

RULES AND PROCEDURE

of the

SENATE

RULE I.

DUTIES OF THE PRESIDENT.

1. The President shall take the chair on every Legislative day at the hour to which the Senate shall have adjourned at the last sitting, immediately call the Senate to order and on the appearance of a quorum cause the Journal of the proceedings of the last day's sitting to be read.

2. He shall preserve order and decorum and in case of disturbance or disorderly conduct in the lobby, may cause the same to be cleared.

3. He shall have the general control, except as provided by rule or law, of the Senate Chamber and of the corridors and passages and of the unappropriated rooms in that part of the Capitol assigned to the use of the Senate, until further ordered.

4. He shall sign all addresses, writs, warrants and subpoenas of, or issued by order of, the Senate; and decide the questions of order subject to an appeal by any Senator, on which appeal no Senator shall speak more than once, unless by permission of the Senate. He may speak to points of order in preference to other Senators.

5. He shall rise to put a question, but may state it sitting; and shall put questions in this form, to-wit: "As many as are in favor (as the question may be), say I;" and after the affirmative voice is expressed, "As many as are opposed, say no;" if he doubts, or if a division is called for, the Senate shall divide, those in the affirmative of the question shall first rise from their seats, and then those in the negative, if he still doubts, or a count is required by at least five Senators, he shall name one

from each side of the question to tell the Senators in the affirmative and negative; which being reported he shall rise and state the decision.

6. He shall have the right to name any Senator to perform the duties of the chair, but said substitution shall not extend beyond an adjournment, provided, however, that in case of his illness, absence or other inability to discharge his duties, the President pro tem shall discharge the duties in all respect as the President himself might do.

RULE II.

OF THE SENATORS.

1. Every Senator shall be present within the Chamber of the Senate during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless he has a direct, personal, or pecuniary interest, in the event of such question, or is excused from voting by the Senate. Pairs shall be announced by the Clerk after the completion of the roll call, from a written statement sent to the desk by one Senator of the pair announcing how he and the Senator with whom he is paired would vote were they both voting.

RULE III.

QUESTIONS OF PRIVILEGE.

1. Questions of Privilege shall be, first: Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; second: the rights, reputation and conduct of Senators individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

RULE IV.

COMMITTEES.

1. Unless otherwise specially ordered by the Senate, the President shall appoint, at the commencement of the session the following standing committees, viz:

On the Judiciary, two committees, to consist of eleven members each, to be called A and B respectively.

- On Education to consist of five members.
 - On Finance and Taxation to consist of five members.
 - On Claims to consist of five members.
 - On Corporations to consist of five members.
 - On Capital State Buildings and Grounds to consist of five members.
 - On County Organization to consist of five members.
 - On Municipalities to consist of five members.
 - On Militia to consist of five members.
 - On Legislative Expenses to consist of five members.
 - On Agriculture and Forestry to consist of five members.
 - On Public Printing to consist of five members.
 - On Engrossed Bills to consist of five members.
 - On Executive Communications to consist of seven members.
 - On Banking to consist of five members.
 - On Railroads, Canals and Telegraphs to consist of five members.
 - On Public Land and Drainage to consist of five members.
 - On Privilege and Elections to consist of five members.
 - On Appropriations to consist of five members.
 - On Commerce and Navigation to consist of five members.
 - On Immigration to consist of five members.
 - On Public Health to consist of five members.
 - On Constitutional Amendments to consist of five members.
 - On Temperance to consist of five members.
 - On Mining and Mineral Resources to consist of five members.
 - On Game and Fisheries to consist of five members.
 - On Organized Labor to consist of five members.
 - On Public Roads and Highways to consist of five members.
 - On Prisons and Convicts to consist of five members.
 - On Pensions to consist of five members.
 - On Attaches to consist of five members.
 - On Rules and Procedure to consist of five members.
 - Also the following Joint Standing Committee, viz:
 - On Enrolled Bills to consist of five members.
2. He shall also appoint all Select and Conference Committees, which shall be ordered by the Senate from time to time.

3. The first named member of the Committee shall be the Chairman; and in his absence, or being excused by the Senate, the next named member, and so on, as often as the case may happen.

