

EIGHTY-SEVENTH GENERAL ASSEMBLY

SENATE RULES

(Senate Resolution 3 — Adopted 1/26/17)

## **RULES OF THE SENATE**

### **Rule 1 Quorum**

A constitutional majority shall constitute a quorum of the senate. Any senator may insist a quorum be present.

### **Rule 2 Adoption and Amendment of Rules**

Whenever the senate is operating under temporary rules, the rules may be amended or repealed, or permanent rules may be adopted, by a constitutional majority of the senators. After adoption of permanent rules of the senate during any general assembly, the rules may be amended or repealed by a constitutional majority of the senators voting on a simple resolution.

### **Rule 3 Rules of Parliamentary Procedure**

In cases not covered by senate rules or joint rules, Mason's Manual of Legislative Procedure shall govern.

### **Rule 4 Sessions of the General Assembly**

The election of officers, organization, hiring and compensation of employees, and committees of the senate shall carry over from the first to the second regular sessions and to any extraordinary sessions of the same general assembly.

All bills, study bills, and resolutions introduced in the first regular session of a general assembly, except those which have been withdrawn, indefinitely postponed, or have failed, shall carry over into the second regular session and to any extraordinary session of the same general assembly. Bills and resolutions which have been voted upon on final passage by either house in any session shall remain on the calendar in the same status as at the end of the session at any subsequent regular or extraordinary session. Except as provided by this rule, upon the adjournment of the first regular session and any extraordinary session, each bill or resolution shall be automatically referred back to the committee to which it was originally assigned. The secretary of the senate shall publish in the journal a list of the bills returned to committee under this rule and shall present a list to the chairs of the respective committees upon the convening of the second regular session. Within seven days after the first committee meeting after the convening of the second regular session, committee chairs shall either refer such bills and resolutions that have been returned to their respective committees under this rule to a subcommittee for consideration or indefinitely postpone further consideration of such bills. The committee chairs shall report to the senate the bill or resolution number and the names of the subcommittee members.

**Rule 5**  
**Regular Order of Daily Business**

The following order shall govern, subject to any special order:

1. Correction of the journal.
2. Senators to be excused.
3. Communications to the Senate.
4. Introduction of bills and resolutions.
5. Consideration of senate calendar.

**Rule 6**  
**Senate Calendar**

1. Each legislative day the secretary of the senate shall prepare a listing of bills to be known as the "Senate Calendar".

2. The senate calendar shall include separate listings for any bills and resolutions in the following categories:

- a. Conference Committee Report
- b. Bills in Conference Committee
- c. House Amendment to Senate Amendment to House File
- d. House Refuses to Concur in Senate Amendment to House File
- e. Senate Files Amended by the House
- f. Unfinished Business
- g. Motions to Reconsider
- h. Administrative Rules Nullification Resolutions
- i. Veto Messages from the Governor

3. The secretary shall list bills and resolutions in the above categories in numerical order. Upon their first publication in the calendar, bills and resolutions in the above categories may be called up for debate at any time by the majority leader. Motions to reconsider shall be called up as provided by Rule 24.

4. The senate calendar shall include a listing of senate appropriations committee bills and bills reported out by the senate appropriations committee. The list shall be known as the "Appropriations Calendar". The secretary shall list the bills in numerical order. Upon their first publication in the calendar, bills on the appropriations calendar may be called up for debate at any time by the majority leader provided they are eligible under Rule 8.

5. The senate calendar shall include a listing of bills which pertain to the levy, assessment or collection of taxes sponsored by or initially assigned to and reported out by the senate ways and means committee. The list shall be known as the "Ways and Means Calendar". The secretary shall list the bills in numerical order. Upon their first publication in the calendar, bills on the ways and means calendar may be called up for debate at any time by the majority leader provided they are eligible under Rule 8.

6. The senate calendar shall include a list of bills and resolutions, known as the "Regular Calendar", which shall consist of bills and resolutions reported out by a senate committee. The bills and resolutions shall be listed in numerical order. Priority shall be given to senate over house bills and resolutions. Upon their first publication in the calendar, bills on the regular calendar may be called up for debate at any time by the majority leader, provided they are eligible under Rule 8.

A bill reported out of committee which is subsequently referred to the ways and means or appropriations committee and then reported out of that committee, shall be returned to the regular calendar in numerical order.

7. The senate calendar shall include a listing of the governor's appointees to state boards, commissions, and other offices requiring senate confirmation. This listing shall be known as the "Confirmation Calendar". Names on the confirmation calendar may be called up for confirmation at any time by the majority leader provided they are eligible under rule 59.

8. The majority leader, or in the absence of the majority leader the assistant majority leaders, may select from among the bills on the previous legislative day's Senate calendar and from the bills selected create a new listing which shall be known as the "Tentative Debate Calendar". A bill or resolution on the tentative debate calendar may be debated only when eligible under Rule 8.

9. If the senate shall not be in session on a day assigned in paragraph eight for action upon a calendar, such assigned action may occur on the next succeeding legislative day.

10. On any bill called up for debate from any calendar, debate may continue from day to day until it is adopted, fails, or is postponed or deferred. If further debate is postponed or deferred without a time to continue being set, the bill shall be listed as unfinished business. Bills that are returned to the committee of first referral or to a different committee after being considered by the senate and classified as unfinished business shall be returned to the unfinished business calendar by that committee when the bill is reported out of committee. The unfinished business date on the calendar shall be the date on which the bill was returned to committee.

### **Rule 7**

Reserved.

