

Approved for introduction
SENATE LEGAL COUNSEL

1 SENATE RESOLUTION 101
2 BY: COMMITTEE ON RULES AND ADMINISTRATION *Approved 1/13 (p. 19)*

3 A Resolution to amend the permanent Rules of the
4 Senate for the 1986 Session of the Seventy-first
5 General Assembly.

6 BE IT RESOLVED BY THE SENATE, That the permanent rules
7 of the senate for the seventy-first general assembly
8 be amended as follows:

9 Rule 33
10 Study Bills

11 1. A study bill is any matter which a senator
12 wishes to have considered by a standing committee or
13 appropriations subcommittee for introduction as a
14 committee bill or resolution. The term "study bill"
15 includes "proposed bills" provided for in Rule 37 and
16 departmental requests prefiled in the manner specified
17 in section 2.16 of the Code.

18 2. Upon first receiving a study bill from a
19 senator, a committee chairperson shall submit three
20 copies to the secretary of the senate. Study bills
21 received in the secretary of the senate's office
22 before 3:00 p.m. shall be filed, numbered, and
23 reported in the journal for that day. Study bills
24 received in the secretary of the senate's office after
25 3:00 p.m. shall be filed, numbered, and reported in
26 the journal for the subsequent day. The secretary
27 shall number such bills in consecutive order. The
28 secretary shall maintain a record of all study bills
29 and their assigned number. Committee records shall
30 refer to study bills by the number assigned by the

1 secretary.

2 3. The secretary shall file a report in the
3 journal of each study bill received. The report shall
4 show the study bill number, its title or subject
5 matter and the committee which is considering it. If
6 a study bill is referred to a subcommittee, then the
7 committee chairperson shall report in the journal the
8 names of the subcommittee members to which it is
9 assigned.

10 4. If a committee bill or resolution is introduced
11 which was not previously the subject of a study bill
12 in the sponsoring committee, the majority leadership
13 may re-refer the bill back to the committee.

14 Rule 39

15 Rules for Standing Committees

16 The following rules shall govern all standing
17 committees of the senate. Any committee may adopt
18 additional rules which are consistent with these
19 rules:

20 1. A majority of the members shall constitute a
21 quorum.

22 2. The chair of a committee shall refer each bill
23 and resolution to a subcommittee within seven days
24 after the bill or resolution has been referred to the
25 committee. The chair may appoint subcommittees for
26 study of bills and resolutions without calling a
27 meeting of the committee, but the subcommittee must be
28 announced at the next meeting of the committee. No
29 bill or resolution shall be reported out of a
30 committee until the next meeting after the

1 subcommittee is announced, except that the chair of
2 the appropriations committee may make the announcement
3 of the assignment to a subcommittee by placing a
4 notice in the journal. Any bill so assigned by the
5 appropriations committee chair shall be eligible for
6 consideration by the committee upon report of the
7 subcommittee but not sooner than three legislative
8 days following the publication of the announcement in
9 the journal.

10 When a bill or resolution has been assigned to a
11 subcommittee, the chair shall report to the senate the
12 bill or resolution number and the names of the
13 subcommittee members and such reports shall be
14 reported in the journal ~~of the last legislative day of~~
15 each week. Subcommittee assignments shall be reported
16 to the journal daily. Reports filed before 3:00 p.m.
17 shall be printed in the journal for that day; reports
18 filed after 3:00 p.m. shall be printed in the journal
19 for the subsequent day.

20 Where standing subcommittees of any committee have
21 been named, the names of the members and the title of
22 the subcommittee shall be published once and
23 thereafter publication of assignments may be made by
24 indicating the title of the subcommittee.

25 3. No bill or resolution shall be considered by a
26 committee until it has been referred to a subcommittee
27 and the subcommittee has made its report unless
28 otherwise ordered by a majority of the members.

29 4. The rules adopted by a committee, including
30 subsections 2, 3, 9, 10, 11, and 12 of this rule, may

1 be suspended by an affirmative vote of a majority of
2 the members of the committee.

3 5. The affirmative vote of a majority of the
4 members of a committee is needed to sponsor a
5 committee bill or resolution or to report a bill or
6 resolution out for passage.

7 6. The vote on all bills and resolutions shall be
8 by roll call and a record shall be kept by the
9 secretary.