4. No committee, except the Committee on Rules and Procedure, shall sit during the meeting of the Senate, without special leave.

5. All applications to the Senate for clerical aid to any committee shall be referred to the Committee on Legislative Expenses for investigation and report whether or not the proposed clerical aid is necessary for the dispatch of the public business.

The chairman of any committee which has been authorized to appoint a clerk shall, as soon as the appointment is made, certify the appointment and the name of the clerk with the date of his appointment to the Chairman of the Committee on Legislative Expenses, and the compensation of such clerk shall begin on the date that such certificate is filed with the chairman of the latter committee. All expenses incurred by any special committee shall be certified, with the items thereof, under oath, to the Chairman of the Committee on Legislative Expenses, who shall keep on file all certificates made to him under this rule.

RULE V.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS.

1. Every bill, memorial and resolution shall be sent, endorsed with the name of the Senator introducing it, to the Secretary to be by the President referred, and the title and reference thereof shall be entered on the Journal. Every bill and joint resolution shall be presented fairly written without any erasure or interlineation or the President may refuse it, and the title shall also be placed on the outside cover under the number of the bill or joint resolution.

2. When a bill, resolution or memorial is introduced "by request" these words shall be entered upon the Journal.

RULE VI.

CALENDARS AND REPORTS OF COMMITTEES.

1. There shall be three calendars of business:

(a) A general Calendar on which shall be placed all bills and Joint Resolutions of a general nature, which shall be taken up on their various readings only in regular order, unless otherwise provided by the Committee on Rules and Procedure from time to time by reports and approved by the Senate, or by the Senate on its own motion.

(b) A Special Calendar on which shall be placed all Bills and Joint Resolutions of a local nature, which Bills and Joint Resolutions shall be taken up on their various readings only in regular order at such times as may be from time to time designated by the Committee on Rules and Procedure and approved by the Senate.

(c) A calendar to be known as House Calendar, which Calendar shall commence at such time as may be designated by the Committee on Rules and Procedure with the approval of the Senate, after the establishment of which, all House Bills and House Joint Resolutions certified by the House shall be placed thereon and shall be considered at such time as shall be designated by the Committee on Rules and Procedure and approved by the Senate, or by the Senate on its own motion.

2. All reports of committees on Bills and Joint Resolutions shall be delivered to the Clerk for reference to the proper Calendar under the direction of the President, in accordance with the foregoing clause, and the titles or subjects thereof shall be entered on the Journal and printed in the record together with the fact that the same was reported favorably or unfavorably as the case may be.

3. That Bills and Joint Resolutions reported adversely shall be laid on the table, unless the Committee reporting a Bill or Resolution at the time, or any Senator at any time thereafter shall request its reference to the Calendar, when it shall be referred, as provided in clause one of this Rule; and when such Bill or Resolution is reached on the second reading it shall be the duty of the Chairman of such Committee to move the indefinite postponement of the Bill or Joint Resolution, and in such

case the entry in the Journal shall be Mr.....
 Chairman of the Committee on.....
 as required by the Rules, moved that.....Bill
 number.....be indefinitely postponed.

4. The Chairman of each Committee shall notify, in writing, immediately the introducer of each Bill or Joint Resolution of any unfavorable report thereon by his Committee.

5. Every Bill and Resolution referred to a Committee shall be reported back to the Senate within five days from the day of its commitment, unless otherwise ordered by the Senate. Provided the Senate may recall a Bill or a Joint Resolution from a Committee at any time and have same placed on the Senate Calendar.

6. Every Committee reporting on a Bill or Joint Resolution shall report in duplicate.

7. Presentation of reports of Committees of conference shall always be in order, except when the Journal is being read while the roll is being called, or the Senate is dividing on any proposition; and there shall accompany every such report a detailed statement sufficiently explicit to inform the Senate of the effect such amendments or propositions will have upon the measure to which they relate.

RULE VII.

DECORUM AND DEBATE.

1. When any Senator desires to speak or deliver any matter to the Senate, he shall rise at his desk and respectfully address himself to "Mr. President" and, on being recognized, may address the Senate from any place on the floor, and shall confine himself to the question under debate, avoiding personalities.

