SENATE RESOLUTION

8601

By Senators Pedersen and Short

BE IT RESOLVED, That the Rules of the Senate for the ((~~2019~~)) 2021 Regular Session of the ((~~66th~~)) 67th Legislature, as amended in the ((~~2019~~)) 2021 Regular Session and the ((~~2020~~)) 2022 Regular Session, be adopted as amended as the Rules of the Senate for the ((~~2021~~)) 2023 Regular Session of the ((~~67th~~)) 68th Legislature, to read as follows:

**PERMANENT RULES**

**OF THE**

**SENATE**

((**~~SIXTY-SEVENTH~~**)) **SIXTY-EIGHTH LEGISLATURE**

((**~~2021~~**)) **2023**

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**SECTION I**

**OFFICERS-MEMBERS-EMPLOYEES**

**Duties of the President**

**Rule 1.** 1. The president shall take the chair and call the senate to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read. (See also Art. 3, Sec. 16, State Constitution.)

2. The president shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, legislative area, legislative offices or buildings, and legislative hearing and meeting rooms, shall order the sergeant at arms to suppress the same, and may order the arrest of any person creating any disturbance within the senate chamber. Cellular phone use within the senate chamber during floor session and within a hearing room during a committee hearing must be respectful to the members and the public and the phone must be kept in silent mode within the senate chamber during floor session and within a hearing room during a committee hearing.

3. The president shall have charge of and see that all officers and employees perform their respective duties, and shall have general control of the senate chamber and wings. (See also Art. 2, Sec. 10, State Constitution.)

4. The president may speak to points of order in preference to members, arising from the president's seat for that purpose, and shall decide all questions of order subject to an appeal to the senate by any member, on which appeal no member shall speak more than once without leave of the senate.

5. The president shall, in open session, sign all acts, addresses and joint resolutions. The president shall sign all writs, warrants and subpoenas issued by order of the senate, all of which shall be attested by the secretary. If the senate is operating in a remote format under the authority of Senate Rule 70, an electronic or scanned signature is authorized in place of a physical signature. (See also Art. 2, Sec. 32, State Constitution.)

6. The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate. The appointment of the conference, special, joint and standing committees shall be confirmed by the senate. In the event the senate refuses to confirm any conference, special, joint or standing committee or committees, such committee or committees shall be elected by the senate.

7. The president shall, on each day, announce to the senate the business in order, and no business shall be taken up or considered until the order to which it belongs shall be declared.

8. The president shall decide and announce the result of any vote taken.

9. When a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote as provided for in the state Constitution. (See also Art. 2, Sec. 10 and 22, State Constitution.)

**President Pro Tempore**

**Rule 2.** 1. Upon the organization of the senate the members shall elect one of their number as president pro tempore who shall have all the powers and authority and who shall discharge all the duties of lieutenant governor acting as president when the secretary of the senate receives notice that the lieutenant governor is unable to preside or is unable to confirm the lieutenant governor's availability within a reasonable time. The president pro tempore shall serve as the vice chair of the committee on rules. The senate shall also elect at least one vice president pro tempore who will serve in the absence of the lieutenant governor and the president pro tempore. (See Art. 2, Sec. 10, State Constitution.)

2. In the absence of the president pro tempore, and vice president pro tempore, or with their consent, the president shall have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any documents requiring the signature of the president.

((~~3. A "majority caucus" is a caucus whose members constitute a majority of the senate and may include members from different political caucuses. The establishment of a majority caucus is evidenced by a majority of the members of the senate demonstrating the intent to caucus together and to lead the senate. Those members not part of the majority caucus constitute the minority caucus or caucuses.~~))

**Secretary of the Senate**

**Rule 3.** 1. The senate shall elect a secretary, who shall appoint a deputy secretary, both of whom shall be officers of the senate and shall perform the usual duties pertaining to their offices, and they shall hold office until their successors have been elected or appointed.

2. The secretary is the Personnel Officer of the senate and shall appoint, subject to the approval of the senate, all other senate employees and the hours of duty and assignments of all senate employees shall be under the secretary's directions and instructions and they may be dismissed at the secretary's discretion.

3. The secretary of the senate, prior to the convening of the next regular session, shall prepare the office to receive bills which the holdover members and members-elect may desire to prefile commencing with the first Monday in December preceding any regular session or twenty days prior to any special session of the legislature.

**Sergeant at Arms**

**Rule 4.** 1. The director of senate security shall perform the functions of the sergeant at arms for the senate.

2. The sergeant at arms shall not admit to the floor of the senate during the time the senate is not convened any person other than specifically requested in writing by a senator, the president, or the secretary of the senate, ((~~in writing~~)) or when personally accompanied by a senator.

**Subordinate Officers**

**Rule 5.** The subordinate officers of the senate shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the president, and such other duties as the senate may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services. (See also Art. 2, Sec. 25, State Constitution.)

**Employees**

**Rule 6.** 1. No senate employee shall lobby in favor of or against any matter under consideration.

2. Senate employees are governed by joint rules and chapters 42.17 (the Public Disclosure Act) and 42.52 RCW (the Ethics in Public Service Act).

**Conduct of Members and Officers**

**Rule 7.** 1. Indecorous conduct, boisterous or unbecoming language will not be permitted in the senate at any time. Food is prohibited within the senate chamber during floor session. Cellular phone use within the senate chamber during floor session and within a hearing room during a committee hearing must be respectful to the members and the public and the phone must be kept in silent mode within the senate chamber during floor session and within a hearing room during a committee hearing.

2. In cases of breach of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the senate may deem proper, and if any senator be called to order for offensive or indecorous language or conduct, the person calling the senator to order shall report the language excepted to which shall be taken down or noted at the secretary's desk. No member shall be held to answer for any language used upon the floor of the senate if business has intervened before exception to the language was thus taken and noted.

