

**FIRST SPECIAL SESSION RULES OF THE SENATE  
80<sup>th</sup> LEGISLATIVE ASSEMBLY**

*Adopted ~~January 14, 2019 and amended June 30, 2019~~  
and ~~February 4~~ June 24, 2020*

**DEFINITIONS**

**1.01 Definitions.**

- (1) “Chamber” means the entire area of the Senate floor and the side aisles.
- (2) “Chamber area” includes the entire area of the Senate floor including the areas immediately adjacent to the Senate Chamber.
- (3) “Constitutional majority (16)” means a majority of the members of the Senate except in the case of those measures requiring an otherwise constitutionally designated majority vote.
- (4) “Courtesy of the floor” means admittance within the bar granted upon request of a member in accordance with SR 17.01(2).
- (5) “Distributed” includes printing and electronic delivery and other means of reproducing a copy.
- (6) “Informational meeting” means a committee meeting during which only invited or public testimony is taken on an issue. No public hearing or work session on a measure may be held during an informational meeting.
- (7) “Legislative assistant” means a person employed to assist a member of the Senate, to assist the Senate President or to assist the majority or minority offices of the Senate.
- (8) “Long Session” means the regular annual session of the Legislative Assembly beginning in an odd-numbered year under section 10(1)(a), Article IV of the Oregon Constitution.

- (9) “Majority” means a majority of those members present.
- (10) “Measure” means bill, resolution or memorial, but does not include amendments.
- (11) “Member” means member of the Senate.
- (12) “Remonstrance” may be considered as a “protest” under section 26, Article IV of the Oregon Constitution.
- (13) “Session day” means a day during which the Senate is convened in floor session with a quorum present.
- (14) “Short Session” means the regular annual session of the Legislative Assembly beginning in an even-numbered year under section 10(1)(b), Article IV of the Oregon Constitution.
- (15) “Within the bar” means within the area of the chamber that is enclosed by waist-high partitions and that contains the members’ desks and the rostrum.
- (16) Appendix A - Interim Rules identifies specific rules governing the interim periods.
- (17) “Special Session” means the Special Session of the 80<sup>th</sup> Legislative Assembly convened on June 24, 2020.

## RULES

### **2.01 Use of *Mason’s Manual of Legislative Procedure*.**

*Mason’s Manual of Legislative Procedure* shall apply to cases not provided for by the Oregon Constitution, the Senate Rules, custom of the Senate or statute.

### **2.05 Procedure for Adopting, Amending, or Rescinding Rules.**

No standing rule of the Senate shall be adopted, amended or rescinded except upon the affirmative vote of a constitutional majority (16). After

the Organizational Session of the Senate for this Special Session, the adoption, amendment or rescission of rules shall be proposed in writing, read at a regular business session, printed, distributed to members' desks and allowed to lie on the table for at least one session day prior to any vote thereon.

## 2.10 Procedure for Suspending Rules.

- (1) No rule of the Senate shall be suspended except by unanimous consent of the members or by the affirmative vote of two-thirds of the members (20). In suspending a provision of the Oregon Constitution, as provided by the Oregon Constitution, an affirmative vote of two-thirds of the members is required. The vote shall be a roll call vote.
- (2) When a motion to suspend the rules is defeated, the motion shall not be renewed until after an intervening recess or adjournment.

## 2.20 Rules of the Senate.

~~(1) Except as modified or rescinded under SR 2.05, these rules shall be in effect for the entire term of the Legislative Assembly whether the Senate is in session or has adjourned *sine die*.~~

~~(2) The Senate shall follow the recommendations of the concurrent resolution(s), if any, adopted by the 80<sup>th</sup> Legislative Assembly to set the legislative schedule for the regular sessions. The provisions of any such concurrent resolution may be suspended by a two-thirds majority (20) of elected members. If no concurrent resolution sets a legislative schedule for the session, the Senate may adopt rules setting its own legislative schedule.~~

**These rules adopted for the Special Session shall expire upon the adjournment *sine die* of the Special Session, at which time the Senate Rules as last amended on February 4, 2020 shall continue in effect. Notwithstanding the Special Session, all rules governing drafting requests and measure introductions in advance of a Long Session remain in effect without regard to whether the rules are termed interim or session rules.**

## **2.50 Organizational Session.**

(1) In accordance with sections 4, 10 and 11, Article IV of the Oregon Constitution, an Organizational Session shall be held on the second Monday of January of the odd-numbered years for the following purposes only:

- (a) Credentialing of Senate members;
- (b) Administration of the oaths of office to Senate members;
- (c) Election of Senate officers for the 80<sup>th</sup> Legislative Assembly;
- (d) Adoption of Senate Organizational Session Rules, Regular Session Rules and Interim Rules;
- (e) Appointment of Regular Session Committees for the Long Session; and
- (f) Introduction of measures for the Long Session.

(2) SR 2.50 shall apply during the period between January 14, 2019 and the convening of the Long Session; provided, however, that SR 13.15 sets deadlines for requesting measures before and during the convening of the Long Session.

(3) The Regular Session and Interim Rules, as approved by the Senate on January 14, 2019, will go into effect on January 22, 2019. Rules adopted for a Special Session shall remain in effect for that Special Session.

(4) During the period between the adjournment of the Organizational Session and the convening of the Long Session on January 22, 2019, the President shall refer all measures within eight calendar days following First Reading.

(5) At the completion of the Organizational Session, the Senate shall adjourn until the convening of the Long Session on January 22, 2019.

(6) The Organizational Session for a Special Session shall be held on the first day of the Special Session.

## CONVENING

### 3.01 Quorum.

- (1) A quorum of the Senate is 20 members.
- (2) If a quorum is present, the Senate shall proceed with the transaction of business. When there is no quorum present, a lesser number of members may adjourn from day to day and compel the attendance of absent members.

### 3.05 Session Hour; Deliberations Open; Deliberations During Global Pandemic.

- (1) Unless otherwise ordered by a majority of the members present, the hour of meeting shall be designated by the President.
- (2) ~~All deliberations of the Senate and its committees shall be open to the public. This provision does not prohibit clearing the gallery or hearing room in the event of a disturbance, during which time deliberations shall be in recess.~~ The Senate recognizes that this Special Session is being conducted during a global pandemic in which a novel coronavirus has sickened millions of people and taken the lives of at least 110,000 Americans. Because the virus spreads through close personal contact and through the air, the Senate finds that routine procedures must be modified to preserve health and safety while continuing to satisfy the obligations placed on the Legislative Assembly by the Oregon Constitution, including obligations to conduct open deliberations. Accordingly, for this Special Session:
  - (a) All floor sessions and committee meetings must be contemporaneously streamed on the Internet and broadcast on one or more television monitors at a location proximate to the Capitol and accessible to the public enabling the public to observe all legislative deliberations.

- (b) Any floor session vote or committee meeting vote must be visually observable by and audible to the public through the means described in paragraph (a) of this subsection.
- (c) For committee meetings, members may participate in and be counted toward quorum using remote videoconferencing technology if the technology permits each member, when they are speaking, to be visually observed by all other committee members and by the public.
- (d) If a committee holds a public hearing, witnesses shall be allowed to testify before the committee using videoconferencing or teleconferencing technology. Nothing in this rule modifies a chair's existing authority to place time limits on witness testimony or limit testimony to topics germane to the committee's agenda. A testimony station that is proximate to the Capitol shall be made available to permit interested members of the public to testify at each public hearing using teleconferencing means.
- (e) The Capitol shall be physically closed to the public for the duration of the Special Session. Bona fide members of the press may be physically present in the Capitol during hours that legislative proceedings are taking place.

### **3.10 Attendance.**

- (1) A member shall attend all sessions of the Senate unless excused by the President. The Journal will record on each roll call all members "present," "excused," or "absent."
- (2) The President or committee chair may excuse a member from committee meetings. The minutes of the committee shall record all committee members as "present," "excused," or "absent."

## **VOTING**

### **3.15 Roll Call.**

- (1) A roll call vote of “ayes” and “nays” shall be taken and recorded on the final passage of all measures, with the exception of memorials and resolutions that affect only the Senate and do not appropriate money.
- (2) Upon demand of two members, a roll call shall be taken and recorded on any question.
- (3) If the presiding officer is in doubt on any motion considered on voice vote, the presiding officer shall order a roll call vote.

### **3.20 Requirements for Voting.**

- (1) Every member who is in attendance when the question is stated shall vote.
- (2) Except by unanimous consent, no member shall be permitted to vote on any question unless in attendance at the time the question is put. A member shall be considered in attendance if the member is in the chamber area. However, a member must be within the bar to vote.

### **3.30 Voting by President.**

The President shall vote whenever a roll call is required. The President’s name is called last.

### **3.33 Announcement of Conflict of Interest.**

- (1) When involved in an actual or potential conflict of interest as defined by ORS 244.020, a member shall announce, on the Senate floor or in the committee meeting, the nature of the actual or potential conflict prior to voting on the issue giving rise to the actual or potential conflict.
- (2) The member’s announcement of an actual or potential conflict of interest shall be recorded in the journal or in the committee minutes. If the member desires to have more than the announcement recorded, the member shall reduce to writing the nature of the actual or potential conflict as given in the oral explanation and file it with the Secretary of the Senate or the committee assistant. The written statement must be filed by 5:00 p.m. of the next session day following the vote on the measure.

- (3) A complaint against a Senate member alleging violation of subsection (1) of this rule must meet the following criteria:
- (a) The complaint must be in writing;
  - (b) The complaint must be specific in its allegations and be accompanied by documentation supporting the allegations;
  - (c) The complaint must be signed by at least two persons who witnessed the conduct that is the subject of the complaint; and
  - (d) The complaint, in the manner prescribed by the Secretary of the Senate, must be filed with the Secretary's office within 10 calendar days of the alleged violation.
- (4) The Secretary shall transmit copies of the written and signed complaint to the President of the Senate and the Senate Caucus Leaders as soon as practicable.
- (5) The President shall refer any written complaint that has been filed in accordance with subsection (3) of this rule to the Special Committee on Conduct within 30 calendar days of receipt of the complaint.
- (6) The committee shall investigate any written complaint to determine whether the alleged conduct constitutes violation of subsection (1) of this rule and shall conduct such investigation in accordance with procedures set forth in the committee rules.
- (7) The committee must complete the investigation and report recommended sanctions, if any, to the full Senate within 45 calendar days of receiving the complaint as referred by the President. The President may permit a reasonable extension of time at his or her discretion.
- (8) Any recommended sanction resulting from a written complaint against a Senate member must be proportionate to the seriousness of the offense. The committee may recommend the following sanctions:
- (a) Reprimand;



- (b) Censure; or
- (c) Expulsion.

(9) In reporting to the full Senate, the committee shall include in its report:

- (a) A copy of the complaint;
- (b) Whether or not there was a violation of subsection (1) of this rule;
- (c) Recommended sanctions, if any; and
- (d) The basis for the committee's recommendation.

