

## SUMMARY OF SUBSTANTIVE CHANGES TO THE 2008-10 SENATE RULES

### **Rule 1.361**

Clarifies requirements for registration of solicitation activities by Senators. Retains existing requirements for registration of solicitation activities for section 527 and 501(c)(4) organizations, and requires disclosure of contribution and expenditure data when required by law.

### **Rule 1.39**

Clarifies when a Senator may disqualify himself from voting, and when a disclosure concerning a vote during session must be filed.

### **Rule 1.42**

Clarifies the process for handling complaints against Senators. Requires that complaints must be based on personal knowledge of the alleged violations. A specific process is then provided. If the Chair determines that the facts do not support a finding of probable cause, the complaint is dismissed. If the Chair determines that the facts do support a finding of probable cause, an investigation by a special master is required. The special master must provide an opportunity to be heard, with reasonable notice, to the Senator against whom the complaint was filed, unless the investigation fails to find probable cause. The complaint must be dismissed by the Rules Chair if the special master's investigation does not support a finding of probable cause. If the complaint is not dismissed, the Rules Committee is required to consider the special master's report and recommendations, and grant the Senator an opportunity to be heard. If the Rules Committee votes to dismiss, the Chair shall dismiss the charge. Otherwise, the Committee's report and recommendations are required to be presented to the President, who is required to present them to the Senate for final action.

### **Rule 2.1**

Creates Policy and Steering Committees, which are considered standing committees under the Rules except when meeting for the purpose of setting a Special Order Calendar. The members of the committees will be appointed by the President. The old committee structure is deleted, and the Secretary of the Senate is directed to include the new committee structure in the published Senate Rules after the structure is released by the President.

**Rule 2.6**

Corrects a deficiency in the Rules to allow committees to meet the first two days of regular session, provided the meetings have been noticed in a Senate calendar at least two days before the meetings take place. Also makes minor technical and conforming changes.

**Rule 2.19**

Removes the application of subsection (2) to conference committees on appropriations. This rule is routinely waived every year for appropriations conferences. Makes other technical changes.

**Rule 2.32**

In committee, allows a motion to reconsider to be withdrawn by unanimous consent of the committee members present. This is designed to correct situations in which such a motion is made or accepted by mistake.

**Rule 2.39**

Eliminates the need for an introduction vote on each late-filed amendment in committee. Such a vote would only be required if requested by a member of the committee. Makes other technical changes.

**Rule 2.44**

Clarifies that travelling committee amendments must be included in a committee substitute unless the committee takes action to alter or negate the travelling amendment.

**Rule 2.52**

Clarifies that the point of order on a conflict of interest relates to a decision of a member not to abstain from voting, rather than the right of a member to vote or not vote on a measure.

**Rule 3.7**

Adds appropriations implementing bills, concurrent resolutions, trust fund bills and public records exemptions to the list of bills which may be filed after the bill filing deadline, and removes joint resolutions from that list.

**Rule 4.1**

Permits the Senate to meet until 8:00 p.m. without a waiver of the Rules during the first 50 days of session, if so scheduled by the President. The 6:00 p.m. deadline is maintained for the last 10 days of regular session and for any extended or special session.

**Rule 4.6**

Allows the appropriations bill, as well as all the implementing bills, to be placed on the calendar without reference, and provides for review of bills on the calendar.

**Rule 4.7**

Allows the President to review and change the references of a bill which is substantially changed by amendments in committee.

**Rule 4.81**

Clarifies that a claim bill may be referred to committee during the session, after receipt of the special master's report. Also, provides flexibility for handling bills involving wrongful incarceration issues.

**Rule 4.10**

Provides that the Policy and Steering Committee chair who makes the motion on the floor to withdraw a bill from a committee is the PSC chair of the group of committees from which the bill is being withdrawn, rather than the PSC chair of the group of committees to which the bill was first referred.

**Rule 4.15**

Allows a bill which is amended on third reading to be referred to the appropriate committee if the amendment adds a mandate or a retirement system impact to the bill. This provides consistency with Rule 4.8.

**Rule 4.17**

Allows the Policy and Steering Committees to meet during the fifteen days prior to session to set special order calendar for the first week of session. Allows the President, at the time of initial bill referencing, to designate a Policy and Steering Committee for a bill other than the one the Rule now specifies. Replaces the Majority Leader with the Chair of the Policy and Steering Committee on Way and Means on the group of three members who may set special order calendar during the last 10 days of session. (The President Pro Tempore and the Minority Leader are the other two members.) Also allows the Chair of the Rules Committee to

submit a Consent Bill Calendar, with the approval of the President. Makes conforming changes with regard to Special Order Calendar for the first two days of regular session.

### **Rule 9.6**

Revises the process for handling complaints against lobbyists. Requires a sworn complaint based upon personal knowledge and detailed facts. A specific process is then provided. The Rules Chair makes an initial determination that the facts support a finding of probable cause. If they do not, the complaint is dismissed. If they do, the complaint is referred to a special master for investigation. The special master makes a determination as to probable cause. If the special master fails to find probable cause, the complaint must be dismissed by the Rules Chair. If probable cause is found, the special master must provide an opportunity to be heard, with notice, to the accused. The special master then files a report containing recommendations to the Rules Committee. The Rules Committee must consider that report and provide an opportunity to be heard, with notice, to the accused. If the Rules Committee votes to dismiss, the Rules Chair shall dismiss the charge. Otherwise, the committee's report and recommendations shall be provided to the President. The President must then present the committee's report and recommendations, and those of the special master, to the full Senate for final action.