2. When two or more members rise at once, the President shall name the Senator who is first to speak.

3. If any Senator, in speaking or otherwise, disregards the rules of the Senate, the President shall, or any Senator may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another Senator, to explain, and the Senate shall, if appealed to, decide on the case without debate; if the decision is in favor of the Senator called to order, he

shall be at liberty to proceed, but not otherwise; and if the case require it, he shall be liable to censure or such punishment as the Senate may deem proper.

4. No Senator shall speak more than once on one question, to the prevention of any other who has not spoken and is desirous to speak, nor more than twice without obtaining leave of the Senate.

5. While the President is putting a question no member shall walk out or across the hall, nor, when a Senator is speaking, pass between him and the Chair; and during the session of the Senate no Senator shall wear his hat, or remain by the Clerk's desk during the calling of the roll or the counting of the ballots, or smoke upon the floor of the Senate; and the Sergeant-at-Arms is charged with the strict enforcement of this clause.

6. No Senator speaking shall be interrupted by another, but by rising up to call to order, or a question of privilege.

7. After a question is put to vote no Senator shall speak to it.

RULE VIII.

ON THE CALLS OF THE ROLL OF THE SENATE.

1. Upon every roll call the names of the Senators shall be called alphabetically by surname, except where two or more have the same surname, in which case the number of the Senatorial District shall be added. The President's name shall be called at the end of the roll call.

2. In all calls of the Senate the doors shall be closed, the names of the Senators shall be called by the Secretary, and the absentees noted; and those for whom no sufficient excuse is made, may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured and retained; and the Senate shall determine upon what condition they shall be discharged.

3. On the demand of any Senator, or at the suggestion of the President, the names of Senators sufficient to make a quorum in the hall of the Senate but do not vote

shall be noted by the Secretary and recorded in the Journal, and reported to the President with the names of the Senators voting, and be counted and announced in determining the presence of a quorum to do business.

RULE IX.

ON MOTIONS, THEIR PRECEDENCE, ETC.

1. Every motion made to the Senate and entertained by the President shall be reduced to writing on the demand of any member and shall be entered on the Journal with the name of the Senator making it unless it is withdrawn the same day.

2. When a motion has been made, the President shall state it or (if it be in writing) cause it to be read aloud by the Secretary before being debated, and it shall then be in possession of the Senate, and may be withdrawn at any time before a decision or amendment.

3. When any motion or proposition is made, the question "WILL THE SENATE NOW CONSIDER IT?" shall not be put unless demanded by a member.

4. When a question is pending no motion shall be received but

- (a) To adjourn.
- (b) To adjourn to a time certain.
- (c) To take a recess.
- (d) To proceed to the consideration of the Executive business.
- (e) To lay on the table.
- (f) To postpone to a day certain.
- (g) To commit.
- (h) To amend or to substitute.
- (i) To postpone indefinitely.

Which several motions shall have precedence as they stand arranged; and the motions relative to adjournment, to take a recess, to proceed to the consideration of Executive business, to lay on the table, shall be decided without debate, provided, however, that the introducer of the resolution, bill or motion shall be allowed to speak for five minutes, when he desires to discuss the same, or he may divide his time with or may waive his right in favor of some other Senator, before a motion to lay on the table shall be put.

4. When a substitute is offered and taken up for consideration it shall be subject to amendment in the same manner as the original proposition; and the effect of rejection of the substitute as amended, shall be to reinstate the original for consideration.

5. The hour at which the Senate adjourns shall be entered on the Journal.

6. On the demand of any Senator, before the question is put, the question shall be divided if it include propositions so distinct in substance that one being taken away, a substantive proposition shall remain.

7. Pending a motion to suspend the rules, the President may entertain one motion that the Senate adjourn, but after the result thereon is announced he shall not entertain any other dilatory motion until the vote is taken on suspension.

RULE X.

RECONSIDERATION.

1. When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same day or on the next day of the session thereafter, move a reconsideration thereof, and such motion (except during the last seven calendar days of the session) shall be placed first in the orders of the day for the day succeeding that on which the original question was decided, and if the Senate shall refuse to consider, or upon reconsideration shall confirm its first decision, no further motion to reconsider shall be in order, unless by unanimous consent.