(10) The committee report must be signed by the committee chair and submitted to the Secretary of the Senate within three session days of final committee action.

(11) The report shall be placed on the calendar for final consideration on the session day following the reading and distribution of the report.

(12) Before taking action against a Senate member under this section, the Senate must approve the committee report recommending a sanction by a two-thirds majority vote (20).

(13) If the committee recommends no action, the formal procedure is concluded and the complaint shall be considered dismissed. The report shall be submitted in accordance with subsection (10) of this rule and read under reports from committees on the session day following distribution of the report.

### **3.35 Explanation of Vote.**

(1) Any member may explain a vote on any matter for which a roll call vote is taken. The member may make the oral explanation from the floor following completion of the roll call and announcement of the result. Oral explanations shall not exceed two minutes.

(2) The vote explanation must be germane to the subject and shall not reflect on the honor or integrity of other members of the Legislative

Assembly. If the explanation offered from the floor does not meet the requirements of this section, the President may call the member to order.

(3) If the member wishes the explanation to be entered in the journal, the member must file a written explanation with the Secretary of the Senate by 5:00 p.m. of the next session day following the day the vote was taken. The President may direct the Secretary of the Senate to delete out of order material from the journal.

### **3.45 Distributed Measures Required for Voting.**

(1) No measure, or amendment to a measure, shall be finally voted on until it has been distributed except as provided by SR 5.40.

(2) An error in a measure or amendments to a measure under consideration of the Senate shall be considered corrected if the correction is made on the original copy and initialed by the appropriate member. The original measure is found in the original measure folder at the Senate Desk.

### **3.50 Third Reading Requirements.**

Except for resolutions and memorials that affect the Senate only, no measure shall pass the Senate until after Third Reading nor shall any measure be read more than once in any one day.

### **3.55 Call of the Senate.**

(1) Three members may demand a call of the Senate at any time there is a pending question and before a roll call has commenced.

(2) Upon a call of the Senate, the chamber doors shall be closed until proceedings under the call have been terminated. No other business shall be transacted until the proceedings under the call are terminated. A member must remain in attendance until proceedings under the call are terminated. A member shall be considered in attendance when in the chamber area. However, a member must comply with the provisions of SR 3.20 for the purpose of voting.

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- (3) Upon a call of the Senate, the Sergeant at Arms shall cause all members not excused to come to the floor. If the Sergeant at Arms cannot locate an unexcused member, that fact shall be reported to the President who shall announce the fact to the members.
- (4) Proceedings under a call of the Senate shall be considered terminated only when the question for which the call was invoked has been voted on, or when a motion to remove the call is approved by at least two-thirds (20) of the members of the Senate.
- (5) A motion to remove the call shall be in order when the Sergeant at Arms reports that unexcused members cannot be located. If there is no quorum after the report of the Sergeant at Arms is received, the Senate may remove the call by the consent of the majority of the members present.
- (6) Under the proceedings of a call of the Senate:
- (a) Senate guests may leave the chamber at will; however, they shall not be permitted to return until the proceedings are terminated or the call has been removed.
  - (b) Members of the House, the press and Senate staff on Senate business may leave the chamber and return at will during the proceedings under the call.

## **ORDER OF BUSINESS**

### **4.01 Order of Business.**

- (1) The general order of business shall be:
- (a) Roll Call
  - (b) Honors to the Colors and the Pledge of Allegiance
  - (c) Invocation
  - (d) Courtesies of the Senate

- (e) Remonstrances
  - (f) Reports from Committees
  - (g) Propositions and Motions
  - (h) Action on Executive Appointments Requiring Senate Confirmation
  - (i) Introduction and First Reading of Senate Measures
  - (j) Second Reading of Senate Measures
  - (k) Third Reading of Senate Measures
  - (l) First Reading of House Measures
  - (m) Second Reading of House Measures
  - (n) Third Reading of House Measures
  - (o) Other Business of the Senate
  - (p) Announcements
- (2) Special performances for opening ceremonies shall be in accordance with policies developed by the President.
- (3) Messages from the Governor or the House may be read at any time. Courtesies may be extended at any time.
- (4) Questions relating to the priority of business shall be decided without debate.
- (5) The general order of business shall not be varied except upon suspension of the rules. However, any subject before the Senate may be made a special order of business upon the vote of a majority of the

members present. When the appropriate time for consideration of the subject arrives, the Senate shall take up the subject.

(6) Under the order of business of Remonstrances, no member may speak for longer than two minutes, or for a second time, or yield time to another member. The motives or integrity of any member of the House or Senate shall not be impugned.

## MOTIONS

### **5.01 Moving a Motion.**

(1) When a motion is moved, it shall be stated by the President. If the motion is in writing, it shall be handed to the Secretary of the Senate and read aloud before debate on the motion begins.

(2) A motion shall be reduced to writing upon request of any member.

(3) No second to a motion is required.

### **5.05 Motion in Possession of the Senate.**

After a motion is stated by the President, or read by the Secretary of the Senate or the Secretary's designee, it is in the possession of the Senate. The motion may be withdrawn only with the permission of the Senate and prior to a decision on the motion.

### **5.10 Precedence of Motions.**

(1) When a question is under debate, only the following motions shall be made:

(a) To adjourn

(b) To recess

(c) To lay on the table

(d) To move the previous question

- (e) To postpone to a certain day
- (f) To refer or rerefer
- (g) To amend
- (h) To postpone indefinitely
- (i) To withdraw a motion

(2) The motions listed in subsection (1) of this section shall have precedence in the order in which they are listed.

### **5.15 Undeatable Motions.**

- (1) The following motions are undeatable:
  - (a) To adjourn
  - (b) To recess
  - (c) To suspend the Rules
  - (d) To lay on the table
  - (e) To move the previous question
  - (f) To amend an undeatable motion
  - (g) To take from the table
- (2) All incidental questions shall be decided without debate.
- (3) An appeal to the committee chair or the President is undeatable, although the member making the appeal may state briefly the reason for the appeal, and the chair or the President may state briefly the rationale for the ruling.

### **5.17 Form of Previous Question.**

(1) The previous question shall be put in this form: “Shall the main question be now put?” The main question is the question immediately under consideration.

(2) The previous question shall only be admitted when demanded by a majority of the members present. Until it is decided, it shall preclude all amendments and further debate on the question, except for closing arguments.

### **5.20 Form of Question on a Motion.**

The question on a motion shall be put in this form:

“Those in favor say, ‘aye’” and after the response, “Those opposed say, ‘no’.”

### **5.25 Effect of Motion to Indefinitely Postpone.**

(1) When a measure or question has been indefinitely postponed, no further action on the measure or question shall be allowed in the same session of the Legislative Assembly. The vote is not subject to a motion for reconsideration.

(2) When the motion to indefinitely postpone a measure or question fails, the motion shall not be allowed again on the same day or at the same stage of the measure or question.

### **5.30 Division of the Question.**

(1) Any member may call for a division of a question if the question presents propositions so distinct in substance that if one is taken away, a substantive proposition remains for the decision of the Senate.

(2) The question of final passage or adoption of any measure is not subject to division.

### **5.40 Amendments from the Floor.**

No measure shall be amended on the floor unless unanimous consent is given and a written statement of the proposed amendment is filed with the Secretary of the Senate.

## **DEBATE AND DECORUM**

### **6.01 Decorum.**

(1) When a member is speaking, no one shall walk between the member and the rostrum. No one shall leave the chamber or hearing room in a manner disruptive of the proceedings. When the Senate is in daily session, or a hearing is being conducted, no one in the chamber, gallery or hearing room shall act in a manner disruptive of the proceedings.

(2) Laptop computers and hand-held electronic devices used as a computer may be used by members and staff in the Senate Chamber. Any device making an audible noise, including cellphones and computers that distract from the decorum of the Senate, is prohibited inside the bar of the Senate. Cellphone conversations may be conducted in the Senate phone booths at the back of the chamber.

### **6.05 Recognition of Members.**

When a member seeks to be recognized by the chair, the member shall use the electrical signal device at the member's desk, or the member shall rise and respectfully address the chair. Exceptions to this rule are:

- (a) When demanding a call of the Senate or a roll call.
- (b) When allowed to interrupt a speaker for one of the purposes listed in *Mason's Manual of Legislative Procedure*, section 92.

### **6.10 Conduct in Debate.**

(1) In speaking, a member must confine remarks to the question under debate and shall avoid personalities. A member may refer to the actions of a committee if such actions are relevant to the debate, but a member shall not impugn the motives of another Senate or House member's vote or argument.



- (2) In speaking, a member may address another member by using the appellation of Senator or the appellation of Senator and the member's district number or other description of the member's district.
- (3) A member's right to read from any paper or book as a part of a speech is subject to the will of the Senate. If any member objects to such reading, the matter shall be immediately put to a vote without debate.
- (4) No member is permitted to use audio or visual aids during debate unless unanimous consent has been granted.
- (5) No one other than a member may speak during debate.

#### **6.20 Questioning a Member.**

- (1) All questions asked of a member shall be addressed through the chair.
- (2) Members responding to a question shall confine remarks to the question only.

#### **6.25 Frequency with which Member may Speak.**

- (1) The mover of a motion or the member designated to carry a measure shall have the privilege of closing the debate on the motion or the measure.
- (2) Except as authorized by subsection (1) of this rule, no member shall speak more than once on any question until every member wishing to speak has spoken.
- (3) If a pending question is lost by reason of adjournment and is revived on the following session day, a member who has previously spoken on the question shall not be permitted to speak again until every member wishing to speak on the question has spoken.
- (4) No member may speak more than twice on any question.

### **6.30 Limitation on Duration of Debate.**

The following rules apply to the length of time a member shall have the floor in debate:

- (1) On the final passage of a measure, the chair of the committee reporting the measure, or a member designated by the chair, may speak for ten minutes. In the case of multiple carriers, each member may speak for five minutes. Other members may speak for five minutes.
- (2) On a motion to adopt or substitute a committee report, the member who moves the motion may speak for ten minutes. Other members may speak for five minutes.
- (3) The member closing debate on final passage or moving to adopt or substitute a committee report may speak for ten minutes. In the case of multiple carriers, one member shall be designated to close.
- (4) On other debatable motions, a member may speak for five minutes.
- (5) Any member may yield the time allowed under this rule to another member. However, no additional time may be yielded to a member closing debate.
- (6) When a member who has the floor asks a question of another member, the time used in answering shall be taken from the questioning member.

### **6.35 Call to Order.**

- (1) If a member transgresses the rules of the Senate, the President, or any member through the President, may call the member to order. Unless permitted by the President to explain, the member called to order shall be seated immediately.
- (2) The member who is called to order may appeal the ruling of the President. If the Senate decides the appeal in favor of the member, the member may proceed with the debate. If the Senate decides the appeal

against the member, the member may proceed “in order” or be liable to a motion of censure by the Senate.