### **Rule 8**

#### **When Eligible for Consideration**

Bills, resolutions, and appointments shall be eligible for consideration by the senate as follows:

1. An appointment by the governor which requires senate confirmation shall be eligible on the second legislative day it is printed in the senate calendar as provided by Rule 59.

2. A house or individually sponsored bill or resolution reported out by a committee shall be eligible on the second legislative day it is printed in the senate calendar.

3. A committee bill or resolution sponsored by the appropriations committee shall be eligible on the second legislative day it is printed in the senate calendar.

4. Any committee bill or resolution, other than a bill or resolution sponsored by the appropriations committee, shall be eligible on the third legislative day it is printed in the senate calendar.

5. A bill that has been reported out to the senate calendar, referred to a different committee and reported out by that committee is eligible for consideration by the senate on the day it would have been eligible under subsection 2, 3, or 4, whichever is applicable, as if the bill had been printed in the calendar after having been reported out by the first committee.

### **Rule 9**

#### **Debate and Decorum**

Before addressing the senate, the senator shall request recognition by depressing the "speak" device and, when recognized, rise and respectfully address the chair.

The senator shall confine all remarks to the question under debate and shall avoid discussing personalities or implication of improper motives. No questions except by the senator recognized shall be entertained after a senator is recognized to give final remarks.

**Rule 10**  
**Point of Personal Privilege**

A point of personal privilege shall only be recognized immediately prior to adjournment for the day when there is no motion pending or other business being considered by the senate. Points of personal privilege shall not be in order during the time when appropriation subcommittees are scheduled to meet. Senators speaking on a point of personal privilege shall be limited to ten minutes.

**Rule 11**  
**Introduction and Presentation of Guests**

Only former members of the senate and former and present members of Congress shall be presented to the senate, except that the president of the senate may present a visitor whose presence is of special significance to the senate. The introduction of school groups accompanied by school officials shall be announced by the president of the senate and shall be recorded in the journal upon written request of a member of the senate. Senators may be recognized to introduce guests in the galleries when there is no motion pending or other business being considered by the senate. Introductions shall be limited to one minute.

**Rule 12**  
**Form and Withdrawal of Motions, Amendments and Signatures**

Motions need not be in writing unless required by the president or by the senate. No motion requires a second. Any amendment, motion (including a motion to reconsider), or resolution may be withdrawn by the mover if it has not been amended by the senate and if no amendment is pending. All amendments to bills, resolutions, and reports shall be in writing and filed before being acted upon by the senate.

No amendment, resolution, bill, or conference committee report shall be considered by the senate without a copy of the amendment, resolution, bill, or conference committee report being on the desks of the entire membership of the senate prior to consideration. However, after the fourteenth week of the first session and the twelfth week of the second session, amendments and senate resolutions may be considered by the senate without a copy of the amendment or senate resolution being on the desks of the entire membership of the senate if a copy of the amendment or senate resolution is made available to the entire membership of the senate electronically. However, such consideration shall be deferred until a copy of the amendment or senate resolution is on the desk of any senator who so requests.

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

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

When a house amendment to a senate file is before the senate, an amendment to the house amendment shall be considered an amendment in the first degree.

Regardless of its origin, an amendment in the third degree shall be ruled out of order.

When a ruling on whether an amendment is or is not germane is issued, the ruling shall be accompanied by an explanation.

**Rule 13**  
**Order and Precedence of Motions and Amendments**

When a question is under debate, no motion shall be received but to adjourn, to recess, questions of privilege, to lay on the table, for the previous question, to postpone to a day certain, to refer, to amend, to postpone indefinitely, to defer, or incidental motions. A substitute is not in order unless it is in the form of a motion to substitute. Such motions shall have precedence in the order in which they are named. No motion to postpone to a day certain, to refer, or postpone indefinitely, being decided, shall be again allowed on the same day with regard to the same question. A motion to strike out the enacting clause of a bill shall have precedence over all amendments and, if carried, shall be considered equivalent to the rejection of the bill.

A motion to strike everything after the enacting clause has precedence over a committee amendment and all other amendments except one to strike the enacting clause. A committee amendment has precedence over all other amendments except as provided in this rule.

A motion to rerefer a bill to committee may specify when the committee shall report the bill to the senate. If the motion is adopted in such form, the committee must report the bill by the date and time specified with or without recommendation or the bill shall automatically be returned to the calendar. When the bill is returned to the calendar, it shall occupy the same position it occupied at the time the bill was rereferred to the committee. If the committee to which the bill is rereferred submits an amendment in its report, that committee amendment shall take precedence over other amendments except if that committee amendment is in conflict with amendments previously adopted, the committee amendment shall not be considered until consideration of motions to reconsider the previously adopted amendments result in removing the conflict. A committee may not file an amendment to a bill unless the bill is in the committee's possession.

**Rule 14**  
**Motions Before the Senate**

Motions before the senate shall be displayed on the electronic voting system display boards.

**Rule 15**  
**Nondebatable Motions**

The following motions are not debatable:

Adjourn

Recess

Lift a Call of the Senate

Lay on Table or Take from Table

Previous Question

Reconsider vote by which bill was placed on last reading.

A Motion to Reconsider and Lay the Motion to Reconsider on the Table (Double-barreled Motion).

**Rule 16**  
**Division of the Question**

Any senator may call for a division of a question, which shall be divided if it includes propositions so distinct that if one is taken away, a substantive proposition shall remain in a technically proper form for the decision of the senate. A motion to strike out and insert is indivisible; but a motion to strike out, if lost, shall not preclude amendments to the matter attempted to be stricken or a motion to strike out and insert.

