

1.1 **PERMANENT RULES OF THE SENATE**

1.2 **87TH LEGISLATURE (2011 - 2012)**

1.3 **1. PARLIAMENTARY REFERENCE**

1.4 The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure
1.5 (1989 edition) govern the Senate in all cases in which they are applicable, and in which they are
1.6 not inconsistent with these rules and orders of the Senate and the joint rules and orders of the
1.7 Senate and House of Representatives.

1.8 **2. REPORTING OF BILLS**

1.9 Every bill, memorial, order, resolution or vote requiring the approval of the Governor must
1.10 be reported to the Senate on three different days before its passage.

1.11 (a) The first report, called the first reading, is made when it has been received for
1.12 introduction.

1.13 (b) The second report, called the second reading, is made when it has been considered by
1.14 all the necessary standing committees and is ready for debate.

1.15 (c) The third report, called the third reading, is made when it is ready for final passage.

1.16 **3. BILL INTRODUCTION**

1.17 3.1 Bills, memorials, and concurrent or joint resolutions may be introduced by a member
1.18 or by a standing committee.

1.19 3.2 The name of the author, authors, or committee must be written on the bill, memorial or
1.20 resolution. The number of authors may not exceed five.

1.21 3.3 An original and two copies are required for introduction.

1.22 3.4 A member or a committee desiring to introduce a bill, memorial or concurrent or joint
1.23 resolution shall deliver it to the office of the Secretary, and the Secretary shall promptly deliver
1.24 all the bills, memorials or concurrent or joint resolutions to the President who shall present
1.25 them to the Senate.

1.26 3.5 During the period between the last day of the session in any odd-numbered year and
1.27 the first day of the session in the following year, a bill filed with the Secretary for introduction
1.28 must be given a file number and may be unofficially referred by the President, with the approval
1.29 of the Chair of the Committee on Rules and Administration, to an appropriate standing committee
1.30 of the Senate. All bills filed for introduction during this period must be presented to the Senate
1.31 when it reconvenes and must be referred to the standing committees previously indicated by the
1.32 President, subject to objection to the referral under Rule 4.10.

2.1 **4. BILL REFERRAL**

2.2 4.1 The President shall refer each bill without motion to the proper standing committee
2.3 unless otherwise referred by the Senate.

2.4 4.2 A bill or resolution may not be referred to committee or amended until it has been
2.5 given its first reading.

2.6 4.3 A member may not object to a bill or resolution on its introduction.

2.7 4.4 All bills appropriating money, or obligating the state to pay or expend money, or
2.8 establishing a policy which to be effective will require expenditure of money, when referred to
2.9 and reported by any other than the Committee on Finance, must be referred before passage to
2.10 the Committee on Finance.

2.11 4.5 All bills delegating rulemaking to a department or agency of state government and all
2.12 bills exempting a department or agency of state government from rulemaking, when referred to
2.13 and reported by any other than the Committee on State Government Innovation and Veterans,
2.14 must be referred before passage to the Committee on State Government Innovation and Veterans.

2.15 4.6 All bills creating a new commission, council, task force, board, or other body to which a
2.16 member of the legislature will be appointed must be referred before passage both to the Committee
2.17 on State Government Innovation and Veterans and to the Committee on Rules and Administration.

2.18 4.7 All bills authorizing or increasing a sentence of imprisonment to a state correctional
2.19 institution must be referred before passage to the Committee on Judiciary.

2.20 4.8 All resolutions required to follow the same procedure as bills must be referred before
2.21 passage to the Committee on Rules and Administration.

2.22 4.9 A bill introduced by a committee need not be referred to a standing committee unless a
2.23 question arises. It must lie over one day before being given its second reading.

2.24 4.10 A member may question the reference of a bill during the order of business of first
2.25 reading on the day of introduction. When a member questions the reference of a bill, the bill must
2.26 be referred without debate to the Committee on Rules and Administration to report the proper
2.27 reference. Upon adoption of the report of the Committee on Rules and Administration, the bill
2.28 must be referred accordingly.

2.29 **5. RECALL FROM COMMITTEE**

2.30 5.1 With the concurrence of the chief author of the bill, before the deadline for committee
2.31 action on a bill, a majority of the whole Senate may recall the bill from a committee and re-refer it
2.32 to any other committee or place it on General Orders. After the committee deadline for action

3.1 on a bill, 41 affirmative votes of the whole Senate may recall the bill from any committee and
3.2 re-refer it to any other committee or place it on General Orders.

3.3 5.2 By a report of the Committee on Rules and Administration adopted by the Senate, the
3.4 Committee on Rules and Administration, on request of the chief author, may remove a bill from
3.5 committee and re-refer it to any other committee or place it on General Orders.

3.6 **6. RESOLUTIONS**

3.7 6.1 Memorial resolutions addressed to the President or the Congress of the United States,
3.8 or a house or member of Congress, or a department or officer of the United States, or a state or
3.9 foreign government, joint resolutions, and resolutions requiring the signature of the Governor
3.10 must follow the same procedure as bills before being adopted.

3.11 6.2 A resolution may not be changed to a bill, and a bill may not be changed to a resolution.

3.12 6.3 When a member gives notice of intent to debate a resolution not required to follow
3.13 the same procedure as bills and not offered by the Committee on Rules and Administration, the
3.14 resolution must lie over one calendar day without debate or other action.

3.15 6.4 Upon the request of a member, the resolution must be referred to the proper committee.
3.16 If a question arises concerning the proper reference the procedure provided by Rule 4.10 applies.

3.17 **7. BUDGET TARGETS**

3.18 7.1 The Committees on Taxes and on Finance must hold hearings as necessary to determine
3.19 state revenues and appropriations for the fiscal biennium.

3.20 7.2 At least 15 days before the deadline for committees other than the Committee on
3.21 Finance to act favorably on omnibus appropriations bills, targets for the general fund budget must
3.22 be publicly announced by the Chair of the Committee on Finance or the Chair of the Committee
3.23 on Rules and Administration. Subsequent adjustments to the targets required under this rule shall
3.24 be made by public announcement of the chair of the Committee on Rules and Administration.

3.25 7.3 The omnibus tax and appropriation bills are:

3.26 (1) the omnibus tax bill;

3.27 (2) the education appropriations bill;

3.28 (3) the higher education appropriations bill;

3.29 (4) the health and human services appropriations bill;

3.30 (5) the environment and natural resources appropriations bill;

- 4.1 (6) the agriculture and rural economies appropriations bill;
- 4.2 (7) the jobs and economic growth appropriations bill;
- 4.3 (8) the commerce and consumer protection appropriations bill;
- 4.4 (9) the energy, utilities and telecommunications appropriations bill;
- 4.5 (10) the judiciary and public safety appropriations bill;
- 4.6 (11) the state government innovation and veterans appropriations bill;
- 4.7 (12) the transportation appropriations bill; and
- 4.8 (13) the omnibus capital investment bill.

4.9 An omnibus appropriation or tax bill may not be divided.

4.10 7.4 An amendment to an omnibus appropriation or tax bill that is a Senate file or an
4.11 unofficial engrossment of a House file is out of order if it will increase net appropriations from
4.12 a fund for a fiscal biennium, compared to the bill as it was reported to the floor of the Senate,
4.13 without a corresponding increase in net revenue.