3. If any senator in speaking, or otherwise, transgresses the rules of the senate, the president shall, or any senator may, call that senator to order, and a senator so called to order shall resume the senator's seat and not proceed without leave of the senate, which leave, if granted, shall be upon motion "that the senator be allowed to proceed in order," when, if carried, the senator shall speak to the question under consideration.

4. No senator shall be absent from the senate without leave, except in case of accident or sickness, and if any senator or officer shall be absent the senator's per diem shall not be allowed or paid, and no senator or officer shall obtain leave of absence or be excused from attendance without the consent of a majority of the members present.

5. Members of the senate are subject to the senate's policy on appropriate workplace conduct. Conduct in violation of the policy may result in disciplinary action.

6. In the event of a motion or resolution to censure or punish, or any procedural motion thereto involving a senator, that senator shall not vote thereon. The senator shall be allowed to answer to such motion or resolution. An election or vote by the senate on a motion to censure or punish a senator shall require the vote of a majority of all senators elected or appointed to the senate. A vote to expel a member shall require a two-thirds concurrence of all members elected or appointed to the senate. All votes shall be taken by yeas and nays and the votes shall be entered upon the journal. (See also Art. 2, Sec. 9, State Constitution.)

**SECTION II**

**OPERATIONS AND MANAGEMENT**

**Facilities and Operations**

**Rule 8.** 1. After the election of new caucus leadership at the beginning of the first regular session during a legislative biennium ((~~or anytime during the legislative biennium that a different caucus becomes the majority caucus~~)), the majority caucus shall designate four members and the minority caucus shall designate three members to serve on the facilities and operations committee. Each caucus may also designate an alternate. The chair of the facilities and operations committee must be selected by a majority vote of the members of the committee. If a different caucus becomes the majority caucus anytime during the legislative biennium, the operation of the senate shall transfer to the newly designated members after the leadership of the new majority caucus is determined.

2. All necessary expenses of the senate incurred during the session shall be signed for by the secretary and approved by a majority of the committee on facilities and operations. The committee on facilities and operations shall carefully consider all items of expenditure ordered or contracted on the part of the senate, and report upon the same prior to the voucher being signed by the secretary of the senate authorizing the payment thereof. The committee on facilities and operations shall issue postage only as follows:

(a) To elected or appointed members of the senate in an amount sufficient to allow performance of their legislative duties.

(b) To the secretary of the senate in an amount sufficient to carry out the business of the senate.

3. The facilities and operations committee is authorized to adopt respectful workplace policies.

4. The facilities and operations committee may determine the rules by which an individual senator may vote on the floor using a remote access program established by the secretary of the senate. A maximum of six members, three from each caucus, are permitted to vote remotely under this rule during any single day of floor action in the event of illness or emergency. The leader of each caucus may approve up to three members from his or her respective caucus and must give notice to the secretary of the senate of which members are authorized to participate remotely at least two hours prior to the convening of the floor action. Members authorized to participate remotely under this rule may participate in debate according to the provisions of Senate Rule 29 but may not make motions or points of order during floor action. The remote access program must meet the requirements of Senate Rule 70.

**Use of Senate Chambers**

**Rule 9.** The senate chamber and its facilities shall not be used for any but legislative business, except by permission of the senate while in session, or by the facilities and operations committee when not in session.

**Admission to the Senate**

**Rule 10.** The sergeant at arms shall admit only the following individuals to the floor and adjacent areas of the senate for the period of time beginning one-half hour before convening and ending when the senate has adjourned or recessed for an hour or more:

The governor and/or designees,

Members of the house of representatives,

State elected officials,

Officers and authorized employees of the legislature,

Honored guests being presented to the senate,

Former members of the senate who are not registered lobbyists pursuant to chapter 42.17 RCW,

Representatives of the press,

Persons specifically requested by a senator to the president in writing or only as long as accompanied by a senator.

**Printing of Bills**

**Rule 11.** The number of bills printed and reprinted shall be at the discretion of the secretary of the senate, with the approval of the facilities and operations committee.

**Furnishing Full File of Bills**

**Rule 12.** Persons, firms, corporations and organizations within the state, desirous of receiving copies of all printed senate bills, shall make application therefor to the secretary of the senate. The bill clerk shall send copies of all printed senate bills to such persons, firms, corporations and organizations as may be ordered by the secretary of the senate. The secretary of the senate is authorized to recoup costs.

**Regulation of Lobbyists**

**Rule 13.** All persons who engage in lobbying of any kind as defined in chapter 42.17 RCW are subject to the senate's policy on appropriate workplace conduct. Conduct that constitutes prohibited conduct under the policy may result in restrictions, including, but not limited to, prohibitions on unaccompanied movement within the senate.

Any person registered as a lobbyist pursuant to chapter 42.17 RCW who intervenes in or attempts to influence any personnel decision of the senate regarding any employee may suffer an immediate revocation of all privileges before the senate or such other privileges and for such time as may be deemed appropriate by the senate committee on rules. This restriction shall not prohibit a registered lobbyist from making written recommendations for staff positions.

**Security Management**

**Rule 14.** The sergeant at arms shall develop security procedures to protect the senate, including its members, staff, and the visiting public.

**SECTION III**

**RULES AND ORDER**

**Time of Convening**

**Rule 15.** The senate shall convene at 10:00 a.m. each working day, unless adjourned to a different hour. The senate shall adjourn not later than 10:00 p.m. of each working day. The senate shall recess ninety minutes for lunch each working day. When reconvening on the same day the senate shall recess ninety minutes for dinner each working evening. This rule may be suspended by a majority.