**Rule 17**  
**The Previous Question**

The previous question shall be in this form: "Shall debate be closed on the pending question?" A motion for the previous question may be adopted by a majority of the senators present and voting. Its effect shall be to put an end to debate and bring the senate to a direct vote upon the pending question. However, any senator who has not previously spoken on the pending question and who, after the main question is taken up and before the motion for the previous question has been made, requested recognition by depressing the "speak" device may speak no longer than five minutes on the pending question. If action on the pending question continues into another legislative day or is deferred, the previous question shall apply and the requests to be recognized shall be honored.

When the motion applies to an amendment, the senator proposing the amendment shall have five minutes to close debate on the amendment.

The senator handling the measure under consideration shall have ten minutes to close debate on the main question.

**Rule 18**  
**Call of the Senate**

Ten senators may file in writing a call of the senate on any single item of legislative business. A call of the senate requires the presence of every senator and is in order at any time prior to the vote being announced by the president. The sergeant-at-arms shall return promptly all absent senators. Debate on the item may continue while absent senators are returning, but no vote on the item is in order on it until all have returned. Adoption of a motion to recess or adjourn to a specific time will not lift the call. The call may be lifted, or a senator may be excused from the call without lifting the call, by a vote of a constitutional majority of the senators. Those senators excused prior to the filing of the call are excused from the call.

**Rule 19**  
**Committee of the Whole**

The senate may resolve itself into a committee of the whole senate when it wishes to permit more free and informal discussion. Persons other than senators may appear and present information.

Any senator may move "that the senate now resolve itself into a committee of the whole to consider" a stated subject.

The president of the senate shall be chair of the committee of the whole unless otherwise ordered by the senate.

The procedure in committee of the whole is subject to the rules of the senate. The previous question and the motion to reconsider shall be in order.

The committee of the whole cannot take any final action and its power is limited to recommendation to the senate. The proceedings of the committee of the whole, including any roll call vote, shall be printed in the journal.

Any senator may at any time, except while voting or while a senator has the floor, move that “the committee rise” which is equivalent to a motion to adjourn.

After adoption of the motion to rise, the chair may report to the senate in the same manner as other committee reports are given.

### **Rule 20** **Last Reading and Passage of Bills**

When a motion to place a bill on its last reading is lost, the same motion shall be in order at any later time. After the last reading of a bill, no amendment shall be received. The vote on final passage shall be taken immediately without debate.

### **Rule 21** **Engrossment of Bills**

An engrossment is a proofreading and verification in order to be certain that a bill before the senate is identical with the original bill as introduced with all amendments which have been adopted correctly inserted.

In an engrossed bill, all obvious typographical, spelling or other clerical errors are corrected and section or paragraph numbers and internal references are changed as required to conform the original bill to any amendments which have been adopted. All such corrections or changes shall be reported in the journal by the secretary of the senate. The engrossed bill shall be placed in the bill file with the original bill and amendments.

### **Rule 22** **Manner of Voting**

On voice vote, the question shall be distinctly put in this form: “Those in favor of (the question) say ‘aye’.” “Those opposed to (the question) say ‘no’.”

A non-record or record roll call vote may be requested by any senator or ordered by the president any time before the results are announced. A non-record roll call shall be requested by asking for a “division”. A record roll call shall be requested by asking for a “record”. Upon request for a non-record or record roll call vote, the president shall announce that such a non-record or record roll call vote has been requested and shall state the question to be put to the senate. The president then shall direct the secretary of the senate to receive the votes.

Senators present may cast their votes, either by operating the voting mechanism located at their assigned desk or by signaling the president if they are unable to vote at their assigned desk. The president shall enter the votes of senators signaling their votes.

After sufficient time has elapsed for all senators present to record their votes, the president shall direct the secretary of the senate to close the voting system. The president shall still enter the senators’ votes at any time prior to directing the secretary of the senate to lock the voting system. The president shall then immediately announce the vote.

During a record roll call vote, both individual votes and vote totals shall be indicated on the display boards and printed in the journal. On non-record roll calls, only vote totals shall be indicated on the display boards and printed in the journal.

In the event the electronic voting system is not in operating order, the president shall direct the secretary of the senate to take the non-record or record roll call by calling the names of the senators in alphabetical order.

**Rule 23**  
**Duty of Voting**

Every senator present when a question is put shall vote “aye”, “no”, or “present” unless previously excused by the senate. Upon demand being made by any senator, the secretary of the senate shall call in alphabetical order the names of the senators not voting or voting “present”. Those senators called shall vote “aye” or “no” unless the senator states a personal interest in the question or concludes that he or she should not vote under the senate code of ethics.

**Rule 24**  
**Reconsideration**

When a main motion has been decided by the senate, any senator having voted on the prevailing side may move to reconsider the vote on the same or next legislative day. Motions to reconsider the vote on a bill or resolution shall be in writing and filed with the secretary of the senate.

Notwithstanding any time limitations applicable to motions to reconsider main motions, a motion to reconsider the vote on an amendment may be made at any time before final disposition of the motion to be amended. Such motion shall be in writing and filed with the secretary of the senate. A motion to reconsider an amendment to a main motion shall be taken up for consideration only prior to the disposition of the main motion or upon reconsideration of the main motion.

A constitutional majority by a record roll call is necessary to reconsider a bill or joint resolution. During three legislative days from the date the motion to reconsider a bill or resolution is filed, only the mover may call it up. Thereafter, any senator may call up the motion. If a date for adjournment has been set by resolution of the senate, any senator may call up a motion to reconsider at any time within three days prior to the date set for adjournment.

If the motion to reconsider a bill or resolution prevails, motions to reconsider amendments thereto shall be in order and shall be disposed of without delay.

