

PERMANENT RULES

OF THE

VERMONT SENATE

**As adopted in 1989, with amendments of
1997, 2003, 2004, 2007 and 2008**

(2009 edition)

Permanent Rules of the Vermont Senate

(Adopted March 3, 1989)
(with Amendments of February 21, 1997, and February 12, 2003,
May 20, 2004, January 5, 2007, and April 22, 2008)

RULES AND ORDERS OF THE SENATE

I

ORGANIZATION

1. The credentials of senators shall be presented to the President (or in the President's absence the person designated to call the Senate to order) and delivered to the Secretary or Assistant Secretary, previous to ten o'clock in the forenoon of the first Wednesday next after the first Monday, of January, following their election.

2. At ten o'clock the Senate shall be called to order by the President of the Senate. The President or Secretary shall administer the oath of office to the Senators; and, unless otherwise ordered, to the Lieutenant Governor-elect upon report of the joint canvassing committee.

2A. The Senators from the Addison Senatorial District shall occupy seats numbered 18 and 19; from the Bennington Senatorial District, seats numbered 5 and 6; from the Caledonia Senatorial District, seats numbered 26 and 27; from the Chittenden Senatorial District, seats numbered 7, 8, 9, 10, 11 and 12; from the Essex-Orleans Senatorial District, seats numbered 2 and 3; from the Franklin Senatorial District, seats numbered 20 and 21; from the Grand Isle Senatorial District, seat number 25; from the Lamoille Senatorial District, seat number 1; from the Orange Senatorial District, seat number 4; from the Rutland Senatorial District, seats numbered 22, 23 and 24; from the Washington Senatorial District, seats numbered 28, 29 and 30; from the Windham Senatorial District, seats numbered 16 and 17; and from the Windsor Senatorial District, seats numbered 13, 14 and 15.

The Senators from each district shall decide upon the seating of the Senators from their respective districts.

3. The names of the Senators shall be called, and when a quorum shall have taken their seats, they shall take and subscribe the following oath, viz:--

"I,, Senator from County (or Counties), in the General Assembly of the State of Vermont, do solemnly swear, that as a Member of this Assembly, I will not propose or assent to any bill, vote or resolution, which shall appear to me injurious to the people, nor do or consent to any act or thing whatever that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State; but will in all things conduct myself as a faithful, honest representative and guardian of the people, according to the best of my judgment and ability. So help me God. I do solemnly swear that I will be true and faithful to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof. So help me God. I do solemnly swear that I did not at the time of my election to this body, and that I do not now hold any office of profit or trust under the authority of Congress. So help me God. I do further solemnly swear that I will support the Constitution of the State of Vermont and the Constitution of the United States. So help me God."

Provided, that at the request of a senator the word "affirm" shall be substituted for "swear," and the words "under the pains and penalties of perjury" for "So help me God."

4. The Senate shall forthwith proceed to elect by ballot and in the order named, a secretary, a president pro tempore and a senator to serve with the president and the president pro tempore as a member of the committee on committees who shall be sworn to the faithful discharge of their duties. It may also elect or designate a chaplain or chaplains. In the event of the death or resignation of the secretary or the president pro tempore or removal from office or inability to exercise the powers and discharge the duties appertaining to the office, the Senate shall as soon as practicable proceed to elect by ballot a successor who shall then be sworn to the faithful discharge of the duties of the office.

5. The President shall nominate canvassing committees, provided for by the joint rules, who shall be elected by the Senate; but the Senate may reject any member so nominated and shall fill the vacancy caused thereby. Said committees shall be sworn to the faithful discharge of their duties and shall make their report to the Joint Assembly of both houses.

6. As soon as may be after the convening of each biennial session, the President of the Senate, the President pro tempore, and one senator elected by the Senate shall comprise the committee to be known as the Committee on Committees. The Committee on Committees shall appoint the members, on the part of the Senate, of the permanent joint standing committee on Joint Rules, and all committees of the Senate, and all other committees requiring appointment of members of the Senate, unless otherwise provided by statute; but any appointment so made may, on motion of a senator, be overruled by the Senate; in which case

the Senate shall, on nomination of a senator, immediately fill the vacancy. Any motion to overrule the appointments of the Committee on Committees must be made not later than the next legislative day following the announcement of the committee appointments to the Senate.

In the event that a senator is absent from the Senate for more than two weeks or a senator requests leave of the Senate to be absent therefrom for more than two weeks, the Committee on Committees may designate any other senator to occupy temporarily a position on the standing committees to which such absent senator is assigned. Such temporarily assigned senator shall have all the powers of a regular member on such assigned committee but shall be the most junior member of the committee. The temporary assignment or assignments shall terminate absolutely upon return of the absent senator to committee duties or upon order of the Committee on Committees.

II

OF SESSIONS OF THE SENATE

7. The Senate shall meet every day at nine o'clock and thirty minutes in the forenoon and at one o'clock and thirty minutes in the afternoon, unless otherwise ordered.