**Quorum**

**Rule 16.** A majority of all members elected or appointed to the senate shall be necessary to constitute a quorum to do business. Less than a quorum may adjourn from day to day until a quorum can be had. (See Art. 2, Sec. 8, State Constitution.)

**Order of Business**

**Rule 17.** After the roll is called and journal read and approved, business shall be disposed of in the following order:

|  |  |  |
| --- | --- | --- |
|  | FIRST. | Reports of ((~~standing~~)) committees ((~~and standing subcommittees~~)). |
|  | SECOND. | ((~~Reports of select committees~~)) Motions for reconsideration. |
|  | THIRD. | Messages from the governor and other state officers. |
|  | FOURTH. | Messages from the house of representatives and concurrence and dispute motions. |
|  | FIFTH. | Introduction, first reading and reference of bills, joint memorials, joint resolutions and concurrent resolutions. |
|  | SIXTH. | Second reading of bills. |
|  | SEVENTH. | Third reading of bills. |
|  | EIGHTH. | Presentation of petitions, memorials and floor resolutions. |
|  | NINTH. | Presentation of motions. |

The order of business established by this rule may be changed and any order of business already dealt with may be reverted or advanced to by a majority vote of those present.

All questions relating to the priority of business shall be decided without debate.

Messages from the governor, other state officers, and from the house of representatives may be considered at any time with the consent of the senate.

**Special Order**

**Rule 18.** The president shall call the senate to order at the hour fixed for the consideration of a special order, and announce that the special order is before the senate, which shall then be considered unless it is postponed by a majority vote of the members present, and any business before the senate at the time of the announcement of the special order shall take its regular position in the order of business, except that if a cutoff established by concurrent resolution occurs during the special order, the senate may complete the measure that was before the senate when consideration of the special order was commenced.

**Unfinished Business**

**Rule 19.** The unfinished business at the preceding adjournment shall have preference over all other matters, excepting special orders, and no motion or any other business shall be received without special leave of the senate until the former is disposed of.

**Motions and Senate Floor Resolutions**

**(How Presented)**

**Rule 20.** 1. No motion shall be entertained or debated until announced by the president and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by the consent of the senate may be withdrawn before amendment or action.

2. The senate shall consider no more than one floor resolution per day in session: Provided, That this rule shall not apply to floor resolutions essential to the operation of the senate; and further Provided, That there shall be no limit on the number of floor resolutions considered on senate pro forma session days. Senate floor resolutions shall be acted upon in the same manner as motions. All senate floor resolutions shall be on the secretary's desk at least twenty-four hours prior to consideration. Members' names shall be added to the resolution only if the member signs the resolution, except by unanimous consent of the senate. Members shall have until thirty minutes after the senate is convened the following day the senate is in a regular or pro forma session to add or remove their names to the floor resolution. A motion may be made to close the period for signatures at an earlier time. If the senate is operating in a remote format under the authority of Senate Rule 70, an electronic or scanned signature is authorized in place of a physical signature.

**Precedence of Motions**

**Rule 21.** When a motion has been made and stated by the chair the following motions are in order, in the rank named:

PRIVILEGED MOTIONS

Adjourn, recess, or go at ease

Reconsider

Demand for call of the senate

Demand for roll call

Demand for division

Question of privilege

Orders of the day

INCIDENTAL MOTIONS

Points of order and appeal

Method of consideration

Suspend the rules

Reading papers

Withdraw a motion

Division of a question

SUBSIDIARY MOTIONS

|  |  |  |
| --- | --- | --- |
|  | 1st Rank: | To lay on the table |
|  | 2nd Rank: | For the previous question |
|  | 3rd Rank: | To postpone to a day certain |
|  |  | To commit or recommit |
|  |  | To postpone indefinitely |
|  | 4th Rank: | To amend |

No motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session.

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.

At no time shall the senate entertain a Question of Consideration.

**Voting**

**Rule 22.** 1. In all cases of election by the senate, the votes shall be taken by yeas and nays, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the senate, or upon any question upon which he or she is in any way personally or directly interested, nor be allowed to explain a vote or discuss the question while the yeas and nays are being called, nor change a vote after the result has been announced. A member of the senate voting remotely is considered in attendance within the bar of the senate if the member is participating in the session through a remote access program established by the secretary of the senate as provided in Senate Rule 70. (See also Art. 2, Secs. 27 and 30, State Constitution.)

2. A member not voting by reason of personal or direct interest, or by reason of an excused absence, or a member having inadvertently voted contrary to the member's intent, may explain the reason for not voting or the member's intended vote by a brief statement not to exceed fifty words in the journal.

3. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the members present, except as provided for in Senate Rule 7, subsection 4, and the votes shall be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution.)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Senate Rule 24.)

4. A senator having been absent during roll call may ask to have his or her name called. Such a request must be made before the result of the roll call has been announced by the president. If, during a roll call vote, the vote of a member participating remotely is unable to be taken due to connectivity issues, the member shall be automatically excused. The member may request in writing that their vote be reflected in the senate journal, though it will not count towards the final roll call.

5. The passage of a bill or action on a question is lost by a tie vote, but when a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote on questions as provided for in the state Constitution. (See also Art. 2, Secs. 10 and 22, State Constitution.)

6. The order of the names on the roll call shall be alphabetical by last name.

7. All votes in a committee ((~~or subcommittee~~)) shall be recorded, and the record shall be preserved as prescribed by the secretary of the senate. One-sixth of the committee may demand an oral roll call.

8. If a member of the majority is going to be absent due to a health matter or other emergency, then a member of the minority may publicly announce on the floor of the senate that he or she will cast votes as he or she believes the absent member would have voted in order to avoid results that would only occur because of the unanticipated absence.