A motion that any action taken by the senate be reconsidered and the motion to reconsider be laid upon the table shall be a single and indivisible motion, known as the double-barreled motion, which, if carried, shall have the effect of preventing reconsideration unless a motion to take from the table prevails. A constitutional majority is necessary for the double-barreled motion to prevail on a bill or joint resolution. The double-barreled motion can only be made from the floor after the vote is announced and the member who moved the final reading shall have priority in making it.

A motion to reconsider and lay on the table shall have priority over a motion to reconsider if they are both filed on the same legislative day.

In the event that a motion to reconsider is pending at the end of the first session or any extraordinary session of any general assembly, or the general assembly adjourns sine die, and the motion has not been voted upon by the senate, it shall be determined to have failed.

**Rule 25**  
**Suspension of Rules and Taking from Table**

No standing rule or rules incorporated by reference under Rule 3 or order of the senate shall be rescinded or suspended, nor shall any matter, tabled upon motion, be taken up, except by an affirmative vote of a constitutional majority of the senate.

## INTRODUCTION AND FORM OF BILLS

### Rule 26

#### Time and Method of Introducing Bills and Amendments

All bills to be introduced in the senate shall be typed in proper form by the legislative services agency and shall be filed with the recording clerk.

All amendments shall be typed in proper form and filed with the recording clerk not later than 4:30 p.m., or adjournment, whichever is later, in order to be listed in the following day's clip sheet.

An "impact amendment" is an amendment which reasonably could have an annual effect of at least one hundred thousand dollars or a combined total effect within five years after enactment of five hundred thousand dollars or more on the aggregate revenues, expenditures or fiscal liability of the state or its subdivisions.

An impact amendment to a bill which has been on the calendar for at least three full legislative days prior to its consideration shall not be taken up by the senate unless:

1. a fiscal note is attached, and the amendment is filed at least one legislative day prior to the date set for consideration of the bill; or
2. the amendment is an appropriation or other measure where the total effect is stated in dollar amounts.

### Rule 27

#### Limit on Introduction of Bills

No bill or joint resolution, except bills and joint resolutions cosponsored by the majority and minority floor leaders, or companion bills and joint resolutions sponsored by the majority floor leaders of both houses, shall be introduced in the senate after 4:30 p.m. on Friday of the fifth week of the first regular session of a general assembly unless a formal request for drafting the bill has been filed with the legislative services agency before that time. After adjournment of the first regular session, bills may be prefiled at any time before the convening of the second regular session. No bill shall be introduced after 4:30 p.m. on Friday of the second week of the second regular session of a general assembly unless a formal request for drafting the bill has been filed with the legislative services agency before that time. However, standing committees may introduce bills and joint resolutions at any time. A bill which relates to departmental rules sponsored by the administrative rules review committee and approved by a majority of the members of the committee in each house may be introduced at any time and must be referred to a standing committee which must take action on the bill within three weeks. Senate and concurrent resolutions may be introduced at any time.

No bill, joint resolution, concurrent resolution or senate resolution shall be introduced at any extraordinary session unless sponsored by a standing committee, the majority and minority floor leaders, or the committee of the whole.

### Rule 28

#### Introduction, Reading, and Form of Bills and Resolutions

Every senate bill and resolution shall be introduced by one or more senators or by any standing committee of the senate and shall at once be given its first reading.

If the senate is in session when a bill or resolution is introduced, the first reading shall consist of reading its file number, the title and sponsor of the bill. If the senate is not in session but a journal is published for the day, the first reading shall consist of a journal entry of the bill's file number, title, sponsor and the notation "Read first time under Rule 28".

Any bill or resolution approved for introduction by a standing committee during an interim period between sessions of one General Assembly shall be introduced without further action by the committee at the next succeeding regular session of the same General Assembly and placed immediately upon the regular calendar.

Every bill and resolution referred to committee shall have received two readings before its passage.

The subject of every bill shall be expressed in its title.

### **Rule 29** **Explanations**

No bill, except appropriation committee bills and simple or concurrent resolutions, shall be introduced unless a concise and accurate explanation is attached. The chief sponsor or a committee to which the bill has been referred may add a revised explanation at any time before the last reading, and it shall be included in the daily clip sheet.

### **Rule 30** **Resolutions**

A "senate resolution" is a resolution acted upon only by the senate which relates to an accomplishment of national or international status; the dedication of a day by a statewide or national group; the one hundredth, one hundred twenty-fifth, or one hundred fiftieth anniversary of a local government or organization; the recognition of state ties to other governments; the retirement of a senator or long-time senate employee; or to rules and administrative matters, including the appointment of special committees, within the senate. A senate resolution requires the affirmative vote of a majority of the senators present and voting, unless otherwise required in these rules. A senate resolution shall be filed with the secretary of the senate. A senate resolution shall be printed in the bound journal after its adoption and in the daily journal upon written request to the secretary of the senate by the sponsor of the resolution. Other expressions of sentiment or recognition may be made with the issuance of a certificate of recognition.

### **Rule 31** **Nullification Resolutions**

A nullification resolution may be introduced by a standing committee, the administrative rules review committee, or any member of the senate. A nullification resolution introduced by the administrative rules review committee or a member of the senate shall be referred to the same standing committee it would be referred to if it was a bill.