#### **6.40 Discipline.**

If a member is called to order for words spoken in debate, the member objecting shall immediately repeat the words to which objection is taken and they shall be recorded in the journal. However, if any other member has spoken or other business has intervened after the words were spoken and before the objection was made, the member shall not be held answerable or subject to censure.

### **PRESIDING OFFICER**

#### **7.01 Election of Presiding Officer; *Pro Tempore* Presiding Officer.**

(1) During the Organizational Session under SR 2.50, the members of the Senate shall elect by a roll call vote a President of the Senate. A constitutional majority (16) is required to elect a President.

(2) During the Organizational Session under SR 2.50, the members shall also elect by a roll call vote a President *Pro Tempore* of the Senate. A constitutional majority (16) is required to elect a President *Pro Tempore*.

(3) The officers of the Senate for the Long Session, Short Session, and any special sessions shall be those elected during the Organizational Session under SR 2.50.

#### **7.05 Temporary Presiding Officer.**

(1) The President may designate a member other than the President *Pro Tempore* to act temporarily as the presiding officer. The designation shall not extend beyond adjournment on the day of the appointment. The member does not lose the right to vote while presiding. The President may resume the chair at his or her pleasure.

(2) If, at any time, the office of the President of the Senate becomes vacant, the President *Pro Tempore* shall become President until a new

President is elected. If, at any time, the office of the President *Pro Tempore* becomes vacant, the Senate shall elect a new President *Pro Tempore* at its next convening.

### **7.10 Duties of Presiding Officer.**

- (1) The President shall take the chair every day at the designated hour as provided in SR 3.05.
- (2) The President shall immediately call the members to order and have the roll called.
- (3) The President shall preside over deliberations of the Senate, preserve order and decorum and decide questions of order, subject to appeal by any two members.
- (4) The President shall have general control and direction of all Senate employees and all employees of the Legislative Assembly when they are in the Senate Chamber.
- (5) The President shall have control of the Senate Chamber and adjacent areas.

## **COMMITTEES**

### **8.05 Committee Appointments.**

- (1) The President shall establish standing committees to operate during the Long Session, interim committees to operate during the interim periods, and standing committees to operate during the Short Session. The President may establish special committees and conference committees. The Senate Committee on Conduct shall be approved by a majority vote of the Senate.
- (2) Members of all committees, and the chairs and vice-chairs thereof, shall be appointed by the President. This provision does not apply to the Senate Committee on Conduct.

(3) The President shall appoint members to other committees as necessary or as required by law.

(4) The President shall be an *ex officio* member of each committee and have the power to vote. As an *ex officio* member on committees the President does not increase the size of the respective committees, but is counted for purposes of a quorum. *Ex officio* membership does not increase the number of members required to provide a quorum. This provision does not apply to the Senate Committee on Conduct.

### **8.10 Committee Quorum; Rules.**

(1) A majority of the members appointed to a committee shall constitute a quorum for the transaction of business before the committee.

(2) Final action on a measure in committee shall be taken only on the affirmative vote of a majority of the membership.

(3) All committees shall be governed by committee rules adopted by a majority of committee members, the Senate Rules and *Mason's Manual of Legislative Procedure* and statute.

(4) An affirmative vote of a majority of the Senate members appointed to joint committees is required for final action.

### **8.15 Committee Meetings.**

(1) All committees shall meet at the call of the committee chair. The chair shall cause notice of the meeting to be given to the public, and notice of all committee meetings shall be made available electronically to all members. The chair may designate a time certain for an agenda item. The chair shall begin a time certain agenda item at the appointed time and accommodate witnesses wishing to testify to the extent practicable.

- (a) During the Long Session, written notice is to be posted outside the Senate Chamber at least 48 hours in advance of the meeting, except during the first week of session when notice for informational meetings is to be posted at least 24 hours in advance of the meeting only.

- (b) During the Short Session, any special session, and interim periods, written notice is to be posted outside the Senate Chamber at least 24 hours in advance of the meeting and, whenever possible, such meetings shall be announced on the floor while the Senate is in session.

(2) In the event that the committee does not complete the scheduled agenda, the items may be carried over to the next scheduled meeting with the following guidelines:

- (a) The measure must have been initially scheduled with the notice required under SR 8.15(1) (a) or (b).
- (b) The measure must be carried over for the same type of meeting.
- (c) The chair announces in committee the chair's intent to schedule the measure at the next meeting.
- (d) A revised agenda listing the measures that originally received the notice required under SR 8.15(1) (a) or (b) shall be posted as soon as possible following adjournment of the committee meeting.

(3) No committee shall meet during the time the Senate is in session without approval of the President.

(4) Committee meetings held at a time or place not provided for in the Joint Legislative Schedule require the advance approval of the President.

(5) Approval of the President must be obtained if the location of a meeting will require the expenditure of state monies for travel.

(6) Any meeting of a Senate committee held through the use of telephone or other electronic communication shall be conducted in accordance with SR 8.15.

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**8.16 Committee Meeting--less than the Notice Required under SR 8.15.**

When the President has reason to believe that adjournment *sine die* of the session is imminent, the President may invoke the following provisions by announcement from the rostrum during floor session:

Notwithstanding the provision of SR 8.15, the committee chair may call a meeting of a committee with less than the notice required under SR 8.15(1) (a) or (b) if, at least one hour prior to the meeting, notice is given to the Secretary of the Senate's Office and posted outside the Senate Chamber and in any other place reasonably designed to give notice to the public and interested persons. Whenever possible, such meetings shall be announced on the floor while the Senate is in session.

For the purpose of expediting the Short Session and any special session, committees may hold informational meetings on the first calendar day and the morning of the second calendar day of the Short Session and any special session, provided that, at least one hour prior to the meeting, notice is given to the Secretary of the Senate's Office and posted outside the Senate Chamber and in any other place reasonably designed to give notice to the public and interested persons.

**8.20 Committee Action Required.**

(1) Upon written request of a majority of committee members filed with the committee chair and the Secretary of the Senate, the chair shall order a hearing or work session on any measure in the possession of the committee. The hearing or work session shall be held only after notice as required by SR 8.15(1) or SR 8.16, if applicable, but shall be held within a reasonable time.

(2) The committee shall not report a measure to the floor of the Senate unless the written Legislative Counsel amendments accompanying the report have been approved by a majority of the members of the committee at a meeting called for that purpose.

(3) Except by a suspension of the rules by a two-thirds vote of the committee, a committee or joint committee may take action on a measure or amendment only after the full text of the measure or amendment has been made publicly available online for at least one hour.

### **8.25 Committee Meeting Records.**

(1) Except as provided in subsection (3) of this rule, each meeting of a committee or subcommittee shall be sound recorded. A recording log shall be maintained to provide reference to the sound recording. The recording log shall contain at least the following information:

- (a) Attendance of members and staff;
- (b) Names of all witnesses;
- (c) Recorded vote on all official actions;
- (d) Any announcements of conflicts of interest; and
- (e) References to the recording log, sufficient to serve as an index to the original sound recording.

(2) Testimony and exhibits submitted in writing shall be attached to the recording log and considered as part of the official record.

(3) A written summary of the committee's activities may be prepared in lieu of a sound recording when the committee conducts a tour, inspection, or other similar activity outside the Capitol; provided, however, that a sound recording and recording log must be made if any public hearing or work session is held.

## **REFERRAL OF MEASURES TO COMMITTEE**

### **8.40 Referral to Committee.**

(1) Within seven calendar days following First Reading of a measure, the President shall refer the measure to an appropriate committee and may refer it to not more than one additional committee. Any measure



appropriating money or requiring the expenditure of money may also be referred to the Joint Committee on Ways and Means. Subsequent referrals may occur before or after having been referred to and reported out of any other committee. The President may, at any time, rescind a subsequent referral.

(2) At the request of a committee reporting on a measure, the President may rescind or add a subsequent referral to another committee.

(3) The Secretary of the Senate shall publish and distribute to the members a current listing of measures referred. A list of measures referred shall be placed in the journal. The President may either announce the referral decisions or order the referrals made in accordance with the printed list.

#### **8.42 Withdrawing Measure from Committee.**

A measure, including one referred by the President to a joint committee, may be withdrawn from a committee by a motion to withdraw, and by the affirmative vote of a constitutional majority (16) of the members of the Senate.

#### **8.43 Motion to Refer or Rerefer.**

A measure may be referred or rereferred to committee either under Propositions and Motions or on Third Reading. An affirmative vote of a majority of those present is necessary for such referral or rereferral. A measure may be referred or rereferred with recommendations to a committee. These recommendations must be in writing and filed with the Secretary of the Senate before the vote is taken on the motion to refer with recommendations.

### **COMMITTEE REPORTS**

#### **8.50 Committee Reports.**

(1) All committee reports on measures shall be signed by the committee chair and shall comply with the following rules:

- (a) During the Long Session, committee reports on measures with no amendments must be submitted to the Secretary of the Senate on or before the third session day following final committee action on the measure.
  - (b) During the Long Session, committee reports on measures with amendments must be submitted to the Secretary of the Senate on or before the fifth session day following final committee action on the measure.
  - (c) During the Short Session and any special session, committee reports on all measures, with or without amendments, must be submitted to the Secretary of the Senate as soon as possible, but no later than the third session day following final committee action on the measure.
  - (d) When a committee requests a subsequent referral or requests a referral be rescinded, the request shall be in writing and accompany the committee report.
- (2) If a minority report is to be filed, notice must be given to the committee on the day the report was adopted. The minority report, together with the committee report, shall be filed jointly in accordance with SR 8.50(1) (a), (b) or (c).
- (3) All committee reports shall be filed in a manner prescribed by the Secretary of the Senate. Reports that are not in the proper form and style may be returned to the committee or corrected by the Secretary of the Senate and the President or their designees. Any substantive changes must be approved by the committee.
- (4) In reporting a measure out, a committee shall include in its report:
- (a) The measure in the form reported out.
  - (b) The recommendation of the committee.

- 
- (c) A staff measure summary for all measures except appropriation bills.
  - (d) A fiscal impact statement, if applicable, prepared by the Legislative Fiscal Officer for all measures except for concurrent resolutions of a congratulatory or memorial substance.
  - (e) A revenue impact statement, if applicable, prepared by the Legislative Revenue Officer for all measures except for concurrent resolutions of a congratulatory or memorial substance.
  - (f) Budget notes, if applicable, as adopted by a majority of the Committee on Ways and Means.
  - (g) Revenue notes, if applicable, as adopted by a majority of the Committee on Revenue.

### **8.52 Committee Reports--Read or Announced.**

- (1) At the discretion of the President, committee reports at the Senate Desk may be either read or announced under the proper order of business. If reports are announced, the Secretary of the Senate shall distribute to the members a summary of all reports and measures passed to the calendar.
- (2) The Secretary of the Senate shall cause the committee report to be entered in the measure history and journal.

