
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-2448.1/15

ATTY/TYPIST: ML:eab

BRIEF DESCRIPTION: Modifying rule 45 of the permanent rules of the
Senate.

1 WHEREAS, The Senate adopted permanent rules for the 2015-2017
2 biennium under Senate Resolution 8601; and

3 WHEREAS, The notice requirements set forth in Senate Rule 35 have
4 been satisfied;

5 NOW, THEREFORE, BE IT RESOLVED, That Rule 45 is amended as
6 follows:

7 "**Rule 45.** 1. a. At least five days' notice shall be given of all
8 public hearings held by any committee other than the rules committee.
9 Such notice shall contain the date, time and place of such hearing
10 together with the title and number of each bill, or identification of
11 the subject matter, to be considered at such hearing. By a majority
12 vote of the committee members present at any committee meeting such
13 notice may be dispensed with. The reason for such action shall be set
14 forth in a written statement preserved in the records of the meeting.
15 To the extent practicable, testimony in public hearings should be
16 balanced between those in support of and in opposition to proposed
17 legislation, with consideration given to providing an opportunity for
18 members of the public to testify within available time. If a person
19 indicates that he or she wishes to testify and is not able to do so
20 within available time, the bill report must contain the person's name
21 and position on the bill.

1 b. At least five days' notice must be given of all work sessions
2 held by any committee other than the rules committee. The notice must
3 contain the date, time, and place of the work session, together with
4 the subject matter to be considered during the work session. A list
5 of the organizations or individuals that have been invited to
6 participate in a work session must be available for review upon
7 request at least forty-eight hours prior to the work session. In a
8 work session where the matter under consideration involves an issue
9 with competing viewpoints, if presenters representing one viewpoint
10 are given an opportunity to participate, an organization or
11 individual representing the other viewpoint must also be invited to
12 participate.

13 2. No committee may hold a public hearing during a regular or
14 extraordinary session on a proposal identified as a draft unless the
15 draft has been made available to the public at least twenty-four
16 hours prior to the hearing. This rule does not apply during the five
17 days prior to any cutoff established by concurrent resolution nor
18 does it apply to any measure exempted from the resolution.

19 3. During its consideration of or vote on any bill, resolution or
20 memorial, the deliberations of any committee or subcommittee of the
21 senate shall be open to the public. In case of any disturbance or
22 disorderly conduct at any such deliberations, the chair shall order
23 the sergeant at arms to suppress the same and may order the meeting
24 closed to any person or persons creating such disturbance.

25 4. No committee shall amend a measure, adopt a substitute bill,
26 or vote upon any measure or appointment absent a quorum. A committee
27 may conduct a hearing absent a quorum. A majority of any committee
28 shall constitute a quorum and committees shall be considered to have
29 a quorum present unless the question is raised. Any question as to
30 quorum not raised at the time of the committee action is deemed
31 waived.

32 5. Bills reported to the senate from a standing committee must
33 have a majority report, which shall be prepared upon a printed
34 standing committee report form; shall be adopted at a regularly or
35 specially called meeting during a legislative session and shall be
36 signed by a majority of the committee; and shall carry only one of
37 the following recommendations:

38 a. Do pass;

1 b. Do pass as amended;

2 c. That a substitute bill be substituted therefor, and the
3 substitute bill do pass; or

4 d. Without recommendation.

5 In addition to one of the above-listed recommendations, a report
6 may also recommend that a bill be referred to another committee.

7 6. A majority report of a committee must carry the signatures of
8 a majority of the members of the committee. In the event a committee
9 has a quorum pursuant to subsection 4 of this rule, subject to the
10 limitation of subsection 12 of this rule, a majority of the members
11 present may act on a measure, subject to obtaining the signatures of
12 a majority of the members of the committee on the majority report.

13 7. Any measure, appointment, substitute bill, or amendment still
14 within a committee's possession before it has been reported out to
15 the full senate may be reconsidered to correct an error, change
16 language, or otherwise accurately reflect the will of the committee
17 in its majority and minority reports to the full senate. Any such
18 reconsideration may be made at any time, by any member of the
19 committee, provided that the committee has not yet reported the
20 measure, appointment, substitute bill, or amendment out to the full
21 senate. Any such reconsideration made after a vote has been taken or
22 signatures obtained will require a new vote and signature sheet. Any
23 measure which does not receive a majority vote of the members present
24 may be reconsidered at that meeting and may again be considered upon
25 motion of any committee member if one day's notice of said motion is
26 provided to all committee members. For purposes of this rule, a
27 committee is deemed to have reported a measure, appointment,
28 substitute bill, or amendment out when it has delivered its majority
29 and minority reports to the senate workroom. After such delivery, the
30 committee no longer has possession of the measure, appointment,
31 substitute bill, or amendment and no further committee action,
32 including reconsideration, may be taken.

33 8. Any member of the committee not concurring in the majority
34 report may sign a minority report containing a recommendation of "do
35 not pass" or "without recommendation," which shall be signed by those
36 members of the committee subscribing thereto, and submitted with the
37 majority report. Unless the signatory of a minority report expressly
38 indicates a "do not pass" recommendation, the member's vote shall be

1 deemed to be "without recommendation." In every case where a majority
2 report form is circulated for signature, a minority report form shall
3 also be circulated.

4 9. When a committee reports a substitute for an original bill
5 with the recommendation that the substitute bill do pass, it shall be
6 in order to read the substitute bill the first time and have the same
7 ordered printed.

8 A motion for the substitution of the substitute bill for the
9 original bill shall not be in order until the committee on rules
10 places the original bill on the second reading calendar.

11 10. No vote in any committee shall be taken by secret ballot nor
12 shall any committee have a policy of secrecy as to any vote on action
13 taken in such committee.

14 11. All reports of standing committees must be on the secretary's
15 desk one hour prior to convening of the session in order to be read
16 at said session. During any special session of the legislature, this
17 rule may be suspended by a majority vote.

18 12. When a standing committee is operated by cochairs, the
19 committee may not vote upon any measure or appointment without the
20 consent of each cochair."

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