Any nullification resolution may be referred to the administrative rules review committee by a majority vote of the standing committee which introduced it or to which it was referred. The administrative rules review committee may seek an agreement with the affected administrative agency wherein the agency agrees to voluntarily rescind or modify a rule or rules relating to the subject matter of the nullification resolution. An agreement to voluntarily rescind or modify an administrative agency rule shall be in writing and signed by the chief administrative officer of the administrative agency and a majority of the administrative rules review committee members of each house and shall be placed on file in the offices of the chief clerk of the house, the secretary of the senate and the secretary of state. If an agreement is not reached, or the nullification resolution is not approved by a majority of the administrative rules review committee members of each house, within two weeks of the date the resolution is referred to the administrative rules review committee, the resolution shall be placed on the calendar. If the nullification resolution is approved by the administrative rules review committee it shall be placed on the calendar. A nullification resolution is subject to a motion to withdraw the nullification resolution as provided in rule 42.

A nullification resolution is debatable, but cannot be amended on the floor of the senate.

**Rule 32**  
**Resolutions, Applicable Rules**

All rules applicable to bills shall apply to resolutions, except as otherwise provided in the rules.

**Rule 33**  
**Study Bills**

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

2. A study bill shall bear the name of the member who wishes to have the bill considered. A study bill proposed by a state agency shall bear the name of the agency. A committee chair may submit a study bill in the name of that committee.

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

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

5. A study bill not prepared by the legislative services agency may be submitted to a standing committee, but shall not be considered by the full committee unless reviewed and typed in proper form by the legislative services agency.

**COMMITTEES AND COMMITMENT**

**Rule 34**  
**Committee Appointments**

Committee appointments shall be made by the majority leader for members of the majority, after consultation with the president, and by the minority leader for members of the minority, after consultation with the president. No senator shall serve on more than six standing committees. The majority leader, after consultation with the president, shall designate the chairperson and vice-chairperson of each standing committee. The minority leader, after consultation with the president, shall designate the ranking member of each standing committee from the minority membership of that committee.

**Rule 35**  
**Standing Committees**

The names of the standing committees of the senate shall be:

Agriculture  
Appropriations  
Commerce  
Education  
Government Oversight  
Human Resources  
Judiciary  
Labor and Business Relations  
Local Government  
Natural Resources and Environment  
Rules and Administration  
State Government  
Transportation  
Veterans Affairs  
Ways and Means

**Rule 36**  
**Committee on Rules and Administration**

The committee on rules and administration shall recommend rules and rule changes to the senate, shall hire senate employees, shall recommend salary scales for all senate employees, and shall oversee senate budget and administration matters.

The committee on rules and administration will select, for senate approval, an individual to serve as secretary of the senate.

The committee shall have the following standing subcommittees:

1. Joint Rules
2. Senate Rules
3. Administrative Services
4. Caucus Services

The majority leader shall serve as chair of the rules and administration committee and as chair of the standing subcommittee on caucus services. The president of the senate shall serve as vice-chair of the rules and administration committee, and as chair of the subcommittee on administrative services.

**Rule 37**  
**Appropriations Committee**

The appropriations committee shall receive bills committed to it and shall assign each to one of the appropriations subcommittees.

The appropriations subcommittees shall be named:

Administration and Regulation  
Agriculture and Natural Resources  
Economic Development  
Education  
Health and Human Services  
Justice System  
Transportation, Infrastructure, and Capitals

The appropriations subcommittees shall receive bills assigned to them or may originate

proposed bills within the subcommittee's jurisdiction as defined by the appropriations committee for consideration by the appropriations committee. Each subcommittee may submit amendments to bills together with the subcommittee's recommended action to the appropriations committee.

If a bill or proposed bill is submitted to the appropriations committee by an appropriations subcommittee the appropriations committee may:

1. report the bill or approve the proposed bill for introduction by the appropriations committee;
2. report the bill with any appropriations committee-approved amendments incorporated;
3. draft a new bill for sponsorship by the appropriations committee and report it; or
4. re-refer it together with the appropriations committee's objections to the appropriations subcommittee from which it was originally referred or which originated the draft bill.

The appropriations committee and subcommittees may meet jointly with the appropriations committee of the house of representatives.

### **Rule 38**

#### **First Reading and Commitment**

Upon the first reading of an individual bill or resolution, or a house committee bill or resolution, the president shall refer the bill or resolution to an appropriate standing committee. If the bill or resolution is a senate committee bill or resolution, the president shall place it on the calendar after its first reading. If the subject of the bill or resolution is not germane to the title of the committee presenting it, the president of the senate may refer it to a committee deemed appropriate.

All bills carrying an appropriation for any purpose or involving the expenditure of state funds shall be referred to the committee on appropriations.

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

Any bill which provides for a new state board, commission, agency or department or makes separate or autonomous an existing state board, commission, agency or department, shall be referred to the committee on state government. If the bill or resolution is so referred after being sponsored or reported out by another committee, and if the committee on state government does not report out the bill or resolution within ten legislative days after referral, the bill or resolution shall automatically be restored to the calendar with the same priority it had immediately before referral.

This rule shall also apply when such provisions are added to a bill or resolution by amendment adopted by the senate.

### **Rule 39**

#### **Rules for Standing Committees**

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

1. A majority of the members shall constitute a quorum.
2. The chair of a committee shall refer each bill and resolution to a subcommittee within seven days after the bill or resolution has been referred to the committee. The chair may appoint subcommittees for study of bills and resolutions without calling a meeting of the committee, but the subcommittee must be announced at the next meeting of the committee. No bill or resolution shall be reported out of a committee until the next meeting after the subcommittee is announced, except that the chair of the appropriations committee may make the announcement of the assignment to a subcommittee by placing a notice in the journal. Any bill so assigned by the appropriations committee chair shall be eligible for consideration by the committee upon report of the subcommittee but not sooner than three legislative days following the publication of the announcement in the journal.