### **8.55 Second Reading of Measures.**

- (1) Measures reported favorably without amendments and having no subsequent referral shall be placed on the Second Reading calendar for the same session day on which the report is read or announced.
- (2) Measures reported favorably with amendments and having no subsequent referral shall be placed on the Second Reading calendar for the same session day on which amendments are distributed.

**8.60 Dissents; Minority Reports.**

(1) Any member of a committee who dissents from the committee recommendations shall be listed in the committee report as not concurring. Upon request to the Secretary of the Senate before adjournment *sine die*, the names of members not concurring shall be recorded in the measure history and journal. No minority reports may be filed in joint committees.

(2) If a minority report, subscribed to by at least two members dissenting from the committee report, accompanies the committee report, both reports shall be filed jointly and the names of the members not concurring shall be recorded in the measure history and journal. On the session day next following distribution of amendments, it shall be in order under Propositions and Motions to move the adoption of the committee report and then to move that the minority report be substituted for the committee report. When action on the minority report is completed, the measure shall be read for the third time and considered immediately.

(3) No member of a committee may subscribe to more than one minority report respecting a given committee report.

(4) Committee members may subscribe to a minority report only if present during the committee meeting when action was taken.

(5) During the Short Session and any special session, and notwithstanding any committee rule to the contrary, members of the committee wishing to file a minority report must notify the chair or committee staff before adjournment of the committee meeting during which the action was taken, and the minority draft amendments must be requested from Legislative Counsel within one hour following the adjournment of the committee where notice was given. In order for staff to complete their work in an orderly and practical manner, the draft amendments shall be submitted to committee staff within an hour after receipt from Legislative Counsel.

**8.65 Without Recommendation.**

If a measure is reported without recommendation by a committee, the report shall be filed and the measure placed on the Second Reading

calendar for the same session day on which the report is read or announced, and on the Third Reading calendar in accordance with SR 8.80. If the measure has amendments, Second Reading shall occur on the same session day on which amendments are distributed. The measure shall be carried on the floor by the chief Senate sponsor, the committee chair, or committee member designated by the committee chair at the discretion of the committee chair.

### **8.70 Adverse Committee Report.**

- (1) When a measure is reported with a do not pass recommendation, the effect of the adoption of an adverse committee report is the indefinite postponement of the measure. A motion to adopt the report is required.
- (2) The Secretary of the Senate must notify, in writing, the President and the sponsors of the measure of an adverse report within 24 hours of receipt of the report by the Secretary of the Senate. No action shall be taken on any adverse report until 24 hours after the Secretary of the Senate has notified the President and the sponsors of the measure.

### **8.75 Germaneness.**

If, at any time after filing of a committee report, including a conference committee report, and before final action by the Senate on the measure, a member raises the question of the germaneness of the amendments, the President shall decide the question based on section 402 of *Mason's Manual of Legislative Procedure* and announce the decision from the rostrum.

### **8.80 Third Reading and Final Passage.**

- (1) Except as provided in SR 3.50, measures shall be placed on the calendar for Third Reading and final passage the next session day following Second Reading.
- (2) When a measure is reported favorably but with amendments, the amendments must be distributed before the measure comes up for Third Reading and final passage. The measure shall be placed on the calendar

for Third Reading and final passage on the session day following the day of distribution of the printed amendments.

(3) Upon the recommendation of the committee chair reporting a measure with amendments, the amendments shall be engrossed within the measure. If the measure is printed engrossed, it shall not be considered for final reading sooner than the session day following distribution of the printed engrossed measure unless the amendments have been distributed.

### **8.85 Order of Consideration for Final Passage.**

(1) When placed on the calendar for final passage, measures shall be considered in their numerical order. However, appropriation bills shall take precedence over all other bills from the same house of origin.

(2) Except as otherwise provided in these rules, no motion is required to adopt a committee report.

## **RECONSIDERATION**

### **10.01 Reconsideration.**

(1) A motion for reconsideration may be made by a member who voted on the prevailing side when:

(a) A measure or executive appointment has passed or been confirmed;

(b) A measure or executive appointment has failed to pass or has been denied;

(c) A non-procedural motion has been adopted; or

(d) A non-procedural motion is defeated.

A motion for reconsideration is not in order on a vote whereby a measure was indefinitely postponed.

- (2) Notice of intent to move for reconsideration must be given orally by the member who intends to move the motion. Notice must be given prior to adjournment on the day on which the vote to be reconsidered was taken.
- (3) A motion to reconsider may be debated together with the main question, if the subject of the main question is debatable.
- (4) During the Long Session, the motion to reconsider must be made on the day when the vote to be reconsidered was taken, or on the next session day. During the Short Session or any special session, the motion to reconsider must be made prior to adjournment on the day the vote to be reconsidered was taken.
- (5) A majority affirmative vote of those present and voting is required to reconsider a vote, including a measure requiring an otherwise constitutionally designated majority vote. There shall be only one reconsideration of any final vote even though this action reverses the previous action.

### **10.05 Transmitting Measures that may be Reconsidered.**

When a member has given notice of intention to move for reconsideration of the final vote passing a measure, the Secretary of the Senate shall not transmit that measure until a motion for reconsideration has been made or the time for making a motion has expired. However, if the measure subject to reconsideration was passed on what the President has reasonable cause to believe is one of the final days of the session, the President shall immediately put the motion for reconsideration before the Senate.

### **10.10 Recall of a Measure.**

In order to reconsider the vote on a measure no longer in possession of the Senate, a motion to recall the measure is in order. Measures originating in either the House or the Senate may be recalled from the Governor at any time prior to signing and filing of the measure by the Governor. A motion to request the return of a measure shall be acted upon immediately and without debate.

## **CONCURRENCE AND CONFERENCE**

**11.01 Vote to Concur in Amendments of other House.**

(1) Upon return to the Senate of a Senate measure that has been amended in the House, the vote to concur and repass the measure, or not to concur with the House amendments, shall not be taken:

- (a) Before the next session day after the message from the House has been read during the Long Session; or
- (b) Sooner than one hour after the message from the House has been read during the Short Session or any special session.

(2) A motion to concur and repass the measure, or not to concur with the House amendments, shall come under the order of business of Propositions and Motions and is not subject to referral to a committee.

(3) On the motion to concur and repass the measure, a roll call vote is required and a constitutional majority (16) is needed for concurrence and repassage, except in the case of a measure requiring an otherwise constitutionally designated majority vote.

(4) On a motion not to concur, the affirmative vote of a majority of the members present is needed. If the motion not to concur is adopted, the President shall appoint a conference committee.

(5) If a motion not to concur is defeated, the President shall immediately order a roll call vote on the question of concurrence and repassage of the measure.

(6) If the motion to concur and repass the measure is defeated, the President shall appoint a conference committee.

**11.05 Conference Committee.**

Upon receipt of a message from the House that it has failed to concur with Senate amendments to a House measure, the President shall appoint a conference committee of two or more members to represent the Senate and meet with a similar committee of the House. At least one member



appointed shall have served on the Senate committee that considered the measure. The President may request the committee chair to designate one of the members.

### **11.10 Authority of Conference Committee.**

- (1) The conference committee has authority to propose amendments only within the scope of the issue between the houses.
- (2) The Senate conferees shall meet with the House conferees as soon as is practicable after appointment. The time and place shall be agreed upon by a majority of all the conferees. The committee shall immediately notify the President and the Secretary of the Senate of the time and place of the meeting. The Secretary of the Senate shall immediately cause notice of the meeting to be given to the public and posted outside the Senate Chamber. Notice of the meeting shall be announced on the floor, if the Senate is in session.

### **11.15 Adoption of Conference Committee Report.**

- (1) If a majority of conference committee members of each house agree to an amendment, or otherwise resolve the issue between the houses, the report shall be filed with both houses. A majority of conferees from each house shall sign the report. A dissenting conferee may indicate that fact when signing the report.
- (2) No motion is required to adopt the conference committee report if repassage of the measure is not required. When repassage is required, a motion to adopt the conference committee report and repass the measure is necessary.
  - (a) During the Long Session, a motion shall not be made sooner than the next session day after the conference committee report has been distributed and then may be made at any time.
  - (b) During the Short Session and any special session, the motion shall not be made sooner than one hour after the conference

committee report has been distributed and then may be made at any time.

- (3) On the motion to adopt the conference committee report and repass the measure, a roll call vote is required and the affirmative vote of a constitutional majority (16) is needed, except in the case of a measure requiring an otherwise constitutionally designated majority vote.
- (4) If the motion to adopt the conference committee report and repass the measure fails, the President may appoint another conference committee.
- (5) On a motion to refuse to adopt the conference committee report, the affirmative vote of a majority of those present is needed. If the motion is adopted, the President may appoint a conference committee.
- (6) It shall not be in order to refer, rerefer or amend a conference committee report.
- (7) When the conference committee report concerns a measure that originated in the House, the Senate may take action in accordance with subsections (1) and (2) without waiting for action by the House.

### **11.20 Discharge of Conferees.**

- (1) If a majority of conference committee members cannot agree within a reasonable time, the Senate conferees shall advise the President of their inability to agree with the House conferees and request discharge. The President shall then discharge the Senate conferees and may appoint a new conference committee to represent the Senate.
- (2) If a conference committee does not report within a reasonable period of time after its appointment, the President may discharge the Senate conferees and appoint new conference committee members to represent the Senate.

## **SPONSORSHIP**

### **12.01 Sponsorship.**

- (1) Every measure introduced in the Senate shall bear the name of the chief sponsor(s) and shall comply with ORS 171.127.
- (2) When a measure is in the possession of the Senate, a member may be added to the measure as a sponsor after First Reading and prior to final consideration.
- (3) When a measure is in the possession of the Senate, the President may order the name of a sponsor deleted from a printed engrossed or enrolled measure if a sponsor requests in writing to have the name removed because it was placed on the measure by error or because the measure has been so substantially altered that the sponsor can no longer sponsor it. If the removal is so ordered, the name shall be removed from the list of sponsors at the next printing of the measure and from the measure history.
- (4) If removal of the sponsor's name leaves the measure without sponsorship, the name of the committee that reported the measure shall be named as sponsor.

### **12.02 Requester.**

- (1) Every measure introduced at the request of an individual, organization, state agency, or legislative interim committee shall indicate that it is introduced by request and identify the requester in accordance with ORS 171.127.
- (2) When the measure is in the possession of the Senate, the President may order the name of a requester added or deleted from a printed engrossed or enrolled measure if the chief sponsor or the requester asks in writing to have the name added or removed.
- (3) A requester's name may be removed because it was placed on the measure by error or because the measure has been so substantially altered that the requester can no longer support the measure.

(4) If the addition or removal is so ordered, the requester's name shall also be added or removed from the measure at the next printing and from the measure history.

### **12.03 Proposed Amendments.**

(1) Every proposed amendment shall bear the name of the member or committee that requested the proposed amendment. A member or committee may request that the proposed amendment state that the amendment is at the request of an individual, organization, state agency or local government.