4.14 7.5 An amendment to an omnibus appropriation or tax bill that is a Senate file or an
4.15 unofficial engrossment of a House file is out of order if it will reduce net revenue to a fund for a
4.16 fiscal biennium, compared to the bill as it was reported to the floor of the Senate, without a
4.17 corresponding reduction in net appropriations.

4.18 7.6 An amendment to an omnibus appropriation or tax bill that is a Senate file or an
4.19 unofficial engrossment of a House file is out of order if it will change appropriations, transfers,
4.20 or revenues to an agency that was not in the bill as it was reported to the floor of the Senate, or
4.21 will create or increase the amount of a tax expenditure by reducing appropriations, transfers, or
4.22 revenues to an agency that was not in the bill as it was reported to the floor of the Senate.

4.23 **8. CONFIRMATIONS**

4.24 8.1 Every gubernatorial appointment requiring the advice and consent of the Senate must
4.25 be referred by the President to the appropriate committee. If a question arises as to the proper
4.26 committee, the appointment must be referred without debate to the Committee on Rules and
4.27 Administration for a report making the proper reference.

4.28 8.2 An appointment referred to committee and not reported to the Senate within 60
4.29 legislative days after it was referred is withdrawn from committee and placed on the confirmation

5.1 calendar for consideration by the Senate before adjournment of the regular session, unless the
5.2 appointee's term has expired or the appointee is no longer serving.

5.3 8.3 The final question on the appointment is, "Will the Senate, having given its advice,
5.4 now consent to this appointment?" The question must not be put the same day the appointment is
5.5 received or on the day it is reported by committee except by unanimous consent. Confirmation of
5.6 the appointment requires the affirmative vote of a majority of the whole Senate.

5.7 **9. STANDING COMMITTEES**

5.8 The standing committees of the Senate are as follows:

5.9 Agriculture and Rural Economies

5.10 Capital Investment

5.11 Commerce and Consumer Protection

5.12 Education

5.13 Energy, Utilities and Telecommunications

5.14 Environment and Natural Resources

5.15 Finance

5.16 Health and Human Services

5.17 Higher Education

5.18 Jobs and Economic Growth

5.19 Judiciary and Public Safety

5.20 Local Government and Elections

5.21 Rules and Administration

5.22 State Government Innovation and Veterans

5.23 Taxes

5.24 Transportation

5.25 **10. APPOINTMENTS TO STANDING COMMITTEES**

5.26 10.1 The majority and minority groups must each be represented on all standing
5.27 committees of the Senate substantially in proportion to their numbers in the Senate. The majority
5.28 group shall assign the number of positions the minority group will hold on each committee. The
5.29 minority group must be given adequate notice of its positions before the session begins.

5.30 10.2 Both the majority and minority groups shall appoint their own members to fill the
5.31 number of positions each group will hold on each committee. The minority group shall transmit
5.32 notice of its assignments to the majority group within 14 calendar days after receipt of the notice
5.33 of positions available. The minority group may designate a ranking member for each committee.
5.34 Nothing prohibits a member of the minority group from serving as chair or vice chair of a

6.1 committee, subcommittee, or commission. If the minority group for any reason fails to make its
6.2 appointments pursuant to this rule, the majority group may make all the committee assignments.

6.3 10.3 The Senate resolution establishing representation on all Senate standing committees
6.4 must set forth committee assignments as made by the majority and minority groups.

6.5 10.4 A member may not serve as the chair of the same standing committee or a committee
6.6 with substantially the same jurisdiction, for more than three consecutive Senate terms. This limit
6.7 does not apply to the Committee on Rules and Administration.

6.8 10.5 After the organization of the Senate and after consultation with and the approval of
6.9 the minority leader, the Chair of the Committee on Rules and Administration may add members
6.10 to or delete members from a standing committee.

6.11 **11. APPOINTMENTS BY SUBCOMMITTEE ON COMMITTEES**

6.12 11.1 The Committee on Rules and Administration may constitute a standing Subcommittee
6.13 on Committees, the report of which within its jurisdiction has the effect of a report of the
6.14 Committee on Rules and Administration. The subcommittee consists of at least five members,
6.15 including members of the minority group substantially in proportion to their number in the Senate.

6.16 11.2 Unless otherwise provided, the Subcommittee on Committees shall appoint all
6.17 members of commissions or other bodies authorized to be appointed by the Senate and report the
6.18 appointments to the Senate.

6.19 **12. COMMITTEE MEETINGS**

6.20 12.1 All meetings of the Senate, its committees, and subcommittees are open to the public.
6.21 A meeting of a caucus of the members of any of those bodies from the same political party need
6.22 not be open to the public. A caucus of the Hennepin county, Ramsey county, or St. Louis county
6.23 delegation is open to the public. For purposes of this rule, a meeting occurs when a quorum is
6.24 present and action is taken regarding a matter within the jurisdiction of the body.

6.25 12.2 Any person may submit to the Chair of the Committee on Rules and Administration
6.26 a complaint that members have violated the open meeting requirements of Minnesota Statutes,
6.27 section 3.055. The complaint must be in writing. The Chair of the Committee on Rules and
6.28 Administration shall immediately forward the complaint in writing to the Subcommittee on
6.29 Ethical Conduct without disclosing the identity of the complainant. The complaint must not be
6.30 further disclosed without the consent of the complainant, except to the members against whom
6.31 the complaint was made, unless the complaint was made by a member of the Senate in writing
6.32 under oath, in which case the investigatory procedures of Rule 55 apply.

7.1 12.3 To the extent practical, a committee or subcommittee shall announce each meeting to
7.2 the public at least three calendar days before convening. The notice must state the name of the
7.3 committee or subcommittee, the bill or bills to be considered, and the place and time of meeting. A
7.4 bill may not be considered on the day it was introduced. The notice must be posted on the Senate's
7.5 Web site and on all Senate bulletin boards in the Capitol and the State Office Building. A notice
7.6 must be sent to the House of Representatives for posting as it deems necessary. If the three-day
7.7 notice requirement cannot be met, the committee or subcommittee shall give simultaneous notice
7.8 to all of the known proponents and opponents of the bill as soon as practicable.

7.9 12.4 A Senate committee or subcommittee shall adjourn no later than midnight each day,
7.10 unless two-thirds of the members present vote to suspend this requirement.

7.11 12.5 Committees and subcommittees may not meet while the Senate is in session without
7.12 permission of the Senate. The names of the members excused shall be printed in the Journal.

7.13 12.6 A majority of its members constitutes a quorum of a committee or subcommittee.

7.14 12.7 Each standing committee of the Senate, including a subcommittee of the committee,
7.15 may at any time sit and act, investigate and take testimony on any matter within its jurisdiction,
7.16 report hearings held by it, and make expenditures as authorized by the Committee on Rules
7.17 and Administration.

7.18 12.8 A standing committee, but not a subcommittee, may require by subpoena or otherwise
7.19 the attendance and testimony of witnesses and the production of correspondence, books, papers,
7.20 and documents, in the manner provided by Minnesota Statutes, section 3.153.