RULE XI.

OF AMENDMENTS.

1. When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon.

2. A motion to strike out the enacting clause of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

3. No bill or joint resolution shall be amended except on second reading, or by unanimous consent.

4. A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor motion to strike out and insert; and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

RULE XII.

ORDER OF BUSINESS AND PROCEDURE.

1. The daily order of business shall be as follows:

First: Roll Call.

Second: Prayer by Chaplain.

Third: Reading of the Journal.

Fourth: Correction and approval of the Journal.

Fifth: Reports of Committees.

Sixth: Introduction of resolutions and considerations of Senate resolutions.

Seventh: Introduction of bills and joint resolutions.

Eighth: Consideration of other resolutions.

Ninth: Messages from the Governor.

Tenth: Messages from the House of Representatives.

Eleventh: Orders of the day.

Twelfth: Consideration of bills and joint resolutions on third reading.

Thirteenth: Consideration of bills and joint resolutions on second reading.

Fourteenth: Miscellaneous business.

Fifteenth: Petitions and memorials.

2. Business on the President's table shall be disposed of as follows:

Messages from the Governor shall be referred to the appropriate Committee without debate. Reports and communications from the heads of departments, and other

communications addressed to the Senate, and bills, resolutions and messages from the House may be referred to the Appropriate Committee in the same manner and with the same right of correction as bills presented by Senators; but Senate bills with House amendments may be at once disposed of as the Senate may determine; and House Bills and House Joint Resolutions substantially the same as Senate Bills and Senate Joint Resolutions favorably reported by a committee of the Senate may be substituted for such Senate Bill or Joint Resolution on motion of any Senator.

3. The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the orders of the day after motions to reconsider have been disposed of.

4. No Bill or Joint Resolution shall be introduced by a member without special leave, except under the regular order of business, and all Bills and Joint Resolutions when so introduced shall be committed before they are passed to second reading.

5. Any Bill or Resolution shall be read in full at the request of any Senator, unless objection be made, when the question shall be determined by the Senate without debate.

6. No Bill or Joint Resolution shall pass to be engrossed without two several readings on two separate days.

7. All Bills and Joint Resolutions after a second reading shall be committed to the Standing Committee on Engrossed Bills, whose duty it shall be to strictly examine the same, and if found by them to be correctly engrossed, they shall so indorse on the same; Provided, That any Bill or Joint Resolution which has passed second reading without amendment shall be placed on the Calendar of Bills on Third Reading without reference to said Committee, unless the Senate shall order otherwise; and such Bill or Joint Resolution shall be considered as engrossed.

8. No Engrossed Bills or Joint Resolutions shall be amended without the unanimous consent of the members present, and when so amended shall be re-engrossed unless it is otherwise ordered by the Senate, and shall not lose its place on the Calendar.

9. All Resolutions requiring the concurrence of the House of Representatives shall be read to the Senate and lie over one day before final action thereon, unless otherwise ordered by the Senate.

10. All orders or Resolutions requiring information from the Governor, Cabinet Officers, or action of Committee shall be read to the Senate and acted upon as in case of motions, and shall be spread upon the Journals of the Senate.

11. Messages shall be sent to the House of Representatives by the Secretary, who shall previously indorse the final determination of the Senate thereon.

12. Whenever the Senator who introduced any bill or resolution is absent from the Chamber when such bill or resolution is reached in its regular order on any of its readings, such bill or resolution shall be temporarily passed until the return of said Senator, when he shall have the privilege of calling up said bill or resolution out of its regular order on the calendar.

RULE XIII.

CHANGE OR SUSPENSION OF RULES.

1. No rule shall be suspended except by a vote of two-thirds of the members voting, a quorum being present, or unless when otherwise provided by the Constitution or Joint Rules of the two Houses, by a vote of 17 Senators.

RULE XIV.

OF ADMISSION TO THE FLOOR.