(2) Notwithstanding subsection (1) of this rule, if the member or committee requesting the proposed amendment elects to omit from the proposed amendment the name of the requesting member or committee, the member or committee shall make the election in writing, and must state the name of the individual, organization, state agency or local government upon whose behalf the amendment was requested. The election must be filed with Legislative Counsel at the time the request for the proposed amendment is made. If an election is made and filed timely, the proposed amendment shall bear only the name of the individual, organization, state agency or local government upon whose behalf the amendment was requested.

### **12.05 Committee Sponsorship.**

Any measure to be sponsored by a committee must be approved for such sponsorship by a majority of the committee members and must be signed by the committee chair.

## **INTRODUCTION OF MEASURES**

### **13.01 Requirements for Presentation of Measures for Introduction; Bill backs.**

(1) The sponsor of a measure for introduction shall present to the Secretary of the Senate one copy of the measure, which has a bill back initialed by the sponsor(s). Such presentation may be made only by a member, authorized staff of a member or, in the case of a committee, by

the chair or authorized committee staff. The Secretary of the Senate or a person authorized by the Secretary of the Senate shall, upon request, provide a time-dated receipt to the person presenting the measure.

- (2) A copy of the measure designated as the original shall be placed in the original measure folder. Copies of all amendments and reports and a record of all actions on the measure shall be maintained with the original measure folder.
- (3) Immediately after presentation to the Secretary of the Senate, the measure shall be sent to Legislative Counsel for examination and compliance with the “Form and Style Manual for Legislative Measures” and preparation of a copy for the State Printer. No corrections that might affect the substance of the measure shall be made without the consent of the sponsor of the measure.

(4) All measure drafting requests from Legislative Counsel and measures introduced during the Special Session must be approved by the President.

### **13.02 Measure Summary.**

- (1) No measure shall be accepted by the Secretary of the Senate for introduction without an impartial summary of the measure’s content, describing new law and changes in existing law proposed by the measure. Any measure presented to the Secretary of the Senate that does not comply with this requirement shall be returned to the member or committee that presented it.
- (2) The summary may be edited by Legislative Counsel and must be printed on the first page of the measure. The summaries of measures may be compiled and published by the appropriate legislative agency.
- (3) If a material error in a printed summary is brought to the attention of Legislative Counsel, Counsel shall cause a corrected summary to be prepared that shows the changes made in the summary. Changes shall be shown in the same manner as amendments to existing law are shown. Counsel shall deliver the corrected summary to the Secretary of the

Senate. The President may order the corrected summary distributed as directed by the Secretary of the Senate.

(4) When a measure is amended, Legislative Counsel shall prepare an amended summary. The amended summary may be a part of the amendment. The summary shall be amended to show proposed changes in the measure in the same manner as amendments to existing law are shown.

(5) All summaries must comply with ORS 171.134.

### **13.08 Introduction of Agency Bills during the Long Session.**

A state agency that did not file a measure prior to the Long Session pursuant to ORS 171.130 may request, in writing, to have the measure introduced during the Long Session by submitting the measure to the Senate Committee on Rules. If the committee concludes that the agency's reason for not filing the measure under ORS 171.130 is adequate, the committee may introduce the measure as a committee measure or with whatever other sponsorship is requested.

### **13.11 Confidentiality; Consolidation of Requests.**

(1) A member may designate that a request for measure drafting services be treated as confidential in accordance with ORS 173.230. Requests from a committee may not be treated confidentially.

(2) Whenever a request is made for measure drafting services, Legislative Counsel shall inform the requester of all non-confidential requests for similar measures and attempt to consolidate all such requests in one measure. Legislative Counsel shall also inform requesters of confidential drafts when similar but non-confidential requests are made. This will be done in order to determine whether the requester wishes to consolidate the confidential request with similar but non-confidential requests.

### **13.15 Deadline on Drafting Requests and Introductions during the Long Session.**

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- (1) Except as provided in subsection (2) of this rule, the following deadlines apply to drafting requests and introductions during the Long Session:
- (a) Senate members or committees may submit drafting requests to the Legislative Counsel without limitation until 5:00 p.m. on January 18, 2019.
  - (b) Legislative Counsel shall return all such drafts by 5:00 p.m. on February 22, 2019.
  - (c) Measures must be filed for introduction with the Secretary of the Senate no later than 5:00 p.m. on February 26, 2019.
- (2) The deadlines in subsection (1) of this rule do not apply as follows:
- (a) Every Senate member is entitled to five drafting requests and five measure introductions after the deadlines in subsection (1) of this rule.
  - (b) Every Senate committee is entitled to four drafting requests and four measure introductions after the deadlines in subsection (1) of this rule, of which the committee chair is allowed two drafting requests and the committee chair and vice-chair in agreement are allowed two drafting requests.
  - (c) As determined by the caucus leader, each caucus shall be entitled to two drafting requests and two measure introductions after the deadlines in subsection (1) of this rule.
  - (d) Appropriation or fiscal measures approved for drafting by the Joint Committee on Ways and Means are not subject to the deadlines in subsection (1) of this rule.
  - (e) The President may approve member or committee proposals for drafting and introduction after the deadlines in subsection (1) of this rule.

- (3) Every measure requested under subsection (2) of this rule must be presented to the Secretary of the Senate for introduction within seven session days after delivery of the measure to the member, caucus, or committee by the Legislative Counsel.
- (4) All measures introduced by a member, caucus, or committee at any time under this rule shall be referred to committee as provided in SR 8.40, and any chamber posting or work session deadlines affecting the committee receiving the measure shall apply.
- (5) Nothing in this rule prohibits Legislative Counsel from providing drafting services for amendments to measures at the request of a member or a committee.
- (6) For the Short Session, all drafting requests and measure introductions are governed by SIR 213.20, SIR 213.21, and the applicable concurrent resolution adopted by the 80<sup>th</sup> Legislative Assembly.

## **PUBLICATIONS AND RECORDS**

### **14.01 Journal; Measure History.**

- (1) The Senate shall cause a journal of its proceedings to be maintained. The journal shall contain a full, true and correct chronological record of all proceedings of the Senate.
- (2) The Senate shall cause a measure history to be composed daily during regular and any special sessions of the Legislative Assembly. The measure history shall be posted on the Oregon Legislative Information System. The measures shall be listed in numerical order and shall contain the title, sponsor and a history of actions taken in each house.
- (3) The President may direct publication of measure history on a weekly cumulative basis.

### **14.03 Senate Records.**

- (1) As used in this rule, "Senate record" means a measure or amendment of a measure, a document, book, paper, photograph, sound



recording or other material produced by the Senate, a Senate committee or staff member, in connection with the exercise of legislative or investigatory functions, but does not include the record of an official act of the Legislative Assembly kept by the Secretary of State under section 2, Article VI of the Oregon Constitution.

- (2) Subject to the needs of Senate members and Senate staff in the performance of official duties, Senate records in the possession of the Senate shall be available for public inspection, subject to such requirements as may be imposed by the President to ensure their safety.
- (3) Sound recordings shall be made of every floor session of the Senate and be kept in the custody and control of the Secretary of the Senate. Sound recordings shall be made of every committee meeting and be kept in the custody and control of the Legislative Administrator.
- (4) A Senate committee or Senate staff member having possession of Senate records that are not required for the regular performance of official duties shall, within 10 calendar days after the adjournment *sine die* of the session, deliver all such Senate records to the Legislative Administrator.
- (5) Senate records shall not be loaned except to staff of the Legislative Assembly who require access to such records in the performance of official duties. Arrangements for having records copied may be made and an appropriate fee to meet costs may be imposed. All monies collected under this rule shall be promptly turned over to the Legislative Administrator or designee.

#### **14.05 Other Legislative Publications.**

- (1) Unless otherwise directed by resolution, the President is authorized to implement the powers vested in the Senate by ORS 171.206.
- (2) All orders for printing and distribution of publications printed for the Senate, except those publications the printing or distribution of which are governed specifically by statute or otherwise, shall be signed by the President or by a designee.

#### **14.08 Records Retention.**

- (1) Except as provided in subsection (2) of this rule, records of members of the Senate and their legislative assistants that contain information relating to the conduct of the public's business must be retained for one year after the records are created.
- (2) The following paragraphs are exceptions to subsection (1) of this rule.
  - (a) A member of the Senate must retain notices of amounts of expenses required by ORS 244.100 for five years.
  - (b) A member of the Senate must retain documents in support of statements of economic interest required by ORS 244.050 for five years.
  - (c) A member of the Senate must retain relevant documents that are in the member's possession when the member receives a public records request, or a request for discovery of records issued in a court or administrative proceeding, until the request for records is resolved.
  - (d) Ephemeral communications including, but not limited to, voicemail, text messages and instant messages, are not required to be retained.
- (3) A member of the Senate or legislative assistant may, at any time, deliver records required to be retained under this rule to the Legislative Administrator. A person who ceases to be a member of the Legislative Assembly shall deliver records under subsection (2) of this rule to the Legislative Administrator within 60 calendar days after the member ceases to be a member. Records delivered to the Legislative Administrator under this rule must identify the person delivering the records and specify the date on which the records may be destroyed.
- (4) In order to ensure consistent and timely compliance with the disclosure provisions of the Public Records Law, a member of the Senate may designate the Legislative Administrator to receive public records requests on their behalf. The Legislative Administrator then will assist the

member in preparing responses to requests. Regardless of whether or not a member has designated the Legislative Administrator to receive their public records requests, the member may request assistance from the Legislative Administrator or Legislative Counsel in responding to public records requests at any time.

(5) This rule applies to all records of members of the Senate and legislative assistants, whether created before, on or after the effective date of this rule.

#### **14.10 Distribution of Legislative Publications.**

(1) In implementation of ORS 171.206, and for the proper functioning of the Senate, the Secretary of the Senate shall order from the Legislative Administrator a sufficient number of copies of all publications printed for either house of the Legislative Assembly.

(2) Mailings of legislative publications requested by members shall not be made to any person who is a lobbyist, as defined in ORS 171.725.

#### **14.15 Fact-Finding Mission Applications; Records.**

The following provisions govern whether fact-finding missions will be officially sanctioned under ORS 244.020(7)(b)(H)(i) if the expense per member is estimated to exceed \$50:

(1) An application must be submitted to the Secretary of the Senate no later than 14 calendar days before the start of the mission, unless as determined by the Secretary good cause exists for submitting the application after the deadline. The Secretary shall prepare an application form to collect information required by the Secretary. The application must include the following information as an attachment:

- (a) A written opinion from the Oregon Government Ethics Commission concluding that the event is a permitted fact-finding mission under ORS 244.020(7)(b)(H)(i) and the rules of the commission; and

- (b) A written itinerary or agenda for all scheduled meetings, events, presenters, meals, travel, lodging, or other activities planned during the mission.

(2) Applications will be approved by the Secretary of the Senate only if the applicant provides all the information required under subsection (1) of this rule and also attests in writing that:

- (a) The mission is limited to a factual investigation or other educational purposes; and
- (b) The mission is not conducted for campaign or partisan political purposes.