7.21 12.9 Upon the request of a member of a committee or subcommittee to which a bill has
7.22 been referred, or upon the request of the chief author of the bill, a record must be made of the vote
7.23 on the bill or any amendment in the committee or subcommittee.

7.24 12.10 Upon request of three members of the committee before the vote is taken, the record
7.25 of a roll call vote in a standing committee must accompany the committee report and be printed
7.26 in the Journal.

7.27 12.11 A committee report may only be based on action taken at a regular or special meeting
7.28 of the committee. A report in violation of this rule is out of order.

7.29 12.12 No Senate committee or subcommittee shall permit any appointed officer or
7.30 employee of the executive branch, registered lobbyist, or lobbyist principal to be seated at the
7.31 committee table with members of the Senate during an official meeting of a committee of the
7.32 Senate.

8.1 **13. HOUR OF CONVENING**

8.2 If the Senate adjourns without setting a time to reconvene, the Senate shall convene on the
8.3 next legislative day at 11:00 a.m.

8.4 **14. PRESIDENT**

8.5 14.1 The President shall take the chair at the time to which the Senate adjourned. The
8.6 President shall immediately call the members to order and, on the appearance of a quorum, shall
8.7 proceed with the regular order of business.

8.8 14.2 The President may call a member to preside. In the absence of the President, the
8.9 President Pro Tem, the Chair of the Committee on Rules and Administration, or the Chair's
8.10 designee, shall preside over the Senate. In the absence of the President and the Chair, the Senate
8.11 may select a member to perform the duties of the President. Substitutions do not extend beyond
8.12 adjournment.

8.13 14.3 The President shall preserve order and decorum, may speak on points of order in
8.14 preference to members, and shall also decide all questions of order, subject to an appeal to the
8.15 Senate by a member.

8.16 14.4 An appeal is decided by a majority vote of those present and voting. Upon an appeal
8.17 from the decision of the President, the question is, "Shall the decision of the President be the
8.18 judgment of the Senate?"

8.19 14.5 The President shall sign all acts, memorials, addresses and resolutions. All writs,
8.20 warrants, and subpoenas issued by the Senate must be signed by the President and attested by the
8.21 Secretary.

8.22 14.6 Upon a finding by the Committee on Rules and Administration that the President
8.23 refuses or is unable to sign any of the documents described in this rule, the Chair of the Committee
8.24 on Rules and Administration, or some other member selected by the committee, shall assume the
8.25 duties of the President under this rule until the President is able to sign the documents described
8.26 or until the Senate elects a new President, whichever occurs first.

8.27 **15. ADMISSION TO SENATE CHAMBER**

8.28 15.1 The Senate Chamber is reserved for Senate use.

8.29 15.2 A person may not be admitted to the Senate Chamber except as provided in these
8.30 rules. A member, an officer, the constitutional officers, ex-Governors of the State of Minnesota,
8.31 members of the House, judges of the trial and appellate courts and members of Congress may be
8.32 admitted.

9.1 15.3 Past members of Congress or of the state legislature who are not interested in any
9.2 claim or directly in a bill pending before the legislature may be personally admitted by a member
9.3 of the Senate.

9.4 15.4 An employee of either house may be admitted at the request of a member or an
9.5 officer of the Senate.

9.6 15.5 A member of another state, provincial, or national legislative body may be admitted
9.7 to the floor by any member of the Senate. A member of another legislative body who is admitted
9.8 to the floor may be introduced to the Senate by the President.

9.9 15.6 The President may designate and personally admit the person who will provide the
9.10 prayer and the person who will lead the Pledge of Allegiance.

9.11 15.7 When the Senate is not meeting, a person who is not a member may be admitted to the
9.12 floor at the request of a member or an officer.

9.13 15.8 Public hearings may not be held in the Senate Chamber. The Senate Chamber may
9.14 not be used for any commercial purpose.

9.15 15.9 The Retiring Room of the Senate is reserved for the exclusive use of the members of
9.16 the Senate at all times. The Sergeant at Arms shall strictly enforce this rule.

9.17 15.10 When a member-elect is sworn in, the member-elect may request that one guest be
9.18 admitted until the member-elect has been sworn in.

9.19 **16. CREDENTIALS FOR NEWS COVERAGE**

9.20 16.1 The credentialing process for individuals and organizations who provide news
9.21 coverage of the legislature will be administered and the provisions of this rule enforced
9.22 exclusively by the Sergeant at Arms, with the exception of an appeal under Rule 16.4.

9.23 16.2 The Sergeant at Arms may not issue credentials or day passes under Rule 16.3
9.24 to political organizations. For the purposes of this rule, "political organization" means an
9.25 organization owned or controlled by a registered lobbyist, a political party, or any party
9.26 organization. "Political organization" also includes an organization registered with the Campaign
9.27 Finance Board, the Federal Election Commission, or an organization subject to Minnesota
9.28 Statutes, chapter 10A or 211A.

9.29 16.3 Due to the limited space available for organizations or individuals providing news
9.30 coverage of the Senate, the Senate finds that there is a compelling public interest in limiting
9.31 credentials to organizations or individuals who demonstrate that they provide frequent news
9.32 coverage of the legislature. For that reason, the following rules apply:

10.1 (a) Organizations or individuals requesting credentials must furnish, upon the request of
10.2 the Sergeant at Arms, three examples of news coverage of legislative matters produced by the
10.3 organization or individual. The examples must include written, video, or audio coverage written
10.4 or recorded in the past year, and a description of how they were publicly distributed. Any opinion
10.5 expressed in the examples is not subject to review under this rule at any time. An organization
10.6 requesting credentials may include only one individual.

10.7 (b) For session credentials, an organization or individual must submit an application to the
10.8 Sergeant at Arms. The Sergeant at Arms must review the application and approve or reject it
10.9 within 14 days after receipt.

10.10 (c) If an application is rejected, the Sergeant at Arms must state the reason for the rejection
10.11 in writing and notify the applicant, the Secretary of the Senate, the Majority Leader, and the
10.12 Minority Leader in writing.

10.13 (d) The Sergeant at Arms may grant day passes upon the request of a member or upon
10.14 the request of an individual or organization who has not applied for credentials and who is not
10.15 prohibited from receiving credentials under Rule 16.2.

10.16 16.4 An appeal of a denial of credentials must be made in writing to the Secretary of the
10.17 Senate, the Senate Majority Leader, and the Senate Minority Leader. The Committee on Rules and
10.18 Administration shall review and decide the appeal within 14 days after receiving a letter of appeal.