10 7. No committee, except a conference committee or
11 the steering committee, is authorized to meet when the
12 senate is in session.

13 8. A subcommittee shall not report a bill to the
14 committee unless the bill has been typed into proper
15 form by the legislative service bureau.

16 9. A bill or resolution shall not be voted upon
17 the same day a public hearing is held on that bill or
18 resolution. The presence or participation of a member
19 of the legislature, official of the state, state
20 department head, member of the press, legislative
21 staff member assigned to the committee, or a person
22 invited by the committee is not considered a public
23 hearing.

24 10. Public hearings may be called at the
25 discretion of the chair. The chair shall call a
26 public hearing upon the written request of one-half
27 the membership of the committee. The chair shall set
28 the time and place of the public hearing.

29 11. A subcommittee chair must notify the committee
30 chair not later than one legislative day prior to

1 bringing the bill or resolution before the committee.
2 The committee cannot vote on a bill or resolution for
3 at least one full day following the receipt of the
4 subcommittee report by the chairperson.

5 12. A motion proposing action on a bill or
6 resolution that has been defeated by a committee shall
7 not be voted upon again at the same session of the
8 committee.

9 13. Committee meetings shall be open.

10 CONFIRMATION OF APPOINTMENTS

11 Rule 60

12 Appointments

13 The secretary of the senate shall maintain a file
14 of all appointments received from the governor for
15 confirmation. The file shall contain a description of
16 the duties and the compensation for each nominee. The
17 file shall show the date an appointment was received
18 from the governor, whether the appointment letter was
19 read to the senate, whether the nominee has been
20 introduced, and whether a committee report has been
21 filed.

22 INVESTIGATING COMMITTEES. All appointments
23 received from the governor shall be referred to the
24 rules and administration committee by the secretary of
25 the senate on the same day they are read to the
26 senate. The rules and administration committee shall
27 establish an en bloc confirmation calendar which must
28 be filed with the secretary of the senate. Within
29 three legislative days after receiving an appointment,
30 the committee shall either place a nominee on the en

1 bloc confirmation calendar or assign the nominee to an
2 appropriate standing committee for further
3 investigation, publishing notice of such assignment in
4 the senate journal for the next legislative day. If
5 the rules and administration committee fails to take
6 action on a nominee within the three days, the nominee
7 shall automatically be placed on the en bloc
8 confirmation calendar.

9 Within the three legislative days after an
10 appointment has been referred to the rules and
11 administration committee, any ten senators may require
12 that the nominee be assigned to an appropriate
13 standing committee by filing a written, signed request
14 therefor with the chairperson of the rules and
15 administration committee. The committee chair shall
16 refer the appointment to a subcommittee within one
17 legislative day after a standing committee receives an
18 appointment for further investigation, publishing
19 notice of such assignment in the senate journal for
20 the next legislative day. Within ten legislative days
21 after a standing committee receives an appointment for
22 further investigation the subcommittee shall file its
23 report with the standing committee.

24 Within three fourteen legislative days after a
25 standing committee receives an appointment for further
26 investigation, the committee shall conduct an
27 investigation of the nominee and file its report
28 thereon with the secretary of the senate, who shall
29 then place the nominee on the en bloc calendar or
30 individual confirmation calendar as directed by the

1 committee. The failure of a committee to file its
2 report within the prescribed time means that the
3 nominee is to be automatically placed, without
4 recommendation, upon the individual confirmation
5 calendar.

6 Any senator within five (5) days following a
7 nominee's name being published in the journal may
8 request that said nominee be introduced to the full
9 senate by submitting a written request with the
10 secretary of the senate. In any event, all nominees
11 who are referred by the rules and administration
12 committee to a standing committee shall be introduced
13 to the full senate prior to a vote on confirmation of
14 the nominee.

15 **HEARINGS.** Any member of a committee investigating
16 an appointment may obtain a hearing with the nominee
17 by filing a written request with the chair of the
18 investigating committee within five (5) legislative
19 days after the committee receives the appointment. At
20 the hearing, which shall be before the investigating
21 committee, the nominee may be questioned as to his or
22 her qualifications to fulfill the office to which
23 nominated and further questioned as to his or her
24 viewpoints on issues facing the office to which
25 nominated. Notice of the hearing shall be published
26 in the journal at least three (3) days prior to the
27 hearing. Any senator may at the discretion of the
28 chair of the investigating committee be permitted to
29 submit oral questions. The public may, at the
30 discretion of the investigating committee, be

1 permitted to submit oral or written statements as to
2 the qualifications of the nominee.