**Announcement of Vote**

**Rule 23.** The announcement of all votes shall be made by the president.

**Call of the Senate**

**Rule 24.** Although a roll call is in progress, a call of the senate may be moved by three senators, and if carried by a majority of all present the secretary shall call the roll, after which the names of the absentees shall again be called. The doors shall then be locked and the sergeant at arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the senate for such action as the senate may deem proper.

**One Subject in a Bill**

**Rule 25.** No bill shall embrace more than one subject and that shall be expressed in the title. (See also Art. 2, Sec. 19, State Constitution.)

**No Amendment by Mere Reference to Title of Act**

**Rule 26.** No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length. (See also Art. 2, Sec. 37, State Constitution.)

**Reading of Papers**

**Rule 27.** When the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the senate, without debate.

Any and all copies of reproductions of newspaper or magazine editorials, articles or cartoons or publications or material of any nature distributed to senators' desks must bear the name of at least one senator granting permission for the distribution. This shall not apply to materials normally distributed by the secretary of the senate or the majority or minority caucuses.

**Comparing Enrolled and Engrossed Bills**

**Rule 28.** Any senator shall have the right to compare an enrolled bill with the engrossed bill and may note any objections in the Journal.

**SECTION IV**

**PARLIAMENTARY PROCEDURE**

**Rules of Debate**

**Rule 29.** When any senator is about to speak in debate, or submit any matter to the senate, the senator shall rise, and standing in place, respectfully request recognition by the President, and when recognized shall, in a courteous manner, speak to the question under debate, avoiding personalities; provided that a senator may refer to another member using the title "Senator" and the surname of the other member. With respect to any senators participating remotely under the authority of Senate Rule 8, each caucus shall designate a single member who is charged with seeking recognition on behalf of a senator from that caucus who is participating remotely and wishes to speak. Any senator participating remotely who wishes to speak in debate or submit any matter permitted by Senate Rule 8 to the senate, shall notify the designated member of the senator's desire to speak. The designated member shall seek recognition under the provisions of this section on behalf of the senator participating remotely and, upon recognition, the designated member shall defer to the senator participating remotely. No senator shall impeach the motives of any other member or speak more than twice (except for explanation) during the consideration of any one question, on the same day or a second time without leave, when others who have not spoken desire the floor, but incidental and subsidiary questions arising during the debate shall not be considered the same question. A majority of the members present may further limit the number of times a member may speak on any question and may limit the length of time a member may speak but, unless a demand for the previous question has been sustained, a member shall not be denied the right to speak at least once on each question, nor shall a member be limited to less than two minutes on each question. In any event, the senator who presents the motion may open and close debate on the question.

**Recognition by the President**

**Rule 30.** When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration. (See also Reed's Rule 214).

**Call for Division of a Question**

**Rule 31.** Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the senate; but a motion to strike out and insert shall not be divided.

**Point of Order - Decision Appealable**

**Rule 32.** 1. Every decision of points of order by the president shall be subject to appeal by any senator, and discussion of a question of order shall be allowed. In all cases of appeal the question shall be: "Shall the decision of the president stand as the judgment of the senate?"

2. When a member appeals the decision of the presiding officer, the presiding officer may not preside over the appeal.

3. An appeal from the decision of the presiding officer is timely if brought before the body on the day the decision was made unless the decision affected a measure that is no longer in possession of the senate.

**Question of Privilege**

**Rule 33.** Any senator may rise to a question of privilege and explain a personal matter by leave of the president, but shall not discuss any pending question in such explanations, nor shall any question of personal privilege permit any senator to introduce any person or persons in the galleries. The president upon notice received may acknowledge the presence of any distinguished person or persons.

A question of privilege shall involve only subject matter which affects the particular senator personally and in a manner unique and peculiar to that senator.

**Protests**

**Rule 34.** Any senator or senators may protest against the action of the senate upon any question. Such protest may be entered upon the journal if it does not exceed 200 words. The senator protesting shall file the protest with the secretary of the senate within 48 hours following the action protested.

**Adoption and Suspension of Rules**

**Rule 35.** 1. The permanent senate rules adopted at the first regular session during a legislative biennium shall govern any session subsequently convened during the same legislative biennium. Adoption of permanent rules may be by majority of the senate without notice and a majority of the senate may change a permanent rule without notice at the beginning of any session, as determined pursuant to Article 2, Section 12 of the State Constitution. No permanent rule or order of the senate shall be rescinded or changed without a majority vote of the members of the senate, and one day's notice of the motion.

2. A permanent rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present unless otherwise specified herein. When the suspension of a rule is called, and after due notice from the president no objection is offered, the president may announce the rule suspended, and the senate may proceed accordingly. Motion for suspension of the rules shall not be debatable, except, the mover of the motion may briefly explain the purpose of the motion and at the discretion of the president a rebuttal may be allowed.

3. For the purposes of this rule, one day's notice means written notice is provided to all members of the Senate by 5:00 p.m. the day prior to the amendment to the permanent rules being offered and the notice must include, at a minimum, a description of the change to be offered.

**Previous Question**

**Rule 36.** The previous question shall not be put unless demanded by three senators, and it shall then be in this form: "Shall the main question be now put?" When sustained by a majority of senators present it shall preclude all debate, except the senator who presents the motion may open and close debate on the question and the vote shall be immediately taken on the question or questions pending before the senate, and all incidental question or questions of order arising after the motion is made shall be decided whether on appeal or otherwise without debate.

**Reconsideration**

**Rule 37.** 1. After the final vote on any measure, before the adjournment of that day's session, any member who voted with the prevailing side may give notice of reconsideration unless a motion to immediately transmit the measure to the house has been decided in the affirmative. Such motion to reconsider shall be in order only under the ((~~order of motions of~~)) second order of business the day immediately following the day upon which such notice of reconsideration is given, and may be made by any member who voted with the prevailing side.