8. Whenever the Senate shall assemble, according to adjournment, or at the commencement of a session, and the President and President pro tempore be absent, it shall be the duty of the Secretary, if present, or if absent, of a senator, to call the Senate to order, and the senators present, if a quorum, shall elect a President pro tempore, who shall preside until the return of the President or the President pro tempore, named in Rule 4.

9. In case no quorum shall assemble within fifteen minutes after the time to which the Senate was adjourned, or if a roll call or division of the Senate discloses no quorum present and voting, those present shall have the power to send the Sergeant-at-Arms or other officer after the absentees, and to compel their attendance, or to adjourn.

III

OF SENATORS

10. No senator shall be absent from sessions of the Senate or meetings of committees unless sick or otherwise necessarily detained.

11. No senator shall speak audibly to another, or otherwise interrupt the business of the Senate, while public papers are being read, or while a senator is speaking in debate. No senator shall speak in debate unless standing in place and addressing the President; and smoking shall not be allowed in the Senate chamber, the Senate cloakroom, Secretary's offices, or Senate committee rooms.

12. Upon being called to order, a senator shall be seated. Every question of order shall be decided by the President without debate, subject to an appeal to the Senate.

13. If a senator shall be called to order for words spoken, the exceptionable words shall be immediately taken down in writing by the senator calling to order, so that the President may be better enabled to judge the matter.

14. Subject to the provisions of Rules 69 and 71, it shall be the duty of a senator to vote upon all questions decided by a yea and nay vote or a division of the Senate.

IV OF OFFICERS

15. The President, among other duties shall preserve order, and in case of disorder may clear the galleries. All questions of order shall be decided by the President, whose decision shall be final, unless a senator immediately appeals, and such appeal is sustained by a majority vote of the senators present.

16. The President may designate any senator to perform the duties of the President, but such designation shall not continue beyond the adjournment for the day.

17. The President pro tempore shall perform all the duties of the President during the latter's absence.

18. The Secretary shall be the reading clerk of the Senate; and shall administer the oath of office to such persons as the President may direct. Unless required by the Senate, the daily reading and approval of the journal of the previous day by the Secretary shall be dispensed with.

19. The Secretary shall prepare the journal which shall record the proceedings of the Senate (except when acting as a committee of the whole), embracing the titles of bills, proposed amendments, the names of the senators and the votes which they give on every question decided by yeas and nays, and such other matters as may be pertinent.

20. The Secretary shall transmit to the House all messages, which shall be in writing, and either delivered to the Clerk or read by the Secretary in the presence of the House in session.

21. The Secretary shall cause to be prepared, from time to time, a statement showing the status of each bill and the work of the session.

22. The Secretary shall serve until a successor is elected and has qualified.

23. *The Assistant Secretary shall be sworn to the faithful discharge of the duties of the office and may, under the direction of the Secretary or in the Secretary's absence, perform any of the duties of the Secretary.*

V

OF COMMITTEES

24. *At the beginning of each biennial session the following standing committees shall be appointed:*

A committee on Agriculture, of five members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to agriculture.

A committee on Appropriations, of seven members, to whom shall be referred bills and joint resolutions appropriating money from the state treasury.

A committee on Economic Development, Housing and General Affairs, of five members, to whom shall be referred matters relating to economic development, commerce, and community development, including tourism and marketing, promotion of the arts, and film activities; matters relating to labor, including unemployment and workers' compensation insurance; matters relating to housing; matters relating to liquor and tobacco control; matters relating to lotteries; and all matters relating to subjects for which there is no other appropriate committee.

A committee on Education, of five or six members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to education, libraries, and literary or scientific subjects.

A committee on Finance, of seven members, to whom shall be referred matters affecting the revenues of the state or its instrumentalities, and matters relating to banks, trust companies, insurance and utility companies and to private and quasi-public corporations, including other companies subject to regulation by the Public Service Board.

A committee on Government Operations, of five members, to whom shall be referred matters relating to the administration of government and justice; compensation of and retirement benefits for public officials and employees; suffrage; nominations and elections; municipal corporations; military affairs, including veterans and civil defense; and reapportionment.

A committee on Health and Welfare, of five or six members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to the preservation of health, old age assistance, and social and economic security.

A committee on Institutions, of five or six members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to public buildings, lands in which the state has an interest, and the Department of Corrections.

A committee on Judiciary, of five members, to whom shall be referred matters relating to judicial and legal affairs.

A committee on Natural Resources and Energy, of five members, to whom shall be referred matters relating to the conservation, development and planning of the state's natural resources, including water quality, geology, forestry, parks and recreation and fish and wildlife; community and regional planning and development; and the conservation and planning of sources of energy.

A committee on Transportation, of five members, as determined by the Committee on Committees for each biennium, to whom shall be referred matters relating to transportation facilities, including, principally, highways and bridges, and the regulation of traffic thereon and the licensing of the users thereof; and matters relating to aviation and railroads.