1. No person not a member of the Senate shall be allowed inside of the bar while the Senate is in session, except the Senators, the Governor, his Cabinet Officers, ex-Governors, United States Senators, members of the House of Representatives of the United States and of this State, and Judges of the Supreme and Circuit Courts; provided that the President upon the suggestion of any member may invite any person within the bar of the Senate unless objection be made thereto, in which case a vote of the Senate shall be necessary, but in no case shall any record of such admission within the bar of the Senate be made in the Journal.

2. The President may admit to the floor, under such regulation as he may prescribe, stenographers and reporters wishing to take down the debates and proceedings, unless otherwise ordered by the Senate.

RULE XV.

PAY OF WITNESSES.

The rule of paying witnesses subpoenaed to appear before the Senate or either of its committees shall be as follows: For each day a witness shall attend, the sum of two dollars, for each mile he shall travel in coming to and going from the place of examination the sum of five cents each way, but nothing shall be paid for travel when the witness has been summoned at the place of trial.

RULE XVI.

MESSAGES.

Messages received from the House and the Governor giving notice of bills passed or approved, shall be entered in the Journal of the day's proceedings.

RULE XVII.

PRINTING.

No bill, order, resolution, or other matter for the use of the Senate, shall be printed without the special order of the Senate.

RULE XVIII.

TIME OF DAILY SESSIONS.

Senate shall meet daily, except Sunday and the hours of convening shall be ten o'clock A. M. and four o'clock P. M., all unless otherwise ordered by the Senate.

RULE XIX.

ATTACHES.

The Messenger, Doorkeeper, Janitor and Pages shall
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be under the supervision and control of the Sergeant-at-Arms, and all attaches except as otherwise ordered by the Senate shall be under the supervision and control of the Committee on Attaches.

RULE XX.

JEFFERSON'S MANUAL.

The rules of parliamentary practice comprised in Jefferson's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing Rules and Orders of the Senate, or the Joint Rules of the Senate and House of Representatives.

RULE XXI.

OF THE JOURNAL.

It shall be the duty of the Recording Secretary of the Senate to bind together one copy of the Journals of each day, after they shall have been approved by the Senate, and prepare an index upon forms to be furnished by the Attorney General's office, and said Journal shall be the official one of the Senate; that such index shall be plainly written or typed, and the Recording Secretary shall have twelve days after the Senate adjourns for completing the index.

RULES GOVERNING EXECUTIVE SESSION.

Rule 1. Where nominations shall be made by the Governor to the Senate, they shall, unless otherwise ordered by the Senate, lie over for action until the day succeeding the day upon which they were made; and the final question on every nomination shall be: "Will the Senate advise and consent to this nomination?" Which question shall not be put on the day on which the nomination is received.

Rule 2. Nominations neither approved nor rejected during the session at which they are made, shall not be acted upon at any succeeding session without again being

made by the Governor; and if the Senate shall adjourn *sine die*, all nominations pending and not finally acted upon at the time of taking such adjournment, shall be returned to the Governor and shall not be acted upon afterwards, unless again submitted to the Senate by the Governor, and all motions pending to reconsider a vote upon a nomination shall fail on such adjournment.

Rule 3. All information or remarks concerning the character or qualifications, or the vote upon the confirmation of any person nominated by the Governor to office, shall be kept a secret; but the fact that a nomination has been made shall not be regarded as a secret after the time has expired when a motion to reconsider may be made, and it shall be considered a breach of privilege for any Senator to break this rule.

Rule 4. When acting on executive business the Chamber shall be cleared of all persons except the Secretary of the Senate, who shall be sworn to keep the secrets of the Senate.

Rule 5. The Legislative proceedings and executive proceedings of the Senate shall be kept in separate books.

Rule 6. Nominations approved or definitely acted upon by the Senate shall not be returned by the Secretary of the Senate to the Governor until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

Rule 7. No transcript of the executive records shall be furnished unless by special order of the Senate.

Rule 8. All confidential communications made by the Governor shall be by the members and officers of the Senate kept secret.

Rule 9. Communications from the Governor as to the suspension or removal of officers shall be considered in executive session, and, unless otherwise ordered, shall lie over for action to the executive session next succeeding that at which they are laid before the Senate.