2. A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting. On and after the tenth day prior to adjournment sine die of any session, as determined pursuant to Article 2, Section 12, or concurrent resolution, or in the event that the measure is subject to a senate rule or resolution or a joint rule or concurrent resolution, which would preclude consideration on the next day of sitting a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

**Motion to Adjourn**

**Rule 38.** Except when under call of the senate, a motion to adjourn shall always be in order. The name of the senator moving to adjourn and the time when the motion was made shall be entered upon the journal.

**Yeas and Nays - When Must be Taken**

**Rule 39.** The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the members present, and the votes shall be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution.)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Senate Rules 22 and 24.)

**Reed's Parliamentary Rules**

**Rule 40.** The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this senate and the joint rules of this senate and the house of representatives.

**SECTION V**

**COMMITTEES**

**Committees - Appointment and Confirmation**

**Rule 41.** The president shall appoint all conference, special, joint and standing committees ((~~and standing subcommittees~~)) on the part of the senate. The appointment of the conference, special, joint and standing committees ((~~and standing subcommittees~~)) shall be confirmed by the senate.

In the event the senate shall refuse to confirm any conference, special, joint or standing committee ((~~or standing subcommittee~~)), such committee ((~~or standing subcommittee~~)) shall be elected by the senate.

The following standing committees shall constitute the standing committees of the senate:

**Standing Committee** **Total Membership**

1. Agriculture, Water, Natural Resources & Parks ((~~7~~)) 9

2. Business, Financial Services, Gaming & Trade ((~~7~~)) 9

3. Early Learning & K-12 Education 9

4. Environment, Energy((~~,~~)) & Technology ((~~13~~)) 8

5. Health & Long-Term Care ((~~12~~)) 10

6. Higher Education & Workforce Development 5

7. Housing ((~~& Local Government~~)) 11

8. Human Services((~~, Reentry & Rehabilitation~~)) 7

9. Labor((~~,~~)) & Commerce ((~~& Tribal Affairs~~)) 9

10. Law & Justice ((~~9~~)) 11

11. Local Government, Land Use & Tribal Affairs 5

12. Rules 16 (plus the Lieutenant Governor)

((~~12.~~)) 13. State Government & Elections ((~~5~~)) 7

((~~13.~~)) 14. Transportation 17

((~~14.~~)) 15. Ways & Means 24

((~~The following constitutes a standing subcommittee of the senate:~~

~~1. Behavioral Health Subcommittee to Health & Long-Term Care~~ ~~5~~))

**Subcommittees**

**Rule 42.** ((~~1. A standing subcommittee has authority to hold work sessions and public hearings and take executive action on measures referred to it by the relevant standing committee. The committee requirements in Senate Rules 44 through 49 apply equally to standing subcommittees created under Senate Rule 41.~~

~~2. In addition to standing subcommittees created under Senate Rule 41, committee~~)) Committee chairs may create subcommittees of the standing committee and designate subcommittee chairs thereof to study subjects within the jurisdiction of the standing committee. These subcommittees do not have executive action authority ((~~and are not considered standing subcommittees for purposes of senate rules~~)). The committee chair shall approve the use of committee staff and equipment assigned to the subcommittee. Subcommittee activities shall further be subject to facilities and operations committee approval to the same extent as are the actions of the standing committee from which they derive their authority.

**Subpoena Power**

**Rule 43.** Any ((~~of the above referenced committees, including subcommittees thereof~~)) standing committee, or any special ((~~committees~~)) committee created by the senate, may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. The committee chair shall file with the committee on rules, prior to issuance of any process, a statement of purpose setting forth the name or names of those subject to process. The rules committee shall consider every proposed issuance of process at a meeting of the rules committee immediately following the filing of the statement with the committee. The process shall not be issued prior to consideration by the rules committee. The process shall be limited to the named individuals and the committee on rules may overrule the service on an individual so named.

**Duties of Committees**

**Rule 44.** The several committees shall fully consider measures referred to them.

The committees shall acquaint themselves with the interest of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state: PROVIDED, That no executive action on bills may be taken during an interim.

**Committee Rules**

**Rule 45.** 1. At least five days' notice shall be given of all public hearings held by any committee other than the rules committee. Such notice shall contain the date, time and place of such hearing together with the title and number of each bill, or identification of the subject matter, to be considered at such hearing. By a majority vote of the committee members present at any committee meeting such notice may be dispensed with. The reason for such action shall be set forth in a written statement preserved in the records of the meeting.

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

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

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

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

a. Do pass;

b. Do pass as amended;

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

d. Without recommendation.

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

6. A majority report of a committee must carry the signatures of a majority of the members of the committee. In the event a committee has a quorum pursuant to subsection 4 of this rule, ((~~subject to the limitation of subsection 12 of this rule,~~)) a majority of the members present may act on a measure, subject to obtaining the signatures of a majority of the members of the committee on the majority report. If, after executive action on a measure, the signatures of all members are not included on either a majority or minority report, the committee shall hold the signature sheets for the measure for 24 hours, not counting Saturdays or Sundays, from adjournment of the committee hearing at which executive action was taken on the measure. This 24-hour hold period applies even if a majority of the members of the committee has signed the majority report. After the 24-hour hold period, the signature sheets must be submitted to the workroom if there is a majority of signatures on the majority report. Once signature sheets have been submitted to the senate workroom by committee staff, a member may not sign or remove his or her signature from a majority or minority signature sheet. If a majority of members of the committee have not signed the majority report, the measure or appointment remains in the possession of the committee. The 24-hour hold period does not apply within the five days preceding any cutoff date and does not apply to a biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget.

