.**

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

#### 28 **4.11 Requests for Funding of Community Service Objectives.**

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

#### 32 **4.12 ~~Death of a Member~~ Death or Resignation of a Member.**

33 In the event that any member or member-elect shall die or resign after filing and before  
34 consideration by committee, the death or resignation of said member or member-elect shall

1 constitute automatic withdrawal of said bill or resolution and automatic withdrawal of the number  
2 of said bill or resolution and said number shall not be used again during the legislative session;  
3 provided, however, that where a bill or resolution shall have had more than one sponsor, said bill  
4 or resolution and number shall not be withdrawn and the member whose name appears second on  
5 said bill or resolution shall become the prime sponsor.

6 **4.13 Limitation on Number of Bills Introduced.**

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

9 **SECTION 5.**

10 **COMMITTEES**

11 **5.1 Standing Committees.**

12 The senate shall have the following standing committees:

- 13 1. Committee on Judiciary
- 14 2. Committee on Finance
- 15 3. Committee on Housing and Municipal Government
- 16 4. Committee on Labor
- 17 5. Committee on Special Legislation and Veterans' Affairs
- 18 6. Committee on Health and Human Services
- 19 7. Committee on Education
- 20 8. Committee on Commerce
- 21 9. Committee on Environment and Agriculture
- 22 10. Committee on Rules, Government Ethics and Oversight

23 **5.1-1 Committee on Judiciary.**

24 It shall be the duty of the committee on judiciary to consider the appointments of the  
25 governor referred to it by the senate which require the advice and consent of the senate and all  
26 legislation and matters which affect the penal code, judicial system, ethics, open meetings, access  
27 to public records and election laws of the state, to maintain oversight over the application,  
28 execution and operation of the laws within its jurisdiction, expulsion of a member and to consider  
29 such other matters as may be referred to it by the senate. In the matters of judicial appointments,  
30 expulsion of a member and those public hearings designated by the committee chair, all  
31 testimony shall be under oath and preserved by stenographic record which shall be transcribed  
32 upon the order of the chair.

33 **5.1-2 Committee on Finance.**

34 It shall be the duty of the committee on finance to consider the appointments of the



1 governor referred to it by the senate which require the advice and consent of the senate and all  
2 legislation and matters relative to revenue, appropriations and taxes, to inquire into the state of  
3 the public debt, to report from time to time its opinion thereon and such propositions relative  
4 thereto as it shall deem expedient, to maintain oversight over the application, execution and  
5 operation of the laws within its jurisdiction and to consider such other matters as may be referred  
6 to it by the senate. The chair of the committee shall be authorized to appoint as many sub-  
7 committees as he or she deems necessary, including, but not limited to, a sub-committee on  
8 veterans affairs.

9 **5.1-3 Committee on Housing and Municipal Government.**

10 It shall be the duty of the committee on housing and municipal government to consider  
11 the appointments of the governor referred to it by the senate which require the advice and consent  
12 of the senate and all legislation and matters affecting housing, municipal government,  
13 transportation, to maintain oversight over the application, execution and operation of the laws  
14 within its jurisdiction and to consider such other matters as may be referred to it by the senate.

15 **5.1-4 Committee on Labor.**

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

21 **5.1-5 Committee on Special Legislation and Veterans' Affairs.**

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

28 **5.1-6 Committee on Health and Human Services.**

29 It shall be the duty of the committee on health and human services to consider the  
30 appointments of the governor referred to it by the senate which require the advice and consent of  
31 the senate and to consider all reports of the departments of health, of human services, of  
32 behavioral healthcare, developmental disabilities and hospitals, of children, youth and families,  
33 and of elderly affairs; to consider all legislation and matters expanding or defining further areas  
34 of responsibility of the foregoing and to consider all legislation and matters relative to public

1 health and welfare; health care and human service access and quality; health and human service  
2 professional standards of practice, and facility standards of care; to maintain oversight over the  
3 application, execution and operation of the laws within its jurisdiction; and to consider such other  
4 matters as may be referred to it by the senate.