When a bill or resolution has been assigned to a subcommittee, the chair shall report to the senate the bill or resolution number and the names of the subcommittee members and such reports

shall be reported in the journal. Subcommittee assignments shall be reported to the journal daily. Reports filed before 3:00 p.m. shall be printed in the journal for that day; reports filed after 3:00 p.m. shall be printed in the journal for the subsequent day.

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

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

4. The rules adopted by a committee, including subsections 2, 3, 9, 10, 11, and 12 of this rule, may be suspended by an affirmative vote of a majority of the members of the committee.

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

6. The vote on all bills and resolutions shall be by roll call unless a short-form vote is unanimously agreed to by the committee. A record shall be kept by the secretary.

7. No committee, except a conference committee, is authorized to meet when the senate is in session.

8. A subcommittee shall not report a bill to the committee unless the bill has been typed into proper form by the legislative services agency.

9. A bill or resolution shall not be voted upon the same day a public hearing called under subsection 10 is held on that bill or resolution.

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

11. A subcommittee chair must notify the committee chair not later than one legislative day prior to bringing the bill or resolution before the committee. The committee cannot vote on a bill or resolution for at least one full day following the receipt of the subcommittee report by the chairperson.

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

13. Committee meetings shall be open.

#### **Rule 40** **Voting in Committee**

All committee meetings shall be open at all times. Voting by secret ballot is prohibited. Roll call votes shall be taken in each committee when final action on any bill or resolution is voted, unless a short-form vote is unanimously agreed to by the committee. A roll call vote also shall be taken in each committee at the request of a member upon any amendment or motion. All results shall be entered in the minutes which shall be public records. Records of these votes shall be made available by the chair or the committee secretary at any time. This rule also applies to the appropriations subcommittees.

The committee shall not authorize the introduction of a committee bill or resolution until the members have received final copies of the bill or resolution with amendments or changes incorporated, and typed into proper form by the legislative services agency. The committee may, by unanimous consent, dispense with this requirement and instruct the legislative services agency to file a report with the committee members detailing the amendments or changes and this report shall become a part of the committee report.

**Rule 41**  
**Announcement of Committee Meetings**

It shall be in order for the chair of any committee to announce to the senate the time and place of committee meetings. The announcement shall include a proposed agenda for the meeting. The sergeant-at-arms shall post at the rear of the chamber the daily schedule of committee meetings.

**Rule 42**  
**Withdrawal of Bills and Resolutions from Committee**

The secretary of the senate shall note on each bill and resolution the date of its reference to committee. No bill or resolution shall be withdrawn from any committee within fifteen legislative days after the bill or resolution has been referred to the committee and thereafter only upon written petition for the withdrawal of such bill or resolution signed by a constitutional majority of the senators, except as provided in Rule 38. Only senators may circulate such a petition.

**Rule 43**  
**Committee Reports**

All committees shall file a report of committee meetings. Such reports shall contain the following information:

- a. The time the meeting convened;
- b. Those senators who were present and absent at the time the meeting convened, as well as the time any senator, who was not present at the time the meeting convened, arrives for the meeting;
- c. The vote on any bill or resolution reported out of the committee for floor action;
- d. The title of the bill;
- e. The file number of the bill or resolution (if known);
- f. Whether the committee recommends that the bill or resolution be passed, amended and passed, indefinitely postponed, or considered without committee recommendation;
- g. An indication of other bills or matters discussed;
- h. Such other matters as the committee chair shall direct; and
- i. The time the meeting adjourned.

No committee report shall be read, but all committee reports shall be printed in the journal. Upon printing, all committee reports shall then stand approved unless the senate directs otherwise.

**Rule 44**  
**Bills or Resolutions Recommended for Indefinite Postponement**

No senate bill or resolution recommended for indefinite postponement shall be considered in the absence of the chief sponsor or, if a house bill or resolution, in the absence of the senator representing the district in which the sponsor resides. When a question is postponed indefinitely, it shall not be again acted upon during that session of the general assembly.

## **GENERAL RULES**

### **Rule 45**

#### **Access to Senate Chamber and Decorum**

The persons who shall have access to the senate chamber, and the times access shall be available, and the rules governing activities in the chamber and other areas controlled by the senate shall be as prescribed by the rules and administration committee pursuant to a written policy adopted by the committee and filed with the secretary of the senate.

### **Rule 46**

#### **Legislative Interns and Aides**

Legislative interns for senators shall be allowed on the floor of the senate in accordance with Rule 45; provided that each intern first has obtained a name badge from the secretary of the senate. The secretary of the senate shall issue an appropriate badge to all interns for senators.

### **Rule 47**

#### **Clearing of Lobby and Gallery**

In case of disturbance or disorderly conduct in the lobby or gallery, the presiding officer may order it cleared.

### **Rule 48**

#### **Presentation of Petitions**

Each petition shall contain a brief statement of its subject matter and the name of the senator presenting it. Petitions shall be filed with the secretary of the senate and noted in the journal.

### **Rule 49**

#### **Distribution of Printed Material**

No general distribution of printed material in the senate shall be allowed unless authorized by the secretary of the senate or by a senator.

### **Rule 50**

#### **Concerning the Printing of Papers**

Any paper, other than that contemplated by Section 10, Article III of the Constitution of the State of Iowa, presented to the senate may, with the consent of a constitutional majority, be printed in the journal.

**Rule 51**  
**Reprinting of Documents**

When any bill has been substantially amended by the senate, the secretary of the senate shall order the bill reprinted on paper of a different color. All adopted amendments inserting new material shall be distinguishable.

The secretary of the senate may order the printing of a reasonable number of additional copies of bills, resolutions, amendments or journals.