10.19 16.5 For individuals and organizations with credentials and passes issued under this rule,
10.20 the Secretary of the Senate shall provide at least six spaces on the Senate floor and at least ten
10.21 spaces in the Senate gallery. Because of limited space on the floor, at least four spaces must be
10.22 reserved for credentialed individuals from news organizations with leases in the Capitol press
10.23 area. At least four seats in the gallery must be reserved for credentialed individuals from television
10.24 news stations with leases in the Capitol press area. All other gallery access will be provided on a
10.25 first-come, first-served basis to individuals and organizations with credentials and passes issued
10.26 under this rule. The Sergeant at Arms shall ensure that an opportunity to register for access under
10.27 this rule is publicly available outside the main doors of the Senate Chamber at all times. This
10.28 procedure will be used to determine floor access priority for individuals with credentials whose
10.29 organizations do not lease space in the Capitol press area. If the designated floor and gallery space
10.30 is full, the Sergeant at Arms may limit access for an organization to one individual in order to
10.31 provide space for individuals from other organizations. Individuals with session credentials have
10.32 priority for admission over individuals with day passes. All credentialed individuals shall be
10.33 admitted to the floor when the Senate is not meeting in the same manner provided for credentialed
10.34 individuals who have been admitted to the floor when the Senate is meeting. The documents

11.1 provided to credentialed individuals present on the floor when the Senate is meeting shall be made
11.2 available in the Senate Information Office to other credentialed individuals.

11.3 16.6 The Secretary shall compile and distribute to the public a directory of individuals
11.4 and organizations who have been issued credentials under Rule 16.3 to provide news coverage
11.5 from the Senate floor. The directory must include each individual's picture and organization
11.6 and a brief biography.

11.7 16.7 The Secretary must issue each individual or organization with credentials an
11.8 identification badge showing the individual's name and organization. The individual must wear
11.9 the badge when in the Senate Chamber.

11.10 **17. DECORUM**

11.11 17.1 In case of a disturbance or disorderly conduct in the lobbies or galleries, the President
11.12 may order them cleared.

11.13 17.2 A member may not introduce a visitor or visitors in the galleries from the floor or
11.14 rostrum of the Senate.

11.15 17.3 Smoking is not permitted in the Senate Chamber or galleries, the Retiring Room,
11.16 hearing rooms, offices, or other spaces under the control of the Senate.

11.17 17.4 During floor proceedings, picture taking by persons other than accredited news or
11.18 legislative photographers, picture taking with floodlights or flash units, and visual or audible
11.19 disruptions are prohibited. At all times, demonstrations and food or beverages are prohibited
11.20 in the Senate Chamber and in the galleries.

11.21 17.5 Television recording or broadcasting on the Senate floor is under the direction of the
11.22 Secretary.

11.23 **18. ORDER OF BUSINESS**

11.24 18.1 The order of business is as follows:

- 11.25 1. Petitions, letters, remonstrances.
- 11.26 2. Executive and official communications.
- 11.27 3. Messages from the House of Representatives.
- 11.28 4. First reading of House bills.
- 11.29 5. Reports of committees.
- 11.30 (a) From standing committees.

- 12.1 (b) From select committees.
- 12.2 6. Second reading of Senate bills.
- 12.3 7. Second reading of House bills.
- 12.4 8. Introduction and first reading of Senate bills.
- 12.5 9. Motions and Resolutions.
- 12.6 10. Calendar.
- 12.7 11. Consent Calendar.
- 12.8 12. General Orders.
- 12.9 13. Announcements of Senate interest.

12.10 18.2 Under the order of business of Motions and Resolutions, the Senate may by a majority
12.11 vote of the whole Senate temporarily revert or proceed to any other order of business.

12.12 **19. PETITIONS AND OTHER COMMUNICATIONS**

12.13 19.1 In presenting a petition, memorial, remonstrance or other communication addressed
12.14 to the Senate, a member shall only state the general purpose of it.

12.15 19.2 Every petition, memorial, remonstrance, resolution, bill and report of committee, must
12.16 have an appropriate title, and the name of the member presenting it written on it.

12.17 19.3 Every written communication distributed to members in the Senate Chamber must
12.18 have the name of the member or officer distributing it displayed on it.

12.19 **20. MESSAGES FROM THE HOUSE**

12.20 A message from the House of Representatives that a Senate bill has been amended, and the
12.21 amendment, must be printed and placed on the members' desks before a member may move to
12.22 concur in the House amendment. If the amendment has been printed in the House Journal for a
12.23 preceding day and is available to the members, the Journal copy may serve as the printed copy.

12.24 **21. OBJECTIONS TO COMMITTEE REFERRALS**

12.25 A member may question the proper reference of a bill at the time the bill is reported by a
12.26 standing committee to which it was previously referred. When a member questions the reference
12.27 of a bill, the bill must be referred without debate to the Committee on Rules and Administration
12.28 to report the proper reference. Upon adoption of the report of the Committee on Rules and
12.29 Administration, the bill must be referred accordingly.

13.1

22. GENERAL ORDERS

13.2 22.1 The Secretary shall make a list of all bills, resolutions, reports of committees, and
13.3 other proceedings of the Senate that are referred to the Committee of the Whole and number
13.4 them. The lists are called the "General Orders".

13.5 22.2 Items on General Orders may be taken up in the order in which they are numbered, as
13.6 ordered by the Chair of the Committee on Rules and Administration, or as otherwise ordered by a
13.7 majority of the committee.

13.8 22.3 General Orders, together with all bills required to be included on it, must be
13.9 electronically available or printed at least one calendar day before being considered in Committee
13.10 of the Whole.

13.11 22.4 With the concurrence of the chief author of the bill, a majority of the whole Senate
13.12 may at any time take a bill from the table and place it on General Orders.

13.13

23. COMMITTEE OF THE WHOLE

13.14 23.1 All bills, memorials, orders, resolutions and votes requiring the approval of the
13.15 Governor must, after a second reading, be considered in Committee of the Whole before they are
13.16 finally acted upon by the Senate, unless considered on the Consent Calendar or as a Special Order.

13.17 23.2 The President may call a member to the Chair when the Senate resolves itself into the
13.18 Committee of the Whole.

13.19 23.3 The rules observed in the Senate govern, as far as practicable, the proceedings of the
13.20 Committee of the Whole, and the Chair of the Committee of the Whole has the powers of the
13.21 President, as appropriate. However, a member may speak more than twice on the same subject
13.22 and a call for the previous question may not be made.

13.23 23.4 A member may request a roll call vote. The vote must be recorded in the Journal
13.24 along with the amendment.

13.25 23.5 The recommendations of the Committee of the Whole must be reported to the Senate.
13.26 The question is on the adoption or rejection of the report, and no other question may be admitted.
13.27 The question may be divided to permit separate Senate action on the report as to any bill.

13.28 23.6 On adoption of the report of the Committee of the Whole, all bills recommended to
13.29 pass must be placed on the Calendar.

14.1 **24. CALENDAR**

14.2 24.1 The Secretary shall make a Calendar of all bills, resolutions and other matters
14.3 approved by the Committee of the Whole for final action. The Secretary shall place them on the
14.4 Calendar in the order in which they have been acted upon in Committee of the Whole.

14.5 24.2 The Calendar must be electronically available or printed at least one calendar day
14.6 before the matters on it are considered.

14.7 **25. CONSENT CALENDAR**

14.8 25.1 If a committee determines that a bill it recommends to pass is not likely to be opposed,
14.9 the committee may recommend that the bill be placed on the Consent Calendar. If the committee
14.10 report is adopted, the bill must be electronically available or printed and placed on the Consent
14.11 Calendar after its second reading. On the question of adoption of the report, the question of
14.12 accepting the recommendation that the bill be placed on the Consent Calendar may be divided
14.13 from the question of adopting the report in other respects.