5 **5.1-7 Committee on Education.**

6 It shall be the duty of the committee on education to consider the appointments of the  
7 governor referred to it by the senate which require the advice and consent of the senate and all  
8 legislation and matters relating to student performance, governance, programming, teacher  
9 preparation and planning, as well as the work and operation of all state agencies regarding all  
10 levels of education, make findings, and recommend policy initiatives and other actions to the  
11 general assembly. The commission shall also exercise oversight in relation to the implementation  
12 of all legislation and grants of authority relating to all levels of public education in the state by all  
13 agencies, state and local, charged and empowered by the general assembly in relating to all levels  
14 of public education, to maintain oversight over the application, execution and operation of the  
15 laws within its jurisdiction and to consider such other matters as may be referred to it by the  
16 senate.

17 **5.1-8 Committee on Commerce.**

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

24 **5.1-9 Committee on Environment and Agriculture.**

25 It shall be the duty of the committee on environment and agriculture to consider the  
26 appointments of the governor referred to it by the senate which require the advice and consent of  
27 the senate and all legislation and matters relating to the conservation of the air, land, water, plant,  
28 animal, mineral and other natural resources of the state, and to adopt all means necessary and  
29 proper by law to protect the natural environment of the people of the state by providing adequate  
30 resource planning for the control and regulation of the use of the natural resources of the state and  
31 for the preservation, regeneration, and restoration of the natural environment of the state, to  
32 maintain oversight over the application, execution and operation of the laws within its jurisdiction  
33 and to consider such other matters as may be referred to it by the senate.

34 **5.1-10 Committee on Rules, Government Ethics and Oversight**

1           It shall be the duty of the committee on rules, government ethics and oversight consider  
2 the appointments of the governor referred to it by the senate which require the advice and consent  
3 of the senate, and (1) Consider all matters relating to the rules of the senate; (2) to ensure that the  
4 members of the Senate and its staff, through education, monitoring and disseminating the  
5 opinions of the Rhode Island Ethics Commission, adhere to the highest standards of ethical  
6 conduct, respect the public trust and the rights of all persons, be open, accountable and  
7 responsive, avoid the appearance of impropriety, and not use their position for private gain or  
8 advantage; (3) to monitor and evaluate past, current and prospective performance of public bodies  
9 and statutory entities, including quasi-public agencies that exercise executive governmental  
10 functions (except public bodies and statutory entities of the legislative and judiciary branches of  
11 the state) and any other public or private person, including any agencies, partnerships, corporation  
12 or business entity insofar as such person is acting on behalf of and/or in place of any public  
13 agency; (4) to consider the organization, reorganization, creation or termination of such public  
14 bodies, statutory entities, including quasi-public agencies and public or private persons; (5) to  
15 review and consider the reports of the auditor general; (6) to report its opinion and/or  
16 recommendation of legislation or action regarding the foregoing matters; (7) to consider any bill  
17 referred to it by the senate, including, but not limited to any act, resolve, resolution or petition;  
18 and (8) to consider such other matters that are referred to it by the senate.

## 19           **5.2 Committee Membership.**

20           Each of the standing committees of the senate shall consist of the president of the senate,  
21 ex officio with voting rights, and the majority and minority leaders of the senate, ex officio, with  
22 voting rights, and senators appointed by the president of the senate, each to serve until ~~January 1,~~  
23 ~~2019~~ January 5, 2021. Provided, however, that the president of the senate may change the  
24 committee assignment of a member ~~with~~ without the member's consent, for cause only; and  
25 provided further, however, that each senator other than the president and the majority and  
26 minority leaders, shall serve as a member of one of the following standing committees:  
27 committee on health and human services; committee on commerce; committee on finance;  
28 committee on the judiciary. In addition to the committees appointed by the president of the  
29 senate, the majority and minority whips of the senate shall serve ex officio, with voting rights on  
30 all standing committees of the senate.