(3) During a fact-finding mission, members may not deliberate if a quorum of a committee or task force is present.

(4) No later than 30 calendar days after the completion of the mission, the applicant must submit to the Secretary of the Senate the following:

- (a) An attendance sheet listing all Senators, staff, relatives, household members, lobbyists, and all others who participated in the mission.
- (b) The aggregate value of food, travel, and lodging expenses provided to each Senator, staff member, relative, and household member of the Senator. The aggregate value of expenses for each person shall be determined in the same manner as required by the Oregon Government Ethics Commission for disclosure on a Statement of Economic Interest under ORS 244.060(6).
- (c) Written confirmation that the mission was conducted substantially according to the itinerary or agenda submitted with the application and, if the mission varied materially from the submitted itinerary or agenda, a written account describing the material variations.

(5) Failure to submit the information required under subsection (4) of this rule within 30 calendar days after completion of the mission will result in an automatic denial of all future applications submitted by the applicant and the person or entity identified in the application as paying expenses.

(6) All approved applications shall be posted promptly on the Secretary of the Senate's webpage, and all required information submitted under this rule shall be posted promptly on the Secretary of the Senate's webpage.

#### **14.20 Legislative Newsletters.**

(1) Each member may issue legislative newsletters or other informational material to constituents. Costs for newsletters and informational material may be billed to the member's individual expense account. Such newsletters or other informational material charged in whole or in part against a member's individual expense account may be distributed at any time during a member's term with the following exceptions:

- (a) The period commencing 60 calendar days before the primary election until the day following the election if the member is a candidate for election or reelection at the primary election.
- (b) The period commencing 60 calendar days before the regular general election until the day following the election if the member is a candidate for election or reelection at the general election.

(2) As used in this rule "legislative newsletter" and "informational material" means material suitable for distribution to members of the public informing them of official activities of a legislator or actions occurring before the Legislative Assembly or its committees or affecting its activities when such material is not campaign material and does not serve partisan political purposes. The following paragraphs explain in detail acceptable and unacceptable mailings:

- (a) **Press Releases:** Members may issue press releases to members of the news media (as well as other legislators, Capitol staff,

the lobby, etc.) during the 60-day window; however, copies may not be distributed directly to a list of constituents or be posted on members' legislative websites (or even on an external website), if the press release was produced with a state computer or by staff on state time.

- (b) **Legislative E-Mail:** Members may not send electronic publications like electronic newsletters, press releases, town hall meeting notices, or other e-mail to a list of constituents from legislative e-mail accounts (or even from personal e-mail accounts, if the material was produced with a state computer or by staff on state time) during the 60-day window. Members may, however, respond to inquiries from individual constituents.
  
- (c) **Legislative Website:** Members may not post copies of newsletters, press releases, town hall meeting notices, or other materials to legislative websites during the 60-day window. Materials posted prior to the deadline do not need to be removed; however, such materials may not be revised during the 60-day window. Members may not communicate broadly by any media (including a link on any external website) urging members of the public to visit the legislative website. It is permissible, however, if the legislative website address appears on state business cards or state stationery.
  
- (d) **Town Hall Meetings & Other Meetings With Groups Of Constituents:** Members may not spend state funds or use staff on state time to advertise a town hall meeting or other meeting with a group of constituents that takes place during the 60-day window, even if the expenditure occurs prior to the deadline in accordance with SR 14.20(1). Members may not distribute a written handout at a town hall meeting or other meeting with a group of constituents that takes place during the 60-day window, if the handout was prepared by staff on state time, even if they completed their work on the handout prior to the deadline in accordance with SR 14.20(1). Handouts produced by other legislative offices or other government agencies are permissible. State business cards may be made available at a

town hall meeting or other meeting with a group of constituents during the 60-day window.

- (3) As used in this rule “distributed” means that the legislative newsletter or informational material has left the possession and control of the member.

## **OFFICERS; PERSONNEL**

### **15.01 Secretary of the Senate; Election and Duties.**

(1) The members shall elect a Secretary of the Senate who shall be considered an officer of the Senate and shall serve at its pleasure until the convening of the next Organizational Session of the Legislative Assembly. In the event the office becomes vacant at a time when the Senate is not in session, the President may appoint an acting Secretary of the Senate to serve until the next regular or special session or meeting of the Senate to consider executive appointments, at which time the members shall elect a Secretary of the Senate.

(2) Under the direction of the President, the Secretary of the Senate, in addition to performing those duties provided by law or other provisions of these rules, shall:

- (a) Authorize and supervise the preparation and distribution of all measures, measure history, status reports, journals and related publications of the Senate.
- (b) Be responsible for the keeping of the measures, papers and records of the proceedings and actions of the Senate and have charge of the publications and distribution of publications related thereto.
- (c) Instruct and supervise staff of Senate committees in the preparation of official Senate records.
- (d) Provide receipts for documents transmitted to the Senate and take receipts from persons, including Senate committees, receiving documents from the Senate.

- (e) Serve as parliamentarian for the Senate.
- (f) Instruct and supervise Senate employees engaged in carrying out the duties described in paragraphs (a), (b) and (c) herein, and employees, other than members' personal staff, assigned to duties in or related to the chamber area.

### **15.02 Sergeant at Arms; Appointment and Duties.**

- (1) The Secretary of the Senate, in consultation with the President, shall appoint a Sergeant at Arms.
- (2) Under direction of the President and the Secretary, the Sergeant at Arms, assisted by Capitol Executive Security when directed by the President or Secretary, shall maintain order in the chamber and other areas assigned to the Senate and perform such other duties as the President or Secretary may direct. The Sergeant at Arms shall permit such ingress and egress to the chamber during sessions as may be directed by the President or Secretary or allowed by the rules.

### **15.04 Senate Desk and Floor Personnel.**

- (1) The Secretary of the Senate, in consultation with the President of the Senate, shall appoint Senate Desk staff, floor personnel and receptionists as necessary to conduct the business of the Senate and in accordance with the current Legislative Assembly budget.
- (2) Personnel assigned to the Senate Desk and the Senate floor, including receptionists, shall perform duties as directed by the Secretary of the Senate and the President.

### **15.05 Other Personnel.**

- (1) Subject to the provisions of this rule, a member may appoint personal staff for a session or the interim or both, according to the allowance provided in the current Legislative Assembly budget.



(a) A member shall establish salaries payable to persons appointed under subsection (1) of this rule and in accordance with the policies and procedures as adopted by the Legislative Assembly. Compensation must be no less than the State of Oregon minimum wage at full-time. Employee benefits shall be determined by Legislative Administration.

(b) If a member has a balance in the member's staff allowance account at adjournment *sine die* of the preceding regular session, the member may use the balance during the interim for personnel or for legislative newsletters or other informational material.

(2) The caucus leaders may each appoint such staff as is necessary to conduct the business of the caucus as provided in the current Legislative Assembly budget.

(3) The President may appoint such staff as is necessary to perform the duties of the offices of the President or to assist the Senate.

(4) In consultation with each committee chair, the President may appoint a committee analyst or counsel and committee assistant to conduct the business of the committee and, in accordance with the current Legislative Administration budget, may appoint other personnel as determined necessary for the proper operation of the committee.

(5) Employees of the Senate serve at the pleasure of the appointing authority and shall be appointed or dismissed by written notice thereof to the Legislative Administrator.

(6) The time of service for all employees begins on the date contained in their letter of appointment, which shall be filed with the Legislative Administrator's office.

(7) To maintain professionalism in the legislative process, dress code policies may be established for positions that support decorum and protocol of the Senate.

### **15.10 Salaries.**

All salaries for Senate employees shall be reported in the Senate journal.

### **15.20 Expense Allowance.**

(1) During the Long Session for the 80<sup>th</sup> Legislative Assembly, each member has an allowance of \$60,888 for personal staff as defined in SR 15.05, services and supplies as defined in SR 16.01, and legislative newsletters as defined in SR 14.20.

(2) During the interim periods and the Short Session for the 80<sup>th</sup> Legislative Assembly, each member has an allowance of \$101,090 for personal staff as defined in SR 15.05, services and supplies as defined in SR 16.01, and legislative newsletters as defined in SR 14.20.

## **SERVICES AND SUPPLIES**

### **16.01 Office Supplies, Stationery and Equipment.**

(1) The Legislative Administrator shall issue office supplies directly to Senate members and staff in accordance with the Rules of the Senate and policies of the Legislative Administration Committee. Members and staff shall comply with ORS 171.136.

(2) New members will receive a one-time allowance of \$200 for start-up expenses, in addition to an allocation from funds available in the legislative branch budget as determined by the Senate President. The costs of requisitioned services and supplies shall be charged against the member's individual services and supplies account. Monthly reports of the status of the member's services and supplies accounts shall be provided to each member.

(3) Services and supplies that may be obtained under this rule include:

(a) Postage (all classes);

(b) Subscriptions to newspapers and periodicals;

(c) Office supplies;

- (d) Copying, facsimile charges;
- (e) Newsletter printing, postage and labels; and
- (f) Any other service or supply authorized by the President.

(4) All orders for stationery and printing may be placed with the Secretary of the Senate.

(5) Each member's office in the Capitol and committee office in the Capitol shall be provided with office furniture and equipment necessary to assist in the conduct of Senate business. Requests for additional furniture or equipment shall be placed with the President.

(6) Any amount remaining unexpended or unobligated in the member's individual services and supplies account upon adjournment *sine die* of the preceding regular session may be used during the interim for the following:

- (a) Postage (all classes);
- (b) Office supplies;
- (c) Copying, facsimile charges;
- (d) Newsletter printing, postage and labels;
- (e) Interim staff; and
- (f) Any other service or supply authorized by the Senate President.

(7) Except as provided in this subsection, out-of-state travel for legislative business must be pre-approved by the President. Pre-approval is not required for meetings of organizations for which the Legislature provides dues or approves member payment of dues. Pre-approval is not required for official meetings of organizations in which member participation is identified in statute and where the member has been officially appointed to the organization by the President. For other out-of-

state travel, members must submit appropriate documentation prior to travel such as a letter of invitation, conference agenda or completed registration form. Itemized receipts must be submitted for reimbursement upon completion of travel. Unless a member is a part of an official state-organized delegation, no out-of-country travel will be reimbursed.

(8) Any member who spends in excess of the allowance provided under these rules shall reimburse the Legislative Assembly for the overdraft.

### **16.02 Assembly Transition.**

Those members not returning to serve in the next Long Session shall have until December 10<sup>th</sup> of the even-numbered year, or until the Friday immediately following the last set of Legislative Days in an even-numbered year, whichever is later, to vacate their office space in the Capitol.

### **16.05 Requests for Attorney General Opinions.**

Requests for opinions from the Attorney General require approval of the President as a necessary condition for authorizing payment from legislative funds. This rule takes precedence over subsection (2) of ORS 180.060. Legislative Counsel shall provide legal advice and opinions to the members of the Senate without prior approval of the President.

