

Rules of the Senate

RULE 31.

Executive Sessions

When considering confidential or executive business the Senate shall be cleared of all persons except the President, the Senators, the Clerk of the Senate, the Reading Clerk, and the Assistant Clerk designated by the Clerk of the Senate, the Sergeant-at-Arms of the Senate and such Deputy Sergeants-at-Arms required to ensure the security of the Executive Session.

All appointments made by the Governor and delivered to the Senate shall be referred to such committee of the Senate in accordance with the provisions of Rule 19 which are applicable to the reference of bills. Such appointment shall be considered at the next meeting of such committee or such other time as the committee may determine. No report may be made on an appointment unless and until the committee has held a screening hearing and given the appointee an opportunity to appear before the committee. A screening hearing or any portion of a screening hearing, may be held in Executive Session only if allowed pursuant to applicable provisions of law and upon the vote of two-thirds (2/3) of the members of the committee. Any information or material provided to or developed by the committee in an Executive Session and any communications between a Committee Chairman and the appointing authority must be held confidential and only reported to the full Senate in Executive Session. If a committee fails to make a report on an appointment to the full Senate within two (2) weeks after a screening hearing, then the Senate may recall the appointment in Executive Session. Executive Sessions must be held on committee reports on appointments pursuant to applicable provisions of law, unless the Senate agrees to take up any such report in open session.

Before going into Executive Session, the Senate shall vote in open session on the question of whether to go into Executive Session and the reason therefore. When a motion to go into Executive Session is agreed to, the President shall announce publicly the purpose or purposes of the Executive Session as specified by the member making the motion. No final action may be taken by the Senate in the Executive Session on appointments. For the purpose of this Rule, "final action" means a decision by the Senate which constitutes a dispositive act regarding the consideration of an appointment. No vote may be taken on a final action in Executive Session, and the confirmation of appointments must be voted on in open session.

When the Senate is in Executive Session, any member may make a motion to bring the debate to a close in the Executive Session or to rise from the Executive Session and such motions must be

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decided without debate by a majority of the Senators present and voting. When the Senate rises from an Executive Session and the report of an Executive Session is received by the Senate, the final question on every appointment shall be: "Will the Senate advise and consent to this appointment?" Confirmation of statewide appointments shall be by roll call vote unless otherwise agreed to by unanimous consent.

Messages containing appointments may be published in the Journal when received as other messages, and the fact that an appointment has been made or that it has been confirmed or rejected shall not be regarded as a secret. When considering appointments in Executive Session, all information communicated, or remarks made by a Senator concerning the character or qualifications of the person appointed and any action or failure to act on any appointment(s) required to be kept confidential by applicable provisions of law shall be kept secret.

Other messages from the Governor pertaining to confidential matters shall be subject to such secrecy or publication as the Senate, in each instance, may order.

Any Member or Officer of the Senate who violates the secrecy provisions of this rule shall be subject to the provisions of Rule 44 of the Senate and Article 5 of Chapter 13 of Title 8 of the Code of Laws.

RULE 32

A.

Order of Business

1. Called to Order by the President
2. Prayer by the Chaplain
3. Pledge of Allegiance
4. Receipt of Communications
5. Introduction and reference of new Bills and Resolutions
6. Call of the Uncontested local Third Reading Calendar
7. Call of the Uncontested local Second Reading Calendar
8. Call of the Uncontested Statewide Third Reading Calendar
9. Call of the Uncontested Statewide Second Reading Calendar
10. Motion Period
11. Acts returned by the Governor
12. Reports of Committees of Conference and Free Conference
13. Bills and Resolutions returned from the House of Representatives