## 31           **5.3 Vacancies on Committees.**

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

## 34           **5.4 Officers of Committees.**

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

#### 4           **5.5 Select Committees.**

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

#### 11           **5.6 Referral to Committee.**

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

#### 17           **5.7 Committees of Conference.**

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

1 information: the bill number and title, the members of the committee, the action of the committee,  
2 and the signature of the members of the committee accepting or rejecting the report.

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

## 9 SECTION 6.

### 10 PROCEEDINGS IN COMMITTEE

#### 11 6.1 Time for Committee Meetings.

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

#### 15 6.2 Committee Agenda – Posting.

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

#### 22 6.3 Convening of Meeting.

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

#### 25 6.4 Public Participation.

##### 26 6.4-1 Open Meetings.

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

##### 32 6.4-2 Executive Sessions.

33 Any standing committee may be called into executive session by the chair or upon  
34 motion of one of the committee members if the matter under consideration is deemed by the chair

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

8 **6.4-3 Public Hearings.**

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

17 **6.5 Hearing and Consideration of Bills.**

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

1 this rule at a time less than sixteen (16) days before the deadline for committee consideration set  
2 forth in section 6.9, then such request shall not be proper and shall be automatically denied.

3 **6.6 Quorum.**

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

7 **6.7 Minority Representation.**

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

14 **6.8 Committee Votes.**

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

20 **6.9 Deadline for Consideration.**

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

26 **6.10 Discharge from Committee.**

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

29 Any senator may present a petition, in writing, to discharge a committee from further  
30 consideration of a bill which has been in the possession of the committee for thirty (30)  
31 legislative days without having been considered, but only one petition on a particular bill may be  
32 presented during the course of a session. Prior to presenting the petition, the senator must  
33 introduce a resolution of intent to discharge such committee. Such resolution of intent shall  
34 contain the bill number and the committee to be discharged. The presiding officer shall cause the

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

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

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

#### 15 **6.11 Compelling Committee Action.**

16 If a committee to which a bill has been referred fails to consider such bill within sixteen  
17 (16) legislative days of its referral, the prime sponsor of such bill, or a majority of the appointed  
18 members, but not less than four (4) committee members, may, in writing, request the chair of the  
19 committee, through the presiding officer of the senate, that such bill be considered. The request  
20 shall be printed in the journal of the senate. The committee shall consider such bill at its first  
21 meeting held at least three (3) legislative days after such request is made. If the committee does  
22 not consider the bill within nine (9) legislative days of receipt of the request then the committee  
23 shall be discharged of its responsibility to consider such bill and such bill shall be placed on the  
24 senate calendar pursuant to section 7.6 hereof. Consideration by a committee shall be interpreted  
25 to mean any one of the following actions: recommendation of passage, recommendation of  
26 passage as amended, transfer to another committee, indefinite postponement, hold for further  
27 study or defeat of the bill. Nothing contained in this section shall be construed to change the  
28 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           **6.14 Transfer of Bills.**

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

6           **6.15 Committee Records.**

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

13           **6.16 Attribution of Bills.**

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

17           **6.17 Companion Bills.**

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

20           **6.18 Substitute Bills.**

21           Any proposed substitute bill, or a substitute of a bill held by a committee, shall be posted  
22 at least twenty-four (24) hours prior to consideration. Such postings will be placed on the official  
23 general assembly website, as well as on the legislative data bulletin board. The electronic posting  
24 shall be considered the official date of the posting. In the event that the electronic posting is  
25 inoperable, then the official posting shall be the legislative data bulletin board. The chair may  
26 waive this twenty-four (24) hour posting requirement, for amendments technical, grammatical, or  
27 not substantive or substantial in nature. This section shall not apply to the annual state budget bill.