14.14 25.2 A majority of the whole Senate, or the Chair of the Committee on Rules and
14.15 Administration, may order a bill on General Orders placed on the Consent Calendar.

14.16 25.3 The Consent Calendar must be electronically available or printed at least one calendar
14.17 day before the matters on it are considered.

14.18 25.4 If a member objects to consideration of a bill on the Consent Calendar at any time
14.19 during its consideration in the Senate before the question on final passage is put, and that objection
14.20 is supported by at least two other members, the bill is referred to the Committee of the Whole, and
14.21 the Secretary shall place it at the bottom of General Orders subject to Rule 22.2, except that it
14.22 need not lie over one calendar day before consideration in the Committee of the Whole.

14.23 **26. SPECIAL ORDERS**

14.24 26.1 The Chair of the Committee on Rules and Administration, or the Chair's designee,
14.25 may designate a special order for a bill that has been given its second reading.

14.26 26.2 A special order may provide that the bill be considered immediately, at a time certain,
14.27 or after specific other business is completed.

14.28 26.3 During consideration of a special order, Rule 36.5 is suspended.

14.29 26.4 As nearly as applicable, debate on the bill and all proceedings including amendments
14.30 and substitutions must be conducted as in the Committee of the Whole.

14.31 26.5 On any question, a member may request a roll call vote, which must be entered
14.32 in the Journal.

15.1 26.6 Unless it is otherwise disposed of, after consideration a bill on Special Orders must
15.2 immediately proceed to its third reading and final passage.

15.3 **27. MOTIONS**

15.4 27.1 A motion or amendment must be written if a member requests. It must identify the
15.5 member or committee offering it.

15.6 27.2 When a motion is made, it must be stated by the President. If it is in writing, it must
15.7 be handed to the Secretary and read to the members.

15.8 27.3 After a motion is stated by the President, or read by the Secretary, it is in possession
15.9 of the Senate, but may be withdrawn by the author at any time before decision or amendment.

15.10 **28. PRECEDENCE OF MOTIONS**

15.11 28.1 When a question is under debate no motion may be made, except:

15.12 1. To adjourn.

15.13 2. To recess.

15.14 3. To reconsider.

15.15 4. To lay on the table.

15.16 5. For the previous question.

15.17 6. To refer.

15.18 7. To postpone to a day certain.

15.19 8. To amend.

15.20 9. To postpone indefinitely.

15.21 28.2 Motions numbered 1, 2, 4 and 5 above are not debatable.

15.22 28.3 These motions have precedence in the foregoing order; but when a motion for the
15.23 previous question has been made, or the main question ordered, a motion to lay on the table
15.24 is not in order.

15.25 28.4 A motion to postpone to a day certain, to refer, to postpone indefinitely, or to amend,
15.26 having been decided, may not again be put on the same day, nor at the same stage of the bill
15.27 or proposition.

16.1

29. MOTION TO ADJOURN

16.2 A motion to adjourn or a motion to adjourn to a time certain is always in order. The latter
16.3 motion is debatable solely as to the time. When either motion is rejected, it may not be renewed
16.4 until further business has been transacted.

16.5

30. MOTION TO RECONSIDER

16.6 30.1 When a motion or question has been decided, a member who voted with the prevailing
16.7 side may move for reconsideration:

16.8 (1) on the same day on which the vote was taken;

16.9 (2) within the next two calendar days; or

16.10 (3) if after the time provided under clause (1) or (2), on the first day the Senate meets
16.11 after the vote was taken. The motion takes precedence over all other questions except a motion
16.12 to adjourn or recess.

16.13 30.2 When a motion to adjourn is adopted before the disposition of a motion for
16.14 reconsideration, the motion for reconsideration must lie over until the next succeeding day the
16.15 Senate meets except as provided in this rule.

16.16 30.3 When notice of intent to move reconsideration of the final action of the Senate on a
16.17 question is given by a member, the Secretary shall retain the subject of the notice until after the
16.18 expiration of the time during which the motion can be made.

16.19 30.4 A notice of intent to move for reconsideration is not in order after the Tuesday before
16.20 the third Saturday in May, but a motion to reconsider may be made.

16.21 30.5 A motion for reconsideration having been once voted on may not be made again
16.22 nor reconsidered.

16.23

31. MOTION FOR THE PREVIOUS QUESTION

16.24 31.1 Unless a motion for the previous question is made specifically applicable to a
16.25 subsidiary motion, it must be in this form: "Shall the main question now be put?" If the motion
16.26 for the previous question is supported by a majority of the members present, its effect is to put an
16.27 end to all debate and bring the Senate to a direct vote upon all pending amendments in their order
16.28 and then upon the main question.

16.29 31.2 On a motion for the previous question, a call of the Senate is in order before the
16.30 President submits the question to the Senate.

17.1 31.3 On a motion for the previous question there is no debate. All incidental questions
17.2 of order, arising after a motion is made for the previous question, and pending the motion, must
17.3 be decided, whether on appeal or otherwise, without debate.

17.4 **32. MOTION TO REFER**

17.5 A bill or resolution may be referred to committee at any time before its passage. If an
17.6 amendment is reported on the referral to any committee other than the Committee of the Whole, it
17.7 must again be read the second time, considered in Committee of the Whole, read the third time and
17.8 placed on final passage. If the referral is to the Committee of the Whole it must be placed at the
17.9 head of General Orders, except when the referral is from the Consent Calendar under Rule 25.4.

17.10 **33. MOTION TO AMEND BILL OR RESOLUTION**

17.11 33.1 A motion to amend must be written if a member requests. It must identify the
17.12 member offering it.

17.13 33.2 In drawing an amendment to a bill or resolution, reference must be made, first to
17.14 the number of the bill, then to the page, and then to the line or lines where language is to be
17.15 stricken or inserted.

17.16 33.3 In filling blanks, the largest sum, the longest time and the greatest distance must be
17.17 first taken.

17.18 33.4 The title to a bill may be amended by the Secretary at any time the bill is amended
17.19 by the Senate.

17.20 33.5 An amendment is not in order to a bill on the Calendar or after third reading without
17.21 the unanimous consent of the Senate unless it:

17.22 (1) fills a blank;

17.23 (2) amends the title;

17.24 (3) is proposed to the chief author of the bill by the Revisor of Statutes to correct technical
17.25 defects found by the Revisor while engrossing earlier amendments to the bill; or

17.26 (4) is proposed to a bill on the Consent Calendar before the bill is given its third reading.

17.27 **34. MOTION TO SUSPEND RULES**

17.28 34.1 A rule may be suspended by a vote of at least two-thirds of the whole Senate.

17.29 34.2 A motion to suspend the rules for the purpose of advancing a bill may be made only
17.30 under the order of business, "Motions and Resolutions".

35. GERMANENESS

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35.1 An amendment proposed to the Senate or to the Committee of the Whole that is not germane is out of order.

35.2 A non-germane amendment includes one that:

(1) relates to a substantially different subject; or

(2) is intended to accomplish a substantially different purpose, than that of the original bill to which it is proposed.