**OFFICERS AND EMPLOYEES**

**Rule 52**  
**Duties of the President**

The senate shall elect, from its membership, a president. The president shall call the senate to order at the hour to which the senate is adjourned and shall proceed with the regular order of daily business. The president shall preserve order and decorum and decide all questions of order and corrections to the journal. The president shall direct voting as provided in Rule 22. When a ruling on whether an amendment is or is not germane is issued, the ruling shall be accompanied by an explanation. The president of the senate shall be the chair of the committee of the whole unless otherwise ordered by the senate, under Rule 19.

Upon the first reading of an individual bill or resolution, or a house committee bill or resolution, the president shall refer the bill or resolution to the appropriate standing committee. If the bill or resolution is a senate committee bill or resolution, the president shall place it on the calendar after its first reading. If the subject of the bill or resolution is not germane to the title of the committee presenting it, the president of the senate may refer it to the appropriate committee.

The president shall sign legislative enactments upon their enrolling.

The president of the senate shall serve as a member of the legislative council and the senate rules and administration committee. The president shall serve on the rules and administration committee as chair of the standing subcommittee designated to supervise the secretary of the senate and other employees of the administrative services division of the senate.

**Rule 53**  
**The President Pro Tempore**

The senate shall elect, from its membership, a president pro tempore. When the president is absent, the president pro tempore shall preside, except when the chair is filled by temporary appointment by the president or the majority leader.

The president pro tempore, when presiding, shall perform duties as prescribed in Rule 52, paragraphs 1 and 2.

The president pro tempore shall serve as a member of the legislative council and as a member of the senate committee on rules and administration.

**Rule 54**  
**Secretary of the Senate**

The secretary of the senate shall be a nonpartisan officer of the senate and shall:

1. Serve as chief administrative officer of the senate.
2. Have charge of the secretary's desk.

3. Be responsible for the custody and safekeeping of all bills, resolutions, and amendments filed, except while they are in the custody of a committee.
4. Have charge of the daily journal.
5. Have control of all rooms assigned for the use of the senate.
6. Keep a detailed record of senate action on all bills and resolutions.
7. Insert adopted amendments into bills before transmittal to the house of representatives and prior to final enrollment.
8. Prescribe the duties of and supervise all senate employees.
9. Authorize all expenditures of funds within the senate budget.
10. The secretary of the senate shall also act as senate parliamentarian and shall:
  - a. Advise the presiding officer of the senate about parliamentary procedures during deliberations of the senate.
  - b. Perform other duties as prescribed by the committee on rules and administration.
  - c. Process the handling of amendments when filed and during the floor consideration of bills.

**Rule 55**  
**Legal Counsel**

The legal counsel shall be the secretary of the senate or a contractual employee of the senate and shall:

1. Serve as attorney and counselor for the senate.
2. At the request of the majority or minority leaders, research any legal issue in which the senate has an interest. However, the legal counsel shall not issue nor venture any opinions on unresolved questions of law unless permitted by both the majority and minority leaders.

**Rule 56**  
**Sergeant-at-Arms**

The sergeant-at-arms shall be an employee of the senate and shall:

1. Wear the appropriate badge of his or her office.
2. Attend the senate during its sessions.
3. Aid in the enforcement of order under the direction of the president of the senate and the secretary of the senate.
4. Execute the commands of the senate.
5. See that no unauthorized person disturbs the contents of the senators' desks.
6. Supervise the doorkeepers, the assistant sergeant-at-arms, and pages.
7. Announce all delegations from the governor or house.
8. Supervise the seating of visitors and press representatives.

**Rule 57**  
**Senate Secretaries**

Every senator shall be permitted to employ for each session of a general assembly a personally selected secretary.

**Rule 58**  
**Use of Electronic Voting System**

Any officer or employee of the senate, other than a duly elected member of the senate, who operates the electronic voting machine mechanism located at the desk of said member of the senate shall be subject to immediate termination from employment. The provisions of this paragraph shall not apply to the use of the page bell or to testing of the electronic voting system.

**CONFIRMATION OF APPOINTMENTS**

**Rule 59**  
**Appointments**

The secretary of the senate shall:

- a. send, to each appointee submitted by the governor for senate confirmation, a copy of a senate questionnaire as approved by the rules and administration committee;
- b. receive completed questionnaires from appointees and forward copies of the completed questionnaires to appropriate committee members;
- c. maintain "Confirmation Calendar" categories on the senate calendar as directed under this rule, senate Rule 6, and by the committee on rules and administration. No appointee shall be listed as eligible on the confirmation calendar until the secretary has received the appointee's completed senate questionnaire.

As soon as possible after the convening of a session, and again within one week following March 1, the secretary of the senate shall publish in the senate journal the names of all nominees submitted for confirmation. The secretary of the senate shall maintain a file of all appointments received from the governor for confirmation. The file shall contain a description of the duties and the compensation for each nominee. The file shall show the date an appointment was received from the governor, the date the appointment was published in the journal, whether the nominee has been introduced, whether a committee report has been filed, when the senate questionnaire was sent to the appointee, and shall include a copy of the appointee's completed senate questionnaire, upon receipt.

**INVESTIGATING COMMITTEES.** All appointments received from the governor shall be referred to the rules and administration committee by the secretary of the senate on the same day they are published in the senate journal. The rules and administration committee shall establish an en bloc confirmation calendar which must be filed with the secretary of the senate. Within three (3) legislative days after receiving an appointment, the committee shall either place a nominee on the en bloc confirmation calendar or assign the nominee to an appropriate standing committee for further investigation, publishing notice of such assignment in the senate journal for the next legislative day. If the rules and administration committee fails to take action on a nominee within the three days, the nominee shall automatically be placed on the en bloc confirmation calendar.