28   **SECTION 7.**

29   **PROCEEDINGS ON THE SENATE FLOOR**

30           **7.1 Right to the Floor.**

31           No senator shall address another except through the presiding officer. A senator shall rise  
32 to put a question, may state it or read a paper sitting. When any senator wishes to speak or to  
33 deliver any matter to the senate, the senator shall press his or her recognition control and the  
34 presiding officer shall recognize the senator who so requests recognition and the order of

1 recognition shall be determined by the presiding officer. The senator so recognized shall not be  
2 interrupted while speaking except by a call to order or a motion to suspend section 3.5. The  
3 senator shall then immediately be seated unless permitted by the senate to proceed, which shall be  
4 determined upon motion without debate. No senator, exclusive of the majority and minority  
5 leaders, the principal sponsor or floor manager, or the chair of the committee from which the bill  
6 or resolution was reported, shall speak more than twice to the same question without leave of the  
7 senate, which shall be determined without debate; nor more than once until every member  
8 choosing to speak shall have spoken; nor for longer than five (5) minutes without the leave of the  
9 senate, which shall be determined without debate. A senator may yield his or her right to the floor  
10 to another senator. ~~No senator shall speak more than twice on the same question without leave of~~  
11 ~~the senate which shall be determined without debate, nor more than once until the other senators~~  
12 ~~who have not spoken shall speak if they so desire, provided, however that a senator may yield his~~  
13 ~~or her right to the floor to another senator.~~

#### 14 **7.2 Personal Privilege.**

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

#### 22 **7.3 Addressing the Senate on Important Matters.**

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

#### 28 **7.4 Objectionable Language.**

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

#### 32 **7.5 Priority of Business.**

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

1           **7.6 Calendar.**

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

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

17           **7.7 Consent Calendar.**

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

27           **7.8 Reports of Joint Committees.**

28           No bill reported by or forwarded on the recommendation of a joint committee of the two  
29 houses shall be in order for concurrence by the senate if it shall appear that the members of such  
30 joint committee on the part of the senate, if in attendance on the general assembly, shall not have  
31 been notified or present when the subject was acted on by such joint committee. No report shall  
32 be acted on in the senate from any joint committee unless as subscribed by a senator who is a  
33 member of said committee. Any report from a joint committee shall be made on the floor of the  
34 senate by a member of said committee, notwithstanding that said member may not have

1 concurred in the report and said report shall be held on the desk unless ordered placed on the  
2 calendar pursuant to section 7.6 by the president of the senate or by a majority vote of the senate.

### 3 **7.9 Messages from the House.**

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

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

### 22 **7.10 Amendments.**

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

### 31 **7.11 Votes in Concurrence.**

32 Whenever any bill shall come before the senate for concurrence, and the senate concurs  
33 without amendments, or fails to concur, the secretary of the senate may announce the concurrence  
34 or nonconcurrence to the other house, but the original bill received by the senate shall not be

1 transmitted to the other house.

2 **7.12 Motions.**

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

7 **7.13 Interruption of Debate.**

8 When a question is under debate, no motion shall be received except to suspend section  
9 3.5, to adjourn, to recommit, for the previous question, to close debate, to fix a time for closing  
10 debate, to take a recess, to lay on the table, to take from the table, to transmit, to postpone  
11 indefinitely, to change calendar arrangement, or to amend, and any motion or resolution the  
12 purpose of which is to take any bill or any other matter from committees of the senate or to  
13 discharge a committee from the consideration thereof, which several motions shall have  
14 precedence in the order in which they are here arranged and shall be decided by majority vote  
15 without debate; provided further that a motion to recommit as to any bill which is placed on the  
16 senate calendar may be voted by yeas and nays; however, if the prime sponsor timely objects, the  
17 motion shall be voted on by electronic roll of the senate.