35.3 An amendment to insert a constitutional amendment is not germane to a bill that does not already include a constitutional amendment.

35.4 Whether an amendment is germane is to be decided by the President, who may put the question to the body if the President chooses.

35.5 A motion to remove an amendment placed on a House bill under Rule 45.1 is out of order if removal of the amendment would make a portion of the House bill not germane to the Senate companion for which it was substituted.

35.6 If a House amendment to a Senate bill is not germane to the Senate bill, a motion to concur in the House amendment is out of order.

36. DEBATE

36.1 When a member is about to speak to the Senate, the member shall rise and respectfully address "Madam (or Mr.) President." The member may not proceed to speak further until recognized by the President.

36.2 The member shall speak only to the question under debate and avoid personality.

36.3 The member may inform the Senate of the Governor's position on a bill and on its status in the House of Representatives.

36.4 In discussing a resolution, each member is limited to ten minutes.

36.5 A member may not speak more than twice on the same question on the same day without permission of the Senate.

36.6 When a member is speaking, no one may stand between the member speaking and the President.

36.7 A member may not speak without using a microphone.

36.8 All remarks during debate shall be addressed to the President.

19.1 36.9 When the President puts a question, or addresses the Senate, no one may walk out of
19.2 or cross the Chamber.

19.3 36.10 When a member is called to order, the member shall be silent until it is determined
19.4 whether or not the member is in order. If a member is called to order for words spoken in debate,
19.5 the words excepted to must be taken down in writing by the Secretary immediately.

19.6 36.11 Debate on the report of a conference committee is in order at any time after the
19.7 report has been made available electronically or printed and placed on the desk of each member,
19.8 or at an earlier time agreed to by a majority of the whole Senate.

19.9 **37. ABSENCE OF MEMBERS**

19.10 A member or officer of the Senate may not be absent from a session of the Senate unless
19.11 excused by the Senate. The name of a member excused must be printed in the Journal.

19.12 **38. CALL OF THE SENATE**

19.13 38.1 A member may impose a call of the Senate requiring the attendance of all members
19.14 before any further proceedings occur except a motion to adjourn.

19.15 38.2 Upon the imposition of a call, a member may request a record of those present and the
19.16 Sergeant at Arms shall bring in the absent members.

19.17 38.3 When the Senate has been placed under call, a member may demand that the doors be
19.18 closed and that no member be permitted to leave the Chamber until the matter or question, if any,
19.19 under consideration at the time of the call is disposed of, or until the call is lifted by a majority of
19.20 the whole Senate, or until the Senate adjourns.

19.21 38.4 A majority of the whole Senate may excuse members not answering the call.

19.22 38.5 A call may not be imposed after voting has commenced.

19.23 **39. DIVISION OF QUESTION**

19.24 39.1 A member may call for a division of the question when the division is possible.
19.25 A motion to strike and insert is indivisible.

19.26 39.2 The defeat of a motion to strike does not preclude an amendment nor a motion to
19.27 strike and insert.

19.28 **40. VOTING**

19.29 40.1 The President shall distinctly state the question before taking the vote. The President
19.30 shall declare the result of the vote. If a member questions the result of a vote, the President
19.31 shall order a division.

20.1 40.2 A member may vote on a question or be counted on a division only at the member's
20.2 own seat in the Senate Chamber.

20.3 40.3 At any time before the start of voting on a question, a member may request a roll call
20.4 vote, which must be entered in the Journal, unless at the time the request is made, the Senate is
20.5 taking a roll call vote using the electrical voting system.

20.6 40.4 Unless otherwise ordered, a roll call vote, except upon elections, may be taken by
20.7 means of the electrical voting system under the control of the President.

20.8 40.5 A roll call vote may not be interrupted except to close the roll as provided in Rule 41.3.

20.9 40.6 A member or other person may not proceed to or remain by the Secretary's desk while
20.10 a roll call or division is being taken.

20.11 **41. MEMBERS TO VOTE UNLESS EXCUSED**

20.12 41.1 Every member who is in the Senate Chamber during a roll call, including in the
20.13 Committee of the Whole, shall vote upon the request of another member unless excused by
20.14 the Senate.

20.15 41.2 A motion by a member to be excused from voting must be made before the question is
20.16 put. A member wishing to be excused from voting may make a brief statement of the reason for
20.17 making the request. The question on the motion to excuse must be taken without further debate.

20.18 41.3 When members have had an opportunity to vote and fail to do so, a majority of the
20.19 whole Senate may, by motion, direct the President to close the roll.

20.20 41.4 The vote on a motion to close the roll must be taken without debate. No member
20.21 is required to vote on the motion.

20.22 **42. FINAL PASSAGE**

20.23 The final question on a bill or other matter requiring action by both Houses after its first and
20.24 second reading, and after the consideration in Committee of the Whole, is on its final passage.

20.25 **43. TRANSMITTING BILLS TO THE HOUSE**

20.26 43.1 Except when a motion to reconsider has been made as provided in Rule 30,
20.27 immediately after the passage of a bill or other matter in which the concurrence of the House of
20.28 Representatives is requested, the Secretary shall transmit it to the House.

20.29 43.2 On the concurrence of a bill or other matter of the House by the Senate, or on the
20.30 concurrence or disagreement in a vote of the House, the Secretary shall notify the House.

21.1 **44. ENGROSSING AND ENROLLING OF BILLS**

21.2 44.1 The Secretary and the Engrossing Secretary shall ensure that every bill, memorial, or
21.3 resolution originating in the Senate is carefully engrossed before it is transmitted to the House
21.4 of Representatives for concurrence.

21.5 All engrossing and enrolling of bills shall be done at the direction and under authority of
21.6 the Senate.

21.7 44.2 The Secretary shall ensure that every bill, memorial, or resolution originating in the
21.8 Senate is carefully enrolled by the Revisor of Statutes before it is presented to the Governor
21.9 or filed with the Secretary of State.

21.10 **45. COMPARISON AND SUBSTITUTION OF BILLS**

21.11 45.1 A House bill, after its first reading, must be referred as follows, unless there is a
21.12 motion by the Chair of the Committee on Rules and Administration or a designee of the Chair:

21.13 (a) If there is no Senate companion bill, the House bill must be referred to the appropriate
21.14 standing committee, unless there is objection under Rule 4.10.

21.15 (b) If there is a Senate companion bill, the House bill must be referred to the standing
21.16 committee possessing the Senate companion.

21.17 (c) If the Senate companion bill has been reported to the Senate, the House bill must be
21.18 referred to the Committee on Rules and Administration, which shall report whether the House bill
21.19 is identical to the Senate companion bill. If the bills are identical, the report must recommend that
21.20 the House bill be given its second reading and substituted for the Senate companion bill and the
21.21 Senate companion bill be indefinitely postponed. If the House bill is not identical to the Senate
21.22 companion bill, the report of the committee must recommend an amendment to the House bill
21.23 that when adopted will render the House bill identical to the Senate bill. Upon adoption of a
21.24 committee report containing the proposed amendment, the House bill as amended must be given
21.25 its second reading and substituted for the Senate companion bill and the Senate companion
21.26 bill must be indefinitely postponed.