3 Also, within five (5) days after the investigating
4 committee receives an appointment for investigation,
5 any senator may submit written questions to be
6 answered by the nominee prior to consideration of the
7 nominee's confirmation by the senate.

8 VOTING ON CONFIRMATIONS. Upon the motion of the
9 majority leader or his or her designee, the nominees
10 on the en bloc confirmation calendar shall be
11 confirmed en bloc by the affirmative vote of two-
12 thirds of the members elected to the senate. The
13 journal shall reflect a single roll call accompanied
14 by a statement of the names of those individuals
15 subject to the en bloc confirmation vote.

16 Prior to an en bloc vote, any senator may request
17 an individual vote on any nominee on the en bloc
18 confirmation calendar. The senate shall vote
19 separately on the nominee.

20 Nominees on the individual confirmation calendar
21 shall be confirmed by a two-thirds vote; however, the
22 senate shall take a separate roll call on each
23 nominee, unless by unanimous consent, it determines to
24 take one vote on all nominees under consideration. In
25 any case, the journal shall reflect a single roll call
26 vote for each nominee.

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SENATE RESOLUTION 101

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1 Amend Senate Resolution 101 as follows:

2 1. Page 1, by inserting after line 8, the
3 following:

4 "Rule 12

5 Form and Withdrawal of Motions, Amendments and Signatures
6 Motions need not be in writing unless required by
7 the president or by the senate. No motion requires a
8 second. Any amendment, motion (including a motion to
9 reconsider), or resolution may be withdrawn by the
10 mover if it has not been amended by the senate and if
11 no amendment is pending. All amendments to bills,
12 resolutions, and reports shall be in writing and filed
13 before being acted upon by the senate.

A 14 No amendment, resolution, bill, or conference
15 committee report shall be considered by the senate
16 without a copy of the amendment, resolution, bill, or
17 conference committee report being on the desks of the
18 entire membership of the senate prior to
19 consideration.

20 All amendments, reports, petitions or other
21 documents requiring a signature shall have the name
22 typed under the place for the signature. Once a
23 signature is affixed and the document containing the
24 signature filed with the recording clerk in the well,
25 that signature shall not be removed.

26 When an amendment to a main amendment is filed that
27 would negate the effect of the main amendment and
28 thereby leave the bill unchanged, the presiding
29 officer shall have the authority to declare the
30 amendment to the main amendment out of order, subject
31 to an appeal to the full senate.

32 When a ruling on germaneness is issued by the
33 presiding officer, it shall be accompanied by an
34 explanation of the ruling."

35 2. Page 2, by inserting after line 13, the
36 following:

37 "Rule 38

38 First Reading and Commitment

B 39 Upon the first reading of an individual bill or
40 resolution, or a house committee bill or resolution,
41 the president shall refer the bill or resolution to an
42 appropriate standing committee unless otherwise
43 ordered by the senate. If the bill or resolution is a
44 senate committee bill or resolution, the president
45 shall place it on the calendar after its first
46 reading. If the subject of the bill or resolution is
47 not germane to the title of the committee presenting
48 it, the president or the senate may refer it to a
49 committee deemed appropriate.

50 All bills carrying an appropriation for any purpose

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1 or involving the expenditure of state funds shall be
2 referred to the committee on appropriations.

3 All bills pertaining to the levy, assessment or
4 collection of taxes or fees shall be referred to the
5 committee on ways and means.

6 Any bill which provides for a new state board,
7 commission, agency or department or makes separate or
8 autonomous an existing state board, commission, agency
9 or department, shall be referred to the committee on
10 state government. This rule shall also apply when
11 such a provision is added to a bill or resolution by
12 amendment adopted by the senate. If the bill or
13 resolution is so referred after being sponsored or
14 reported out by another committee, and if the
15 committee on state government does not report out the
16 bill or resolution within ten legislative days after
17 referral, the bill or resolution shall automatically
18 be restored to the calendar with the same priority it
19 had immediately before referral."

S-5001 Divisions A and B filed
and adopted January 13, 1986 (pp. 19, 20)

BY HOLDEN