18 **7.14 Adjournment.**

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

22 **7.15 Lay on the Table.**

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

25 **7.16 Dividing Questions.**

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

28 **7.17 Non-Germane Amendments.**

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

31 **7.18 Motion for Reconsideration.**

32 A senator on the prevailing side of any vote may, on the same legislative day, move to  
33 reconsider the vote on the same or following legislative day. When a bill has been reconsidered it  
34 shall not be reconsidered again during the session. Bills and other papers in reference to which a

1 motion to reconsider is pending shall, unless otherwise ordered, remain in the possession of the  
2 secretary of the senate until the right of reconsideration has expired. The privilege to reconsider  
3 granted by this rule may be suspended by a majority vote of the senators present and voting.

4 **7.19 Printed Material.**

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

7 **7.20 Recommittal.**

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

11 **7.21 Immediate Consideration.**

12 During the time for introduction and reference of new business, as provided in section  
13 3.3, a senator may introduce a bill and move for immediate consideration of the bill at that time.  
14 If there is no objection to the motion, for immediate consideration it is deemed to be approved,  
15 but if there is objection to the motion for immediate consideration, the presiding officer shall  
16 submit the motion to a vote of the senate; such motion for immediate consideration shall require  
17 the votes of two-thirds (2/3) of those senators present and voting, for approval. If the bill is not  
18 available electronically to all members of the senate at the time of the request for immediate  
19 consideration, then a hard copy of the bill shall be made available to any senator upon request.

20 **7.22 Questions During Debate.**

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

29 **SECTION 8.**

30 **VOTING ON THE SENATE FLOOR**

31 **8.1 Method of Voting.**

32 The electronic roll call of the senate shall be called on any vote pertaining to ~~a~~ an  
33 election, public bill, on passage of the consent calendar and on any other vote at the request of  
34 any senator present; otherwise, votes shall be put by yeas and nays. In naming sums or numbers,

1 and fixing times, the largest sum or longest time shall be put first.

2 **8.2 Voting Machine Inoperative.**

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

8 **8.3 Who May Vote.**

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

15 **8.4 Control of Electronic Voting System.**

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

18 **8.5 Conducting a Vote.**

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

28 **8.6 Announcing the Tally.**

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

32 **8.7 Changing a Vote.**

33 No vote may be changed after the system has been locked and the vote recorded except  
34 that, after a vote has been recorded, any senator may, by a majority vote of the senate, be

1 permitted to change his or her vote, provided that such change be effected on the same calendar  
2 day as his or her original vote.

3 **8.8 Recording Votes.**

4 **8.8-1** On any recorded vote, no senator shall be recorded as having voted unless he or she  
5 has been recorded or recognized as being present prior to the conduct of said vote.

6 **8.8-2** Upon request, on any non-recorded vote, any senator shall have his or her vote  
7 recorded so that it shall appear in the journal of the senate.

8 **8.9 Voting for Another.**

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

14 **8.10 Explanation of Vote.**

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

17 **8.11 Statement of the Question.**

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

20 **8.12 No Interruption.**

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

23 **SECTION 9.**

24 **PROCEEDINGS ON NOMINATIONS**

25 **9.1 Scope.**

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

28 **9.2 Delivery**

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

31 **9.3 Presentation to the Senate.**

32 When a nomination shall be presented to the Senate for advice and consent, it shall,  
33 unless otherwise ordered, be referred to the appropriate committee or committees and a copy of  
34 the nomination shall be delivered to the senator within whose district the nominee resides. Except



1 as set forth herein, nominations shall follow the same course and be subject to the same  
2 procedures as bills introduced pursuant to Rules of the Senate.

3 **9.4 Questions Presented.**

4 The final question on every nomination shall be, "Will the Senate ~~advise~~ provide its'  
5 advice and consent to ~~this nomination~~ [insert nominee name and position]?" which question shall  
6 not be put on the same legislative day on which the nomination is received, nor on the legislative  
7 day on which it may be reported by a committee. Provided, however, that this provision may be  
8 waived by vote of a majority of the Senate.