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

8. Any member of the committee not concurring in the majority report may sign a minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report. Unless the signatory of a minority report expressly indicates a "do not pass" recommendation, the member's vote shall be deemed to be "without recommendation." In every case where a majority report form is circulated for signature, a minority report form shall also be circulated.

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

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

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

11. All reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session. During any special session of the legislature or within the three days ((~~of~~)) preceding any cut-off date or sine die, this rule may be suspended by a majority vote of those present. This rule does not apply to reports of biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget bill.

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

~~13. When a standing committee has a standing subcommittee established under Senate Rule 41, the chair of the committee may rerefer any measures referred to the committee to the standing subcommittee with the consent of the ranking member of the committee or, in the event of a dispute between the chair and ranking member, referral may occur with a majority vote of the committee~~)) For purposes of this rule, a committee is deemed to have reported a measure, appointment, substitute bill, or amendment out when it has delivered its majority and minority reports to the senate workroom. After such delivery, the committee no longer has possession of the measure, appointment, substitute bill, or amendment and no further committee action, including reconsideration or a member adding or removing his or her signature to a majority or minority report, may be taken.

13. All committees will rely upon and use the Electronic Bill Book. Committee staff should add all materials relating to hearings, work sessions, or executive sessions to the Electronic Bill Book as early as possible or when the material has been made public. Paper copies will not be provided to members. All materials submitted by the public shall be submitted electronically.

14. All committees will use the online Committee Sign-In system. All committee members will be able to view the list of individuals who have signed in to testify on each measure or appointment. Members of the public wishing to testify in-person or remotely may sign up remotely no later than one hour before the committee is scheduled to meet.

15. With the exception of the ways and means and transportation committees, the chairs of standing committees must publish the list of measures and appointments that may be considered for executive session by 4:00 p.m. two days preceding executive session. The chairs of the ways and means committee and the transportation committee must publish the list of measures and appointments that may be considered for executive session by 7:00 p.m. two days preceding executive session. A chair, with the consent of the ranking member, has discretion to waive this deadline in extraordinary circumstances. A published measure or appointment may be rescheduled for executive action at the committee's next meeting without additional notice, provided no additional amendments are considered.

16. Members must have amendment requests to nonpartisan committee staff by 12:00 p.m. the day before scheduled executive action. A chair, with the consent of the ranking member, has discretion to waive this deadline in extraordinary circumstances or to accept technical revisions to perfect an amendment. Members should be considerate of staff and turn in amendment requests earlier if they are long or complex, keeping in mind the final deadline for consideration of amendments.

17. All amendments, including substitutes, must be sponsored by a committee member. All amendments and effect statements must be either drafted or reviewed, or both, by nonpartisan committee staff. To be eligible for consideration at an executive session in a committee meeting scheduled to begin prior to 12:00 p.m., amendments must be released from confidentiality and posted to the Electronic Bill Book for committee members and the public by 4:00 p.m. the day before the executive session or the amendments will be considered out of order. To be eligible for consideration at an executive session in a committee meeting scheduled to begin on or after 12:00 p.m., amendments must be released from confidentiality and posted to the Electronic Bill Book for committee members and the public by 7:00 p.m. the day before the executive session or the amendments will be considered out of order. A chair with the consent of the ranking member has discretion to waive this deadline in extraordinary circumstances or to accept technical revisions to perfect an amendment.

18. A committee chair may choose to allow other committee members to participate remotely in committee meetings. The committee chair shall notify the secretary of the senate prior to the first day of the legislative session if the chair will allow committee members to participate remotely. A chair that initially chooses to allow only in-person participation may later choose to allow remote participation but must provide the secretary of the senate with notice of the change at least 24 hours prior to the committee hearing in which the change will become effective. Once a chair has chosen to allow members to participate remotely, this choice cannot be changed during the remainder of the session. If a chair allows committee members to participate remotely, those members will be considered "present" for the purposes of this rule and Senate Rule 49. A chair may not participate remotely in a committee meeting. Members participating remotely shall be allowed to participate in committee activities to the same extent as those attending in person.

**Committee Meetings During Sessions**

**Rule 46.** No committee shall sit during the daily session of the senate unless by special leave.

No committee shall sit during any scheduled caucus.

**Reading of Reports**

**Rule 47.** The majority report, and minority report, if there be one, together with the names of the signers thereof, shall be read by the secretary, unless the reading be dispensed with by the senate, and all committee reports shall be spread upon the journal.

**Recalling Bills from Committees**

**Rule 48.** Any standing committee ((~~or standing subcommittee~~)) of the senate may be relieved of further consideration of any bill, regardless of prior action of the committee, by a majority vote of the senators elected or appointed. The senate may then make such orderly disposition of the bill as they may direct by a majority vote of the members of the senate.

**Bills Referred to Rules Committee**

**Rule 49.** All bills reported by a committee ((~~or subcommittee~~)) to the senate shall then be referred to the committee on rules for second reading without action on the report unless otherwise ordered by the senate. (See also Senate Rules 63 and 64.) A bill may not be referred to the committee on rules for second reading unless a standing committee ((~~or subcommittee~~)) has held a public hearing on the bill. ((~~By a majority vote of the committee members present at any executive session, the public hearing requirement may be dispensed with~~)) This rule does not apply when the committee is considering a bill whose official companion has already been heard. By a majority vote of the committee members present at any executive session, the public hearing requirement may be dispensed with when the committee is considering a biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget bill and the committee has already had a hearing on a substantially similar omnibus budget bill.

**Rules Committee**

**Rule 50.** The lieutenant governor shall be a voting member and the chair of the committee on rules. The president pro tempore shall be a voting member and the vice chair of the committee on rules. The committee on rules shall have charge of the daily second and third reading calendar of the senate and shall direct the secretary of the senate the order in which the bills shall ((~~be considered by the senate~~)) appear on the calendars and the committee on rules shall have the authority to directly refer any bill before them to any other standing committee. Such referral shall be reported out to the senate on the next day's business.