21.27 45.2 The Secretary shall prepare and submit reports under this rule on behalf of the
21.28 Committee on Rules and Administration.

21.29 45.3 A House bill placed on the Calendar by substitution must not be given its third reading
21.30 on the same day as the substitution.

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46. CONFERENCE COMMITTEES

46.1 The Committee on Rules and Administration may constitute a standing Subcommittee on Conference Committees, the report of which within its jurisdiction has the effect of a report of the Committee on Rules and Administration. The subcommittee consists of three members, one of whom must be a member of the minority group.

46.2 The Subcommittee on Conference Committees shall appoint all conference committees of the Senate and report the appointments to the Senate. In the appointment of members of conference committees between the two houses, the Subcommittee on Conference Committees shall appoint those who are in accord with the position of the Senate. Whenever practical, the subcommittee shall give preference to authors of bills in dispute and to members of standing committees in which the bills were considered.

47. DISPOSITION OF BILLS ON ADJOURNMENT

Adjournment of the regular session in an odd-numbered year to a date certain in the following year is equivalent to daily adjournment, except that a bill on the Calendar, Consent Calendar, General Orders, or table, other than a bill laid on the table after being vetoed by the governor or after its conference committee has been discharged under Joint Rule 3.02, must be returned to the standing committee other than the Committee on Rules and Administration from which it was last reported to the Senate, unless otherwise provided for by motion before adjournment.

48. PRINTING AND DISTRIBUTION OF BILLS

48.1 Unless otherwise ordered by the Senate, all Senate bills that have been reported upon favorably or without recommendation by a committee must be electronically available or printed before consideration by the Senate or the Committee of the Whole.

48.2 A House bill amended by the Senate must be unofficially engrossed and electronically available or printed when placed on General Orders.

48.3 A bill may be electronically available or printed by order of the Secretary when amended after second reading.

48.4 A bill must be electronically available or printed when ordered by the Senate.

48.5 Action by the Senate on a bill that has not been printed is a waiver of the printing requirement.

48.6 To the extent practical, the Secretary shall provide a copy of any bill to the public and may charge a reasonable fee.

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49. JOURNAL AND INDEX

49.1 The Secretary shall keep a correct Journal of the proceedings of the Senate and shall perform other duties assigned to the Secretary.

49.2 The Secretary shall not permit Journal records, accounts or papers to be taken out of the Secretary's custody, other than in the regular mode of business. If a document in the Secretary's charge is missing, the Secretary shall report the fact to the President, so that inquiry may be made.

49.3 The Secretary shall supervise the recording of proceedings in the Journal, the engrossing, transcribing and copying of bills and resolutions, and generally perform the duties of Secretary, under direction of the Committee on Rules and Administration.

49.4 The Journal of each day's proceedings is open for correction at any time during the session of the next day the Senate meets. Unless corrected on that day, the Journal stands approved.

49.5 The Secretary shall keep a record of all Senate and House bills showing the status of each bill pending, until its final passage.

50. ELECTRONIC RECORDINGS

50.1 The Secretary shall cause to be recorded on electronic media the proceedings of the Senate, the Committee of the Whole, and each standing committee and subcommittee. Each electronic record must be clearly labeled to show the name of the body whose proceedings are recorded and the dates the proceedings occurred. Each electronic record of the proceedings of the Senate and the Committee of the Whole must be accompanied by a log showing the number of each bill considered and the places on the record where consideration of the bill occurred.

50.2 Within two working days after each Senate session, the Secretary shall make a copy of the electronic record and corresponding log of proceedings of the Senate and the Committee of the Whole available to the Legislative Reference Library.

50.3 Within one week after each meeting of a standing committee or subcommittee, the Secretary shall make the electronic record of the meeting available to the Legislative Reference Library, together with an agenda showing bills considered and any action taken on them.

50.4 Upon completion and approval of the minutes of the meeting, the Secretary shall promptly deliver a copy of the minutes to the Legislative Reference Library.

50.5 The Secretary shall keep a record of each session of the Senate and the Committee of the Whole, each meeting of a Senate standing committee or subcommittee and the date on which the electronic record of the session or meeting was made available to the Legislative

24.1 Reference Library. The Library shall keep a similar record of all electronic records to which it
24.2 has been given access.

24.3 50.6 The Library shall provide committee staff with reasonable access to Senate electronic
24.4 records and shall provide the public with convenient facilities to listen to them.

24.5 50.7 The Secretary shall make copies of Senate electronic records available to the public
24.6 for a fee determined by the Secretary to be adequate to cover the cost of preparing the copies. A
24.7 copy must be provided free to a member of the Senate upon request for use in legislative business.

24.8 50.8 The Secretary shall keep the original electronic record and log of each session of the
24.9 Senate and the Committee of the Whole until the end of the period for which the members of the
24.10 existing House of Representatives have been elected, at which time the electronic record may be
24.11 preserved or disposed of as the Secretary sees fit. The Legislative Reference Library shall keep
24.12 electronic records, logs, and minutes forwarded to it until two years after the end of the period
24.13 for which the members of the existing Senate have been elected, at which time they may be
24.14 preserved or disposed of as the Library sees fit.

24.15 50.9 The Senate intends that testimony and discussion preserved under this rule not be
24.16 admissible in any court or administrative proceeding on an issue of legislative intent.

24.17 **51. OTHER DUTIES OF SECRETARY**

24.18 51.1 The Secretary shall not issue a certificate authorizing the payment of money by virtue
24.19 of a motion or resolution, unless the motion or resolution is voted for by a majority of the whole
24.20 Senate on a roll call vote.

24.21 51.2 The Secretary and the Engrossing Secretary shall correct all mistakes in numbering
24.22 the sections and reference to them, whether the errors occur in the original bill or are caused
24.23 by amendments to it.

24.24 51.3 The Secretary is the agent of the Senate for the purchase of supplies and services. The
24.25 Secretary's records on purchase of supplies and services are open for inspection.

24.26 51.4 The Secretary shall adopt administrative controls to ensure that each member is
24.27 accountable for the member's own long distance telephone calls and that Senate telephones
24.28 are used only for Senate business.

24.29 51.5 By the 15th day of April, July, October, and January of each year, the Secretary shall
24.30 submit a detailed report of Senate expenditures during the previous quarter to the Committee on
24.31 Rules and Administration.

24.32 51.6 The Secretary's public records may be inspected during normal business hours.

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52. SERGEANT AT ARMS

- The Sergeant at Arms shall:
- (1) execute all orders of the President;
 - (2) perform all assigned duties connected with the police and good order of the Senate Chamber;
 - (3) exercise supervision over the entry and exit of all persons to and from the Chamber;
 - (4) see that messages are promptly delivered;
 - (5) see that the hall is properly ventilated and the temperature is properly regulated;
 - (6) see that the Chamber is open for the use of members of the Senate at least one-half hour before the start of a session; and
 - (7) perform all other services pertaining to the office of Sergeant.

53. BUDGET AND EXPENDITURES

- 53.1 The Committee on Rules and Administration shall adopt an operating budget for the Senate and post it on the Senate Web site.
- 53.2 All propositions for the appointment and payment of employees of the Senate or for expenditures of the legislature, other than those provided by law, must be referred without debate to the Committee on Rules and Administration.

