SENATE RESOLUTION

8606

By Senator Pedersen

WHEREAS, The Senate adopted permanent rules for the 2023-2025 biennium under Senate Resolution 8601; and

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

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

"**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, 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.

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 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. 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. All committee meetings shall be chaired in person. A chair may ((~~not~~)) participate remotely in a committee meeting when another member of the committee is acting as chair. Members participating remotely shall be allowed to participate in committee activities to the same extent as those attending in person."

I, Sarah Bannister, Secretary of the Senate,

do hereby certify that this is a true and

correct copy of Senate Resolution 8606,

adopted by the Senate

January 25, 2023

SARAH BANNISTER

Secretary of the Senate