9 **9.5 Effect of Non-action.**

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

17 **9.6 Withdrawal of Nominations.**

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

20 **SECTION 10.**

21 **MISCELLANEOUS**

22 **10.1 Legislative Aides.**

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

27 **10.2 Absence of a Quorum.**

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

31 **10.3 Amendment and Suspension of Rules.**

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

34 **10.4 Access to the Senate Chamber.**

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

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

7           **10.4-2 Senators' Seats.**

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

10          **10.4-3 Sheriff's Duties.**

11          It shall be the duty of the sheriff, or the sheriff's deputies in attendance in the senate, or in  
12 their absence, a member of the capitol police department, to see that sections 10.4-1, 10.4-2, 10.4-  
13 3, 10.4-4 and 10.4-9 are enforced, and that all senate entrances and exits are kept completely clear  
14 and open to passage to and from the chamber.

15          **10.4-4 Gallery.**

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

19          **10.5 Confidentiality of Drafting.**

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

24          **10.6 Misuse of Rules.**

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

28          **10.7 Extraordinary and Special Session.**

29          In the event of the calling of an extraordinary session of the general assembly by the  
30 governor, or a reconvened session by the speaker of the house and the president of the senate,  
31 said session shall be conducted pursuant to these rules; provided, however, that sections 4.9-1,  
32 6.2, 7.6 and 7.8 are not applicable to any such session; and, provided further, that any bill, act or  
33 resolution for consideration of which the session is called shall have been provided to the  
34 members at least twenty-four (24) hours prior to the consideration of the senate.

1           **10.8 Robert's Rules Mason's Rules.**

2           ~~Robert's~~ Mason's Rules of Order shall govern procedure on the senate floor and in the  
3 committees of the senate in all cases in which they are not inconsistent with these rules or with  
4 any joint rules of the senate and house.

5           **10.9 Use of Facilities.**

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

8           **10.10 Decorum.**

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

11          **10.11 Smoking Prohibited.**

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

15          **10.12 Consumption of Food and Alcoholic Beverages.**

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

19          **10.13 Appropriate Attire Required.**

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

22          **10.14 Electronic Devices.**

23          During sessions cell phones shall not be used on the floor of the senate or in committee  
24 hearing rooms when committee meetings are in session.

25          **10.15 Photographic Equipment.**

26          During sessions, photographic equipment that blocks ingress or egress or unduly creates a  
27 distraction as determined by the president of the senate or the senate committee chair, shall not be  
28 used on the floor of the senate or in committee hearing rooms when committee meetings are in  
29 session. ~~unless he or she has the permission of the president of the senate or the senate committee~~  
30 ~~chair. This section shall not apply to properly credentialed representatives of the news media.~~

31          **10.16 Display of Posters, Signs, and Banners on the Floor.**

32          No placard, sign, poster, banner, chart or other visual aid of similar nature shall be  
33 displayed on the floor of the Senate or used in debate at any time when the Senate is in session  
34 without the consent of the presiding officer. Any decision of the presiding officer under this rule

1 may be appealed to the body.

2 **10.17 ~~Display of Posters, Signs, and Banners Prohibited in the Gallery~~ Display of**  
3 **Posters, Signs, and Banners Prohibited in the Gallery or Hearing Rooms.**

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

7 **10.18 Official Notice.**

8 Except as otherwise provided in these rules, notice to a member transmitted from the  
9 Office of the President through the Rhode Island General Assembly email system to the  
10 rilegislature.gov email address assigned to the member shall constitute official written notice to  
11 the member as of the date and time of the transmission. It is the responsibility of the members to  
12 monitor their rilegislature.gov email address on a regular basis, or to have email messages  
13 forwarded to an address which is monitored on a regular basis. Alternatively, a member may elect  
14 to receive such notice directly at an email address other than the member's rilegislature.gov email  
15 address by executing a form available in the Office of the President. Once designated,  
16 transmissions to the alternate email address shall constitute written notice to the member as of the  
17 date and time of the transmission and will continue to be such until the Office of the President is  
18 notified of a different address.