54. EMPLOYEES

- 54.1 The Committee on Rules and Administration shall establish positions, set compensation, appoint employees, and authorize expense reimbursement for employees as it deems necessary to carry out the work of the Senate. At the request of any committee member, an action of the committee must be submitted as a Senate resolution for adoption by the Senate.
- 54.2 The Secretary shall keep a roster of all employees of the Senate, including positions and compensation, which must be open for inspection by the public.
- 54.3 The Secretary shall post, in a public place in the Capitol, a notice of every vacant position on the permanent staff of the Senate. The notice must remain posted for at least two weeks, and no vacancy may be filled until the period of posting has elapsed.
- 54.4 Except as otherwise provided in these rules, the Committee on Rules and Administration has full and exclusive authority over, and charge of all employees of the Senate both elected and appointed. The committee has the sole and exclusive power and authority to assign them to duties other than for which they were elected or appointed as the committee may provide.

26.1 54.5 The committee may make employment rules and regulations. In case of violation of
26.2 an order of the committee by an employee, or in case of a violation of a rule or regulation made
26.3 by the committee, or in case of misconduct or omission by an employee, the Committee on Rules
26.4 and Administration may hear complaints and discharge the employee or impose discipline, a fine,
26.5 or other punishment upon the employee. The committee may, by a vote of a majority of the
26.6 members of the committee, discuss an employee disciplinary proceeding under this rule in an
26.7 executive session to which the open meeting requirements of Rules 12.1 to 12.3 do not apply.

26.8 54.6 The Secretary shall supervise the employees under the direction of the Committee on
26.9 Rules and Administration.

26.10 **55. SUBCOMMITTEE ON ETHICAL CONDUCT**

26.11 55.1 The Committee on Rules and Administration shall appoint a Subcommittee on Ethical
26.12 Conduct of the Committee on Rules and Administration consisting of four members, two from the
26.13 majority group and two from the minority group.

26.14 55.2 The subcommittee shall serve in an advisory capacity to a member or employee upon
26.15 written request and shall issue recommendations to the member or employee. A member may
26.16 request the subcommittee to provide its advice on a potential conflict of interest to the member in
26.17 private. If so requested, the subcommittee shall conduct its proceedings on the advisory opinion
26.18 in private. The request, proceedings on the request, and any advice given by the subcommittee
26.19 in response to the request must remain private. The member may not use an advisory opinion
26.20 from the subcommittee as a defense to a complaint under this rule unless the opinion has been
26.21 adopted by the subcommittee at a public meeting.

26.22 55.3 The subcommittee shall investigate a complaint made in writing by a member of the
26.23 Senate under oath. The complaint must be received before adjournment sine die in the last year of
26.24 a senate term or during a special session held after that time regarding improper conduct by a
26.25 member or employee of the Senate. The subcommittee has the powers of a standing committee
26.26 to issue subpoenas under Minnesota Statutes, section 3.153.

26.27 55.4 Within 30 calendar days after receiving a complaint, the subcommittee must meet and
26.28 either make a finding of no probable cause, vote to defer action until a certain time, or proceed
26.29 with its investigation.

26.30 55.5 In order to determine whether there is probable cause to believe that improper conduct
26.31 has occurred, the subcommittee may, by a vote of three of its members, conduct a preliminary
26.32 inquiry in executive session to which the open meeting requirements of Rules 12.1 to 12.3 do
26.33 not apply. The executive session may be ordered by a vote of three of its members whenever
26.34 the subcommittee determines that matters relating to probable cause are likely to be discussed.

27.1 The executive session must be limited to matters relating to probable cause. Upon a finding of
27.2 probable cause, further proceedings on the complaint are open to the public.

27.3 55.6 The subcommittee may appoint special counsel to provide expert advice on how
27.4 to conduct its proceedings. The subcommittee may appoint a suitable person to conduct the
27.5 investigation and report findings of fact and recommendations for action to the subcommittee.

27.6 55.7 If, after investigation, the subcommittee finds the complaint substantiated by the
27.7 evidence, it shall recommend to the Committee on Rules and Administration appropriate
27.8 disciplinary action.

27.9 55.8 To minimize disruption of its public proceedings, the subcommittee may require that
27.10 television coverage be pooled or be provided by Senate media services.

27.11 55.9 If criminal proceedings relating to the same conduct have begun, the subcommittee
27.12 may defer its proceedings until the criminal proceedings have been completed.

27.13 55.10 The Senate intends that proceedings of the Subcommittee on Ethical Conduct not be
27.14 admissible in any criminal proceeding.

27.15 **56. STANDARDS OF ETHICAL CONDUCT**

27.16 56.1 Members shall adhere to the highest standard of ethical conduct as embodied in the
27.17 Minnesota Constitution, state law, and these rules.

27.18 56.2 A member shall not publish or distribute written material if the member knows or
27.19 has reason to know that the material includes any statement that is false or clearly misleading,
27.20 concerning a public policy issue or concerning the member's or another member's voting record
27.21 or position on a public policy issue.

27.22 56.3 Improper conduct includes conduct that violates a rule or administrative policy of the
27.23 Senate, that violates accepted norms of Senate behavior, that betrays the public trust, or that tends
27.24 to bring the Senate into dishonor or disrepute.

27.25 56.4 Members of the Senate shall disclose potential conflicts of interest in the discharge of
27.26 senatorial duties as provided in Minnesota Statutes, section 10A.07.

27.27 **57. LOBBYISTS**

27.28 57.1 A lobbyist shall not appear before a Senate committee pursuant to the lobbyist's
27.29 employment unless the lobbyist is in compliance with the law requiring lobbyist registration,
27.30 Minnesota Statutes, sections 10A.03 to 10A.06. A lobbyist, when appearing before a committee,
27.31 shall disclose to the committee on whose behalf the lobbyist speaks and the purpose of the
27.32 lobbyist's appearance.

28.1 57.2 A lobbyist shall not knowingly, either directly or through a third party, furnish false
28.2 or misleading information or make a false or misleading statement that is relevant and material to
28.3 a matter before the Senate or any of its committees when the lobbyist knows or should know it
28.4 will influence the judgment or action of the Senate or any of its committees or subcommittees.

28.5 57.3 The Subcommittee on Ethical Conduct shall investigate a complaint by a member of
28.6 the Senate in writing under oath received before adjournment sine die in the last year of a Senate
28.7 term or during a special session held after that time that a lobbyist has violated Rule 57.1 or 57.2.
28.8 The investigatory procedures of Rule 55 apply, except as provided in this rule. The complaint
28.9 and proceedings on the complaint are private until the subcommittee has found probable cause to
28.10 believe that a violation of Rule 57.1 or 57.2 has occurred, unless they are made public by the
28.11 lobbyist whose conduct is the subject of the complaint or by the vote of at least three members
28.12 of the subcommittee.

28.13 **58. AMENDMENTS TO RULES**

28.14 Every proposition to amend a rule of the Senate must be referred to the Committee on Rules
28.15 and Administration. The proposition may not be acted upon until the report of the committee
28.16 is received by the Senate.