Within the three (3) legislative days after an appointment has been referred to the rules and administration committee, any ten senators may require that the nominee be assigned to an appropriate standing committee by filing a written, signed request therefor with the chairperson of the rules and administration committee. The committee chair shall refer the appointment to a subcommittee within one (1) legislative day after a standing committee receives an appointment for further investigation, publishing notice of such assignment in the senate journal for the next legislative day. Within ten (10) legislative days after a standing committee receives an appointment for further investigation the subcommittee shall file its report with the standing committee.

Within fourteen (14) legislative days after a standing committee receives an appointment for further investigation, the committee shall conduct an investigation of the nominee and file its report thereon with the secretary of the senate, who shall then place the nominee on the en bloc calendar or individual confirmation calendar as directed by the committee. The failure of a committee to file its

report within the prescribed time means that the nominee is to be automatically placed, without recommendation, upon the individual confirmation calendar.

Any individual nominated to head a department or agency of state government, whose appointment is subject to senate confirmation, must be introduced to the full senate prior to a vote on confirmation of the nominee. Additionally, any five (5) senators may request that any nominee be introduced to the senate by filing a written request with the secretary of the senate within ten (10) legislative days of the nominee's name appearing in the journal. Any individual nominated to a position requiring senate confirmation may request to be introduced to the full senate by notifying the secretary of the senate at least one (1) legislative day in advance of the nominee's appearance. If an individual is nominated both to fill a vacancy for an unexpired term and is also nominated for reappointment to that position during the same session, a single introduction is sufficient for eligibility for confirmation to both terms.

**HEARINGS.** Any member of a committee investigating an appointment may, within five (5) legislative days after the committee receives the appointment, obtain a hearing with the nominee by filing a written request with the secretary of the senate who shall forward it to the chair of the standing committee and the chair of the subcommittee. Notice of the hearing shall be published in the journal at least two (2) legislative days prior to the hearing. At the hearing, which shall be before the subcommittee, the nominee may be questioned as to his or her qualifications to fulfill the office to which nominated and further questioned as to his or her viewpoints on issues facing the office to which nominated. Any senator may at the discretion of the chair of the subcommittee be permitted to submit oral questions. The public may, at the discretion of the investigating committee, be permitted to submit oral or written statements as to the qualifications of the nominee.

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

**INFORMATIONAL MEETINGS.** After a nominee has been placed on the calendar and prior to the vote on confirmation, any senator may request an informational meeting on the nomination which shall be held before the subcommittee.

**VOTING ON CONFIRMATIONS.** Appointments received from the governor for senate confirmation during any session of a general assembly shall be acted upon prior to adjournment of that session as provided by section 2.32 of the Code. Upon the motion of the majority leader or his or her designee, the nominees on the en bloc confirmation calendar shall be confirmed en bloc by the affirmative vote of two-thirds of the members elected to the senate. The journal shall reflect a single roll call accompanied by a statement of the names of those individuals subject to the en bloc confirmation vote.

Prior to an en bloc vote, any senator may request, either in writing or from the floor, an individual vote on any nominee on the en bloc confirmation calendar. The senate shall vote separately on the nominee.

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

If an individual is nominated both to fill a vacancy for an unexpired term and is also nominated for reappointment to that position, and such appointment and reappointment appear on the senate calendar as eligible at the same time, a single vote is sufficient for confirmation to both terms.

## **Rule 60**

### **Time of Committee Passage and Consideration of Bills**

1. This rule does not apply to concurrent or simple resolutions, joint resolutions nullifying administrative rules, senate confirmations, bills embodying redistricting plans prepared by the legislative services agency pursuant to chapter 42, or bills passed by both houses in different forms.

Subsection 2 of this rule does not apply to appropriations bills, ways and means bills, government oversight bills, legalizing acts, administrative rules review committee bills, bills sponsored by standing committees in response to a referral from the president of the senate or the speaker of the house of representatives relating to an administrative rule whose effective date has been delayed or whose applicability has been suspended until the adjournment of the next regular session of the general assembly by the administrative rules review committee, bills cosponsored by the majority and minority floor leaders of the senate, bills in conference committee, and companion bills sponsored by the majority floor leaders of both houses after consultation with the respective minority floor leaders. For the purposes of this rule, a joint resolution is considered as a bill. To be considered an appropriations or ways and means bill for the purposes of this rule, the appropriations committee or the ways and means committee must either be the sponsor of the bill or the committee of first referral in the senate.

2. To be placed on the calendar in the senate a senate bill must be first reported out of a standing committee by Friday of the 8th week of the first session and the 8th week of the second session. A house bill must be first reported out of a standing committee by Friday of the 12th week of the first session and the 11th week of the second session to be placed on the senate calendar.

3. During the 10th week of the first session and the 9th week of the second session, the senate shall consider only bills originating in the senate and unfinished business. During the 13th week of the first session and the 12th week of the second session, the senate shall consider only bills originating in the house and unfinished business. Beginning with the 14th week of the first session and the 13th week of the second session, the senate shall consider only bills passed by both houses, bills exempt from subsection 2, and unfinished business.

4. A motion to reconsider filed and not disposed of on an action taken on a bill or resolution which is subject to a deadline under this rule may be called up at any time before or after the day of the deadline by the person filing the motion or after the deadline by the majority floor leader, notwithstanding any other rule to the contrary.

BE IT FURTHER RESOLVED, That should a system of deadlines for the time of committee passage and consideration of bills be adopted by joint action of the senate and house at any time during the eighty-seventh general assembly, those provisions shall supersede the provisions of Rule 60.