A committee on Rules, of five members, consisting of the President pro tempore, who shall be chair ex officio, and four other members, who shall propose, and to whom shall be referred matters relating to the rules and operation of the Senate. The committee on Rules may introduce such bills as may be requested by the Governor, which bills shall have indicated on them the appropriate state department or commission appertaining to such bill.

25. The member first named on each committee shall be the chair thereof, and the member secondly named shall be vice-chair. In the event of the death or resignation of such chair or vice-chair, the member next in order named shall become chair, or vice-chair, unless and until the Committee on Committees designates new chairs at the regular or any special session. Each committee, at its first meeting, shall choose a clerk from its members.

26. The chair of each committee shall schedule such meetings of the committee as may be necessary for the prompt dispatch of the business before the committee.

Such meetings shall be announced on the floor of the Senate, and when practicable, a notice thereof posted on the bulletin board.

27. No committee shall sit during any session of the Senate without leave from the Senate.

28. The introducer of a bill and all persons who shall so request of the clerk of the committee shall be given an opportunity to be heard upon a measure referred to a committee, and shall be warned of the time and place of hearing,

either by personal notice, notice in the calendar, or oral notice from the floor of the Senate.

29. The clerk of each committee shall keep a record of the attendance of members at committee hearings and shall keep a record with reference to each bill considered, as follows: the persons making requests to be heard; the notice, if any, that is given; the dates when the bill is considered; and the vote of each member of the committee thereon. The record shall be open to the inspection of the public at proper times and places, and at the close of the session shall be delivered to the Secretary of State.

30. Each committee to which a bill shall be referred, committed or recommitted shall report the same to the Senate within fifteen days after such reference unless otherwise ordered by the Senate. The Secretary shall print in the calendar a list of all bills which shall have been in the hands of committees for more than such fifteen days, without special order.

31. When a committee, other than the Committee on Appropriations, shall introduce or report any bill which carries an appropriation or which requires expenditure of funds, and the committee shall recommend in its report that the bill ought to pass, or ought to pass in concurrence, or ought to pass when amended, or ought to pass in concurrence with proposals of amendment, and the bill has been placed on the calendar for notice, then the President shall refer the bill to the Committee on Appropriations, which committee shall consider the bill and report on the advisability of the appropriation carried or expenditures required by the bill. The Committee on Appropriations may recommend or propose an amendment or amendments affecting only the appropriation or expenditure in the bill. If the committee first considering any bill which carries an appropriation or expenditure shall report the bill adversely and the report is negatived by the Senate, the bill shall be referred by the President to the Committee on Appropriations before it is advanced to third reading, which committee shall consider the bill and make its report as above stated.

When a committee, other than the Committee on Finance, shall report any bill affecting the revenue of the state, and the committee shall recommend in its report that the bill ought to pass, or ought to pass in concurrence, or ought to pass when amended, or ought to pass in concurrence with proposals of amendment, and the bill has been placed on the calendar for notice, then the President shall refer the bill to the Committee on Finance, which committee shall consider the bill and shall make such report as it deems advisable. If the committee first considering any bill which affects the revenue of the state shall report the bill adversely and the report is negatived by the Senate, the bill shall be referred by the President to the Committee on Finance before it is advanced to third reading, which committee shall consider the bill and make its report as above stated.

When the reports of the two committees on the same bill are placed on the calendar for action at the same time, the question shall be on the report of the committee which first considered the bill; however, if amendments are recommended or proposed by either or both committees, these amendments shall first be disposed of and amendments recommended or proposed by the committee which first considered the bill shall be acted on first.

32. A committee report may be signed by any member on behalf of the committee, and shall be delivered by the reporter promptly to the Secretary of the Senate. The signer of each report shall be held responsible for the accuracy of its statements and the propriety of its language, and, when the same shall be under consideration, the reporter shall be further liable to give additional statements of facts or other explanations in answer to the call of any senator.

VI OF THE CALENDAR

33. The Secretary shall prepare and cause to be printed a daily calendar of business. It shall contain the "Orders of the Day" including the titles of all bills which, on the preceding day, shall have been ordered to a third reading or placed on the calendar for notice prior to a second reading; the titles of all bills reported by committees with proposed amendments, if any, for notice for one legislative day before the bills are read the second time; and other matters in order for consideration. It shall also contain a specification of matters ordered to lie, pertinent memoranda, announcements and the like.

34. No bill may be read the second or third time or passed or rejected, nor may action be taken on any House proposals of amendments or reports of committees of conference, nor may any rule be amended or suspended for more than one sitting, unless such action has been on the calendar for notice, including proposed amendments, if any, for one legislative day, and appears in the Orders of the Day.

35. The first hour of each sitting may be devoted to the reception and disposal of petitions, memorials and remonstrances, motions, resolutions and reports of special committees; after which, bills may be introduced and bills from the House referred.

36. The Orders of the Day shall then be taken up. At the request of the President pro tempore, unless a majority of the Senate objects, bills or resolutions may be taken up out of their normal sequence. Otherwise, unfinished orders of the preceding day shall