The order of consideration of bills on the second or third reading calendar will be set by the floor leader of the majority caucus. A majority of members present may vote to change the order.

The calendar, except in emergent situations, as determined by the committee on rules, shall be ((~~on the desks and in the offices of the~~)) available electronically to senators each day and shall cover the bills for consideration on the next following day.

**Employment Committee**

**Rule 51.** The employment committee for committee staff shall consist of six members, three from the majority party and three from the minority party. The chair shall be appointed by the majority leader. All decisions shall be determined by majority vote. The committee shall operate within staffing, budget levels and guidelines as authorized and adopted by the facilities and operations committee.

**Committee of the Whole**

**Rule 52.** At no time shall the senate sit as a committee of the whole.

The senate may at any time, by the vote of the majority of the members present, sit as a body for the purpose of taking testimony on any measure before the senate.

**Appropriation Budget Bills**

**Rule 53.** No biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget bill may be acted upon in second reading until twenty-four hours after the bill has been placed on the second reading calendar by the rules committee. This rule does not apply to conference committee reports of biennial or supplemental omnibus budget bills, which are governed by joint rules. This rule may be suspended with a majority vote of those present within three days of sine die. The rules committee shall establish by separate motion the time at which a bill has been placed on the second reading calendar for purposes of this rule.

**SECTION VI**

**BILLS, RESOLUTIONS, MEMORIALS AND GUBERNATORIAL APPOINTMENTS**

**Definitions**

**Rule 54.** "Measure" means a bill, joint memorial, joint resolution, or concurrent resolution.

"Bill" when used alone means bill, joint memorial, joint resolution, or concurrent resolution.

"Majority" shall mean a majority of those members present unless otherwise stated.

**Prefiling**

**Rule 55.** Holdover members and members-elect to the senate may prefile bills with the secretary of the senate on any day commencing with the first Monday in December preceding any session year; or twenty days prior to any special session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day. No bill, joint memorial or joint resolution shall be prefiled by title and/or preamble only. (See also Senate Rule 3, Sub. 3.)

**Introduction of Bills**

**Rule 56.** 1. All bills, joint resolutions, and joint memorials introduced shall be endorsed with a statement of the title and the name of the member introducing the same. Any member desiring to introduce a bill, joint resolution, or joint memorial shall file the same with the secretary of the senate by noon of the day before the convening of the session at which said bill, joint resolution, or joint memorial is to be introduced. Sponsor sheets shall be available in both physical and electronic formats. A member may introduce a bill electronically by emailing the bill to the office of the code reviser. Only bills that have been emailed by a member or the member's legislative assistant may be considered for electronic introduction.

2. For bills introduced electronically, the sponsoring member may designate one cosponsor of the bill by providing the cosponsor's name in the email and by including the cosponsor's name in the cc line of the email. Additional members may add themselves as cosponsors to the bill by emailing the senate workroom by 5:00 p.m. of the day of its introduction. Agency and governor request legislation may follow this process and the sponsoring member or member's legislative assistant must email such legislation to the office of the code reviser.

3. Provided that a vote has not been taken on final passage of a bill, joint resolution, or joint memorial, a member may add his or her name as a cosponsor until ((~~2:00~~)) 5:00 p.m. of the day of its introduction. For any bill, joint resolution, or joint memorial that has been prefiled for a regular session, a member has until ((~~2:00~~)) 5:00 p.m. of the day following introduction to add his or her name as a cosponsor.

4. To be considered during a regular session, a bill must be introduced at least ten days before final adjournment of the legislature, unless the legislature directs otherwise by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal. The time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees and general appropriation and revenue bills. (See also Art. 2, Sec. 36, State Constitution.)

5. The introduction of title-only bills is prohibited. For the purposes of this subsection, a title-only bill is a bill containing a title or short summary of the intended subject matter, without laying forth the full changes intended to any act or sections of law.

**Amendatory Bills**

**Rule 57.** Bills introduced in the senate intended to amend existing statutes shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. No bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

Sections added by amendatory bill to an existing act, or chapter of the official code, need not be underlined but shall be designated "NEW SECTION" in upper case type and such designation shall be underlined. New enactments need not be underlined.

When statutes are being repealed, the Revised Code of Washington section number to be repealed, the section caption and the session law history, from the most current to the original, shall be cited.

**Joint Resolutions and Memorials**

**Rule 58.** Joint resolutions and joint memorials, up to the signing thereof by the president of the senate, shall be subject to the rules governing the course of bills.

**Senate Concurrent Resolutions**

**Rule 59.** Concurrent resolutions shall be subject to the rules governing the course of bills and may be adopted without a roll call. Concurrent resolutions authorizing investigations and authorizing the expenditure or allocation of any money must be adopted by roll call and the yeas and nays recorded in the journal. Concurrent resolutions are subject to final passage on the day of the first reading without regard to Senate Rules 62, 63, and 64.

**Committee Bills**

**Rule 60.** Committee bills introduced by a standing committee during a legislative session may be filed with the secretary of the senate and introduced, and the signature of each member of the committee shall be endorsed upon the cover of the original bill.

Committee bills shall be read the first time by title, ordered printed, and referred to the committee on rules for second reading.

**Committee Reference**

**Rule 61.** When a motion is made to refer a subject, and different committees are proposed, the question shall be taken in the following order:

|  |  |  |
| --- | --- | --- |
|  | FIRST: | A standing committee. |
|  | SECOND: | A select committee. |

**Reading of Bills**

**Rule 62.** Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule. On and after the tenth day preceding adjournment sine die of any session, or three days prior to any cut-off date for consideration of bills, as determined pursuant to Article 2, Section 12 of the Constitution or concurrent resolution, or during any special session of the legislature, this rule may be suspended by a majority vote. (See also Senate Rules 59 and 64).