## **PRIVILEGES**

### **17.01 Floor Privileges.**

(1) When the Senate is in session, no person shall be permitted within the bar except:

- (a) Members of the Senate;
- (b) Desk and floor personnel of the Senate;
- (c) Members of the House of Representatives;
- (d) Accredited representatives of the news media;

(e) Staff of the Senate President's office and caucus offices; and

~~(f) One member of a senator's personal staff or a member of the staff of a Senate committee may be seated at a member's desk. Additional Senate staff members are permitted on the side aisles.~~

(f) Staff, personnel, and media access to the floor may be limited during a public health emergency.

(2) Courtesies of the floor may be extended only to special dignitaries, former members of the Legislative Assembly and members of the family of a member to whom courtesies of the floor have been extended in accordance with policies as set by the President. Courtesies shall not be extended to any former member who is a lobbyist.

(3) No person who is a lobbyist as defined in ORS 171.725 shall be permitted in the Senate Chamber area during its daily session. Any person transgressing this subsection shall be removed from the chamber area and shall be subject to the penalties provided by law for violation of lobbying regulations. Notes from a lobbyist are prohibited while the Senate is in daily floor session.

(4) Admission to the side aisles beyond the bar shall be reserved for the families and guests of members of the Senate, local and state elected officials and such other persons as may be authorized by the President. However, the privilege shall not be granted to any person actively engaged in seeking the passage or defeat of any measure, except during consideration of Concurrent Resolutions as may be authorized by the President.

(5) No food, beverage other than water, or smoking is permitted on the side aisles or within the bar.

(6) While the Senate is in daily session, the center aisle of the floor shall be kept clear of all persons, except members and the Secretary of the Senate or someone acting under the direction of the Secretary of the Senate and conducting the business of the Senate. Access to the chamber during a daily session shall be by the side doors and side aisles.

(7) Beginning 15 minutes before the opening of each session and ending 15 minutes after the session, no person shall be permitted in the chamber area except those authorized to be in the chamber under this rule.

### **17.02 Accreditation of News Media.**

(1) To be accredited and receive privileges of the floor, news media shall register with the Oregon Legislative Correspondents Association and be approved by the Secretary of the Senate. The Secretary of the Senate shall provide a list of accredited news media representatives to the Offices of the President of the Senate, the Majority Leader and the Minority Leader. However, any representative of the news media who is attending the session as a lobbyist, as defined in ORS 171.725, shall not be entitled to accreditation or the privileges of the floor.

(2) Accredited representatives of the news media may use still cameras on the side aisles. The use of motion picture or television cameras in the chamber, or still cameras within the bar, may be permitted by the President. The Secretary of the Senate shall provide adequate camera locations for accredited representatives of the news media in the Senate gallery. Personnel of Legislative Media Services are subject to this rule.

### **17.03 Distribution of Materials on or to ~~on~~ Floor.**

(1) No materials on any measure that is on the Third Reading calendar or on the agenda may be distributed on or to the floor except materials prepared for, or by, a member of the Senate.

(2) No anonymous material shall be distributed to members on the floor at any time. A copy of any material distributed to members' desks must be filed with the Secretary of the Senate prior to distribution.

(3) Nothing in the rule prohibits a member from requesting and receiving specific material delivered by legislative staff.

(4) The Secretary of the Senate shall enforce this rule.

(5) Distribution of materials to the floor may be limited to electronic distribution during a public health emergency.

### **17.05 Lounge Privileges.**

The lounge is for the convenience of senators. Supervision, operation and use of the Senate Lounge shall be directed through agreement of the caucus leaders and implemented by the Secretary of the Senate.

## **PERSONNEL AND CONTRACTING RULES**

### **18.01 Legislative Branch Personnel and Contracting Rules.**

(1) The Legislative Branch Personnel Rules, as adopted by the Senate on January 14, 2019 and amended on June 29, 2019 are incorporated into the Senate Rules by this reference as rules of proceeding of the Senate.

(2) The Legislative Branch Contracting Rules, as adopted by the Legislative Administration Committee on January 15, 2016, are incorporated into the Senate Rules by this reference as rules of proceeding of the Senate.

(3) The Legislative Branch Personnel Rules and Legislative Branch Contracting Rules apply to the nonpartisan offices of the legislative branch when both the Senate and the House of Representatives adopt the personnel rules and contracting rules.

## **EXECUTIVE APPOINTMENTS**

### **19.10 Referral to Committee.**

Following reading of the message from the Governor appointing a person to a position or office requiring confirmation by the Senate, the President shall refer the appointment to an appropriate committee and may refer it to not more than one additional committee. The committee shall consider the appointment as soon as practicable.

**19.20 Committee Review of Appointees.**

(1) All persons initially appointed to boards, commissions or agencies, subject to the provisions of section 4, Article III of the Oregon Constitution, shall appear before the appropriate Senate committee prior to confirmation by the Senate.

(2) The chair of the executive appointments committee, with the consent of the President of the Senate and a majority of the committee members, may waive appearance before the committee of persons appointed by the Governor.

**19.35 Committee Action.**

(1) The committee may, after public hearing, take action on the appointment and promptly file the report with the Secretary of the Senate. On final action the committee shall recommend that:

- (a) The Senate confirm;
- (b) The Senate confirm *en bloc*;
- (c) The Senate refuse to confirm; or
- (d) The appointment be reported to the Senate without recommendation.

**19.40 Additional Time for Consideration.**

(1) If any appointment submitted by the Governor and subject to Senate confirmation is submitted too late for the Senate to review the recommendation of the committee or otherwise consider the appointment, that appointment shall be carried over to the next convening of the Senate as required by section 4, Article III of the Oregon Constitution and ORS 171.562 and 171.565.

(2) The proposed appointment shall not be considered rejected, or confirmation denied, if the appointment is carried over. The action of



carrying over consideration of the appointment shall be duly recorded in the journal.

### **19.55 Consideration of Committee Reports.**

- (1) Action on a committee report recommending Senate confirmation shall be placed on the calendar for the session day immediately following reading or distribution of the report during the Long Session, or as soon as possible following reading or distribution of the report during the Short Session.
- (2) If the committee recommendation is to refuse to confirm or no recommendation, action on the report shall take place on the second session day after the session day the report is read or distributed during the Long Session, or as soon as possible following reading or distribution of the report during the Short Session.
- (3) The vote on confirmation shall be taken by roll call. The affirmative vote of a constitutional majority (16) is necessary for confirmation.

### **19.60 Confirmation *En Bloc*.**

- (1) If a committee reports on nominees *en bloc*, the report shall be placed on the calendar for confirmation the next session day after reading or distribution of the list of appointments during the Long Session, or as soon as possible following reading or distribution of the list of appointments during the Short Session.
- (2) The motion to recommend a list of multiple boards and commissions to the full Senate is in order. Individuals whose appearance before the committee has been waived under SR 19.20, may be considered *en bloc* upon recommendation of the committee.
- (3) Any member may require a separate vote by requesting that an appointee be considered separately. The request shall be submitted in writing to the Secretary of the Senate one hour before the session on the

day that the confirmation is on the calendar. The request will be announced at the appropriate time and the appointee considered separately from the *en bloc* vote.

## Appendix A

### INTERIM RULES OF THE SENATE 80<sup>th</sup> LEGISLATIVE ASSEMBLY

#### **202.01 Use of *Mason's Manual of Legislative Procedure*.**

*Mason's Manual of Legislative Procedure* shall apply to cases not provided for by the Oregon Constitution, the Senate Rules, custom of the Senate or statute.

#### **203.05 Session Hour; Deliberations Open.**

- (1) The Senate shall meet at the call of the President, or when requested by a constitutional majority (16) of the members.
- (2) All deliberations of the Senate and its committees shall be open to the public. However, nothing in this provision limits the procedures used for a call of the Senate. This provision does not prohibit clearing the gallery in the event of a disturbance, during which time the Senate shall be in recess.

#### **203.11 Interim Meetings.**

When the full Senate meets to consider executive appointments and other interim business, it shall not be considered to be in regular or special legislative session or meeting as a committee of the whole.

## VOTING

#### **203.15 Roll Call.**

- (1) A roll call vote of “ayes” and “nays” shall be taken.
- (2) Upon the demand of two members, a roll call vote shall be taken and recorded on any question.
- (3) If the presiding officer is in doubt on an oral vote, the presiding officer shall order a roll call vote.

(4) The vote on confirmation shall be taken by roll call. The affirmative vote of a constitutional majority (16) is necessary for Senate confirmation of executive appointments.

## **ORDER OF BUSINESS**

### **204.01 Order of Business.**

- (1) The general order of business shall be:
  - (a) Roll Call
  - (b) Honors to the Colors and the Pledge of Allegiance
  - (c) Invocation
  - (d) Courtesies of the Senate
  - (e) Remonstrances
  - (f) Reports from Committees
  - (g) Propositions and Motions
  - (h) Action on Executive Appointments Requiring Senate Confirmation
  - (i) Reading of Senate Memorials and Resolutions
  - (j) Other Business of the Senate
  - (k) Announcements
- (2) Messages from the Governor may be read at any time. Courtesies may be extended at any time.
- (3) Questions relating to the priority of business shall be decided without debate.

(4) The general order of business shall not be varied except upon suspension of the rules. However, any subject before the Senate may be made a special order of business by the vote of a majority of the members present. When the appropriate time for consideration of the subject arrives, the Senate shall take up the subject.

## **PRESIDING OFFICER**

### **207.01 Presiding Officer; Other Officers.**

The officers of the Senate during the interim shall be those elected by the Senate for the 80<sup>th</sup> Legislative Assembly under SR 7.01 and 15.01.

## **COMMITTEES**

### **208.01 Names of Committees.**

(1) The President shall establish interim committees, including a Committee on Rules and Executive Appointments; provided, however, the Committee on Rules and Executive Appointments shall have at least five, but not more than 11 members.

(2) The President may appoint special committees. Referral of executive appointments to special committees requires approval of a majority of the members of the Senate.

## **EXECUTIVE APPOINTMENTS**

### **209.15 Transmittal of Executive Appointments.**

(1) Upon receipt of a message from the Governor appointing a person to a position or office requiring the confirmation by the Senate, the Secretary of the Senate shall transmit the message to the chair of the Committee on Rules and Executive Appointments.

(2) A summary list of executive appointments received by the Secretary of the Senate and transmitted to committee shall be distributed to members at least 72 hours in advance of the scheduled convening of the Senate.

### **209.20 Committee Review of Appointees.**

The chair of the Committee on Rules and Executive Appointments, with the consent of the President of the Senate and a majority of the committee members, may waive appearance before the committee of persons appointed by the Governor.

### **209.35 Committee Action Required.**

(1) The committee shall, after public hearing, take action on the appointment and promptly file its report with the Secretary of the Senate. The committee shall recommend that:

- (a) The Senate confirm;
- (b) The Senate confirm *en bloc*;
- (c) The Senate refuse to confirm;
- (d) Report the appointment to the Senate without recommendation;  
or
- (e) Report that no final action was taken and that the appointment shall be carried over.