19 **10.19 Continuing Ethics Education.**

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

23 **10.20 Continuing Education and Training.**

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

26 **10.21 Discipline of a Member.**

27 The extraordinary power of expulsion generally should be reserved for very serious  
28 breaches of legal or ethical responsibilities of members. A complaint to expel a member shall  
29 commence with a resolution sponsored by the senate president; provided however, if the president  
30 is the subject of the resolution to expel, the resolution shall be sponsored by the president pro  
31 tempore. The secretary of the senate shall refer the resolution to the committee on judiciary. The  
32 committee shall investigate the matter and shall have the right to compel witnesses and produce  
33 documents by subpoena and other customary means. The committee shall afford the member due  
34 process. Due process shall be defined as customary legislative process for hearings, to include:

1 properly served notice of all hearings, the right to testify and refute the allegations and the right to  
2 present evidence. In addition, individual notice shall be served upon the member and the member  
3 shall have the right to cross examine any witness. The vote of a majority of the committee shall  
4 be sent to the floor for the next legislative day available for consideration. All testimony shall be  
5 under oath and preserved by stenographic record which shall be transcribed upon the order of the  
6 chair. Expulsion shall require by two-thirds of the members elected voting for approval of the  
7 resolution to expel.

8 **10.22 Elections.**

9 (1) On the first day of session, in an odd-numbered year, the senate shall be called to  
10 order by the senior member in continuous service present from Newport: “from Newport” shall  
11 be defined as any member who lives in Newport, if none, then the senior member whose district  
12 includes any of the City of Newport. If there are two (2) or more members of equal seniority of  
13 service, then by that one of them that shall be senior in age. The roll of members as appears by  
14 the list of senators shall then be called by the clerk. If a quorum is present, the member calling the  
15 senate to order as provided above shall call for nominations for the office of president of the  
16 senate, and shall call for a roll call vote of all members voting, and after the votes have been  
17 counted by him or her and by the clerks of the senate, he or she shall declare the result, and the  
18 voting shall continue until some person receives a majority of all the votes, and the person  
19 receiving that majority shall be the president of the senate for the ensuing term of two (2) years;  
20 (2) The member so calling the senate to order shall not receive, entertain, or put to vote any  
21 motion or question whatever, or point of order, excepting, the adoption of interim Senate Rules  
22 which shall precede any election; (3) Immediately upon the election of a president, the senate  
23 shall proceed to elect by roll call vote a president pro tempore, deputy president pro tempore,  
24 secretary of the senate and reading clerk, and shall immediately notify the house of  
25 representatives that it is duly organized and ready to proceed with the business of the session; (4)  
26 The secretary and clerk shall be employees of the legislative department under the jurisdiction  
27 and control of the senate, and shall hold office for two (2) years, and until their successors are  
28 elected and qualified; (5) Should the office of president pro tempore, deputy president pro  
29 tempore, secretary of the senate and reading clerk become vacate during the session term, the  
30 president shall call for elections. Should the office of president become vacate during the session  
31 term, the president pro tempore shall preside over an election using subsection (1) above.

32 **SECTION 11.**

33 **TRANSPARENCY**

34 **11.1 Policy.**

1           It is declared to be the policy of the senate that to the maximum extent possible senate  
2 votes on public bills, [elections](#) and proceedings on the floor and in committee shall be recorded,  
3 or video screened and published on the general assembly website and/or broadcast on capitol  
4 television.

5           **11.2 Publication of Committee Votes.**

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

10          **11.3 Televising or Otherwise Recording Committee Hearing.**

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

13          **11.4 Publication of Votes.**

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

16          **11.5 Publication of the Senate Rules.**

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

19          **11.6 Authorization and Direction.**

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

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