**First Reading**

**Rule 63.** The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading, bills shall be referred to an appropriate committee pursuant to Senate Rule 61. Draft bill referrals will be electronically published by 7:00 p.m. the evening before any session to consider them. All objections or requests for rereferral must be communicated in an email by a member to the majority floor leader by 9:00 a.m. the day of convening.

Upon being reported back by committee, pursuant to Senate Rule 49, all bills shall be referred to the committee on rules for second reading, unless otherwise ordered by the senate.

A bill shall be reported back by the committee chair upon written petition therefor signed by a majority of its members. The petition shall designate the recommendation as provided in Senate Rule 45, Sub. 5.

No committee chair shall exercise a pocket veto of any bill.

Should there be a two-thirds majority report of the committee membership against the bill, a vote shall be immediately ordered for the indefinite postponement of the bill.

**Second Reading/Amendments**

**Rule 64.** Upon second reading, the bill shall be read section by section, in full, and be subject to amendment.

Any member may, if sustained by three members, remove a bill from the consent calendar as constituted by the committee on rules. A bill removed from the consent calendar shall take its place as the last bill on the second reading calendar.

No amendment shall be considered by the senate until it shall have been sent to the secretary's desk in writing and read by the secretary.

All amendments adopted on the second reading shall then be securely fastened to the original bill.

All amendments rejected by the senate shall be spread upon the journal, and the journal shall show the disposition of all amendments.

When no further amendments shall be offered, the president shall declare the bill has passed its second reading, and shall be referred to the committee on rules for third reading.

**Third Reading**

**Rule 65.** Bills on third reading shall be read in full by sections, and no amendment shall be entertained.

When a bill shall pass, it shall be certified to by the secretary, together with the vote upon final passage, noting the day of its passage thereon.

The vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the journal and the majority of the members elected to the senate must be recorded thereon as voting in its favor to secure its passage by the senate.

**Scope and Object of Bill Not to be Changed**

**Rule 66.** No amendment to any bill shall be allowed which shall change the scope and object of the bill. (See also Art. 2, Sec. 38, State Constitution.) Substitute bills shall be considered amendments for the purposes of this rule. A point of order raising the question of scope and object may be raised at any time during consideration of an amendment prior to voting on the amendment. ((~~A proposed amendment to an unamended title-only bill shall be within the scope and object of the bill if the subject of the amendment fits within the language in the title.~~))

**Matters Related to Disagreement Between the Senate and House**

**Rule 67.** When there is a disagreement between the senate and house on a measure before the senate, the senate may act upon the measure with the following motions which have priority in the following order:

To concur

To non-concur

To recede

To insist

To adhere

These motions are in order as to any single amendment or to a series of amendments. (See Reed's Rules 247 through 254.)

A senate bill, passed by the house with amendment or amendments which shall change the scope and object of the bill, upon being received in the senate, shall be referred to an appropriate committee and shall take the same course as for original bills, unless a motion to ask the house to recede, to insist or to adhere is made prior to the measure being referred to committee.

**Bills Committed for Special Amendment**

**Rule 68.** A bill may be committed with or without special instructions to amend at any time before taking the final vote.

**Confirmation of Gubernatorial Appointees**

**Rule 69.** When the names of appointees to state offices are transmitted to the secretary of the senate for senate confirmation, the communication from the governor shall be recorded and referred to the appropriate standing committee.

The standing committee, or subcommittee, pursuant to Senate Rule 42, shall require each appointee referred to the committee for consideration to complete the standard questionnaire to be used to ascertain the appointee's general background and qualifications. The committee may also require the appointee to complete a supplemental questionnaire related specifically to the qualifications for the position to which he has been appointed.

Any hearing on a gubernatorial appointment, held by the standing committee, or subcommittees, pursuant to Senate Rule 42, shall be a public hearing. The appointee may be required to appear before the committee on request. When appearing, the appointee shall be required to testify under oath or affirmation. The chair of the committee or the presiding member shall administer the oath or affirmation in accordance with RCW 44.16. (See also Article 2, Sec. 6 of the State Constitution.)

Nothing in this rule shall be construed to prevent a standing committee, or subcommittee, pursuant to Senate Rule 42, upon a two-thirds vote of its members, from holding executive sessions when considering an appointment.

When the committee on rules presents the report of the standing committee before the senate, the question shall be the confirmation of the name proposed, and the roll shall then be called and the yeas and nays entered upon the journal. In the event a message is received from the governor requesting return of an appointment or appointments to the office of the governor prior to confirmation, the senate shall vote upon the governor's request and the appointment or appointments shall be returned to the governor if the request is approved by a majority of the members elected or appointed. (Article 13 of the State Constitution.)

**Emergency Resolution Authorized**

**Rule 70.** 1. If the Facilities and Operations Committee determines through a majority vote that physically convening all members and staff in a single location presents a danger to the health or safety of the participants or is impractical because of a publicly declared statewide emergency or catastrophic incident under RCW 43.06.010, the senate shall adopt a resolution establishing the rules and procedures governing any special or regular legislative session.

2. For purposes of adopting the senate resolution required by this rule, some or all members may vote using a remote access program established by the Secretary of the Senate. The remote access program must provide a mechanism approved by the President of the Senate by which the President can verify a member's remote presence. Members are considered in attendance within the bar of the senate when using the remote access program, including for purposes of establishing quorum. To the extent practicable, a member participating remotely under this rule has the same privileges, rights, and responsibilities under the Senate Rules as if the member were physically present.