(2) The committee may include material in its report that the committee deems appropriate.

### **209.40 Additional Time for Consideration.**

(1) If any appointment submitted by the Governor and subject to Senate confirmation does not receive final action by the committee, the appointment shall be carried over to the next convening of the Senate or shall be considered at the next special session.

(2) The proposed appointment shall not be considered rejected or confirmation denied if the appointment is carried over. The action of carrying over consideration of the appointment shall be recorded in the journal.

### **209.45 Dissents.**

Any member of the committee who dissents from the committee recommendation shall be listed in the committee report as not concurring therein. Upon request before adjournment of the Senate's meeting to consider executive appointments, the names of the members not concurring shall be recorded in the journal and measure history.

## **ACTION ON COMMITTEE REPORTS**

### **209.50 Reading of Committee Reports.**

At the discretion of the President, committee reports at the Senate Desk may be either read or announced under the proper order of business. If reports are announced, the Secretary of the Senate shall distribute to the members' desks a committee report summary with the pertinent information included. Committee reports shall be recorded in the journal.

### **209.55 Consideration of Committee Reports.**

Reports from committees shall be considered in appropriate order at the next convening of the Senate. The committee report summary for such meeting shall be distributed to each Senator prior to the convening of the Senate.

### **209.60 Confirmation *En Bloc*.**

(1) The motion to recommend a list of multiple boards and commissions to the full Senate is in order. Individuals whose appearance before the committee has been waived under SIR 209.20, may be considered *en bloc* upon recommendation of the committee.

(2) Any member may require a separate vote by requesting that an appointee be considered separately. The request shall be submitted in writing to the Secretary of the Senate at least one hour before the session on the day that the confirmation is on the calendar. The request shall be announced at the appropriate time and the appointee separated from the *en bloc* vote.

### **209.65 Withdrawing Appointment from Committee.**

(1) An appointment by the Governor requiring Senate confirmation may be withdrawn from a committee by a motion to withdraw the appointment. The motion requires a constitutional majority (16) for adoption.

(2) The effect of withdrawal shall be the same as if the committee had reported the appointment to the Senate without recommendation.

## **RECONSIDERATION**

### **210.01 Reconsideration of Executive Appointments.**

(1) When an executive appointment has been confirmed, or the Senate has refused to confirm, it shall be in order for any member voting on the prevailing side to move for reconsideration of the vote. A motion for reconsideration is not in order on a vote that indefinitely postponed an appointment.

(2) Notice of intent to move for reconsideration must be given orally by the member who intends to move the motion.

(3) The motion to reconsider must be made and voted upon before final adjournment of the Senate meeting during which the vote being reconsidered was taken.

(4) A motion to reconsider may be debated together with the main question, providing the subject of the main question is debatable. There shall be only one reconsideration of any final vote, even though this action may reverse the previous action.



(5) The affirmative vote of a constitutional majority (16) is required to adopt a motion to reconsider the vote.

## **PRESESSION FILING**

### **213.06 Pre-session Filing.**

Pre-session filing and printing of measures shall be in accordance with the rules and practices of the preceding sessions, customs of the Senate, and statutes. Members, members-elect, and committees may not request drafting services from the Legislative Counsel for an agency or officer of the executive or judicial departments unless the agency or officer has arranged to pay any charge the Legislative Counsel imposes under ORS 173.130.

### **213.07 Measure Drafting and Filing by the Executive and Judicial Branches of State Government Before the Long Session.**

(1) The Executive Department, administrative agencies, boards and commissions, and the Judicial Branch, shall have all measures for pre-session filing with the Senate drafted by Legislative Counsel.

(2) All pre-session filing drafts shall be submitted in the manner prescribed by the Secretary of the Senate and shall include, but not be limited to:

- (a) Two backed copies of the proposed measure;
- (b) Measure summary;
- (c) Agency name;
- (d) Signature of agency director or designee; and
- (e) Contact person and telephone number.

(3) All pre-session filing drafts must be submitted to the Secretary of the Senate by 5:00 p.m. on December 15<sup>th</sup> of the even-numbered years. If the 15<sup>th</sup> falls on a weekend, the last business day prior to the deadline will apply.

**213.09 Measure Drafting and Pre-session Filing Before the Long Session by Statutory Committees or Interim Committees of the Legislative Assembly.**

(1) All measures for pre-session filing must be drafted by Legislative Counsel.

(2) All pre-session filing drafts shall be submitted in the manner prescribed by the Secretary of the Senate and shall include, but not be limited to:

- (a) Two backed copies of the proposed measure;
- (b) Measure summary;
- (c) Name of committee;
- (d) Signature of committee chair; and
- (e) Contact person and telephone number.

(3) All pre-session filing drafts must be submitted to the Secretary of the Senate by 5:00 p.m. on December 21<sup>st</sup> of the even-numbered years. If the 21<sup>st</sup> falls on a weekend, the business day prior to the deadline shall apply.

**213.15 Measure Drafting and Pre-session Filing Before the Long Session by Members Who Will Serve in the Regular Session.**

(1) Drafts may be filed after the 2<sup>nd</sup> Monday in November of the even-numbered year, or following certification of election if a recount is required, or has been requested, under ORS 258.150 to 258.300.

(2) Every pre-session filing draft submitted by a member shall bear the name of the chief sponsor(s) and shall comply with ORS 171.127 and 171.130.

(3) All pre-session filing drafts shall be submitted in the manner prescribed by the Secretary of the Senate, and shall include, but not be limited to:

- (a) Two backed copies of the proposed measure;
- (b) Measure summary;
- (c) Name of the requester;
- (d) Signature of the member or newly-elected official; and
- (e) Contact person and telephone number.

(4) All pre-session filing drafts must be submitted to Secretary of the Senate by 5:00 p.m. on December 21<sup>st</sup> of the even-numbered years. If the 21<sup>st</sup> falls on a weekend, the last business day prior to the deadline shall apply.

### **213.16 Measure Drafting and Pre-session Filing Before the Long Session by Newly Elected Statewide Officials.**

(1) Drafts may be filed after the 2<sup>nd</sup> Monday in November of the even-numbered year, or following certification of election if a recount is required, or has been requested, under ORS 258.150 to 258.300.

(2) All pre-session filing drafts shall be submitted in the manner prescribed by the Secretary of the Senate, and shall include, but not be limited to:

- (a) Two backed copies of the proposed measure;
- (b) Measure summary;
- (c) Name of requester;

- (d) Signature of the newly elected statewide official; and
- (e) Contact person and telephone number.

(3) All pre-session filing drafts must be submitted to the Secretary of the Senate by 5:00 p.m. on December 21<sup>st</sup> of the even-numbered years. If the 21<sup>st</sup> falls on a weekend, the last business day prior to the deadline shall apply.

### **213.20 Measure Drafting and Pre-session Filing Before the Short Session for Members, Caucuses, and Interim Committees.**

- (1) Except as otherwise provided herein, pre-session drafting requests and measure introductions shall be governed by the applicable concurrent resolution adopted by the 80<sup>th</sup> Legislative Assembly.
- (2) Of the three drafting requests for each committee granted under the concurrent resolution, the committee chair is allowed two drafting requests, and the committee chair and vice-chair in agreement are allowed one drafting request.
- (3) Each Senate caucus may request from the President, and the President shall grant pursuant to his authority under the concurrent resolution, no more than two drafting requests and measure introductions, as determined by the caucus leader, that may be used before or during the Short Session.
- (4) Committees appointed for the interim shall vote on measure introductions no later than January 15, 2020.
- (5) Every pre-session filing draft submitted under this rule shall bear the name of the chief sponsor(s) and shall comply with ORS 171.127 and 171.130.
- (6) All pre-session filing drafts shall be limited to:
  - (a) Two backed copies of the proposed measure;

- (b) Measure summary;
- (c) Name of requester;
- (d) Signature of the member, committee chair, or caucus leader;  
and
- (e) Contact person and telephone number.

(7) The Joint Committee on Ways and Means is exempt from this rule such that drafting and introduction of appropriation or fiscal measures sponsored by the Joint Committee on Ways and Means is allowed before or during the Short Session without limitation.

(8) Any exceptions to this rule are subject to approval by the President. Unless permitted under this rule, the concurrent resolution, or otherwise approved by the President, there shall be no other measure drafting requests or measure introductions by members, committees, or caucuses before or during the Short Session. Measures introduced in a prior regular or special session do not carryover for continued consideration during the next regular or special session.

### **213.21 Measure Drafting and Pre-session Filing Before the Short Session by the Executive and Judicial Branches of State Government.**

(1) Except as otherwise provided herein, pre-session drafting requests and measure introductions by the Executive and Judicial Branches shall be governed by the applicable concurrent resolution adopted by the 80<sup>th</sup> Legislative Assembly.

(2) All pre-session filing drafts shall be submitted in the manner prescribed by the Secretary of the Senate and shall include, but not be limited to:

- (a) Two backed copies of the proposed measure;
- (b) Measure summary;
- (c) Branch or specific agency name;

(d) Signature of the Governor, Chief Justice, or their respective designee; and

(e) Contact person and telephone number.

(3) Unless permitted under the concurrent resolution, there shall be no other drafting requests or measure introductions by the Executive Branch or Judicial Branch before or during the Short Session. Measures introduced in a prior regular or special session do not carryover for continued consideration during the next regular or special session.

### **213.28 Introduction Ordered by the President.**

(1) A pre-session filing measure may be introduced by order of the President. The measure shall bear a statement that introduction is by order of the President and by request. The measure must identify the sponsor and indicate neither advocacy nor opposition on the part of the President.

(2) The measure must be filed in conformance with SIR 213.07, 213.09, 213.15, 213.16, 213.20, or 213.21.

### **213.30 Confidentiality; Consolidation of Requests.**

(1) A requester may designate that a request for a Legislative Counsel draft be considered confidential in accordance with ORS 173.230. Requests from a legislative committee shall not be treated confidentially.

(2) When a request is made for measure drafting services, Legislative Counsel shall inform the requester of all nonconfidential requests of a similar nature previously submitted. An attempt shall be made to consolidate all such requests in one measure.

## **PUBLICATIONS**

### **214.01 Journal.**

- (1) The Senate shall maintain a journal of its proceedings. The journal shall contain a full, true and correct chronological record of all proceedings.
- (2) At the discretion of the President, the Secretary of the Senate shall publish such information as may be required to inform the public of Senate actions and proceedings.
- (3) Newsletters may be distributed in accordance with SR 14.20.

## **PERSONNEL**

### **215.07 Interim Staff.**

A member may employ interim staff subject to the provisions of SR 15.05 and as limited by the Legislative Assembly budget. Funds allocated for interim staff salaries may also be used to reimburse a member for vouchered in-district travel expense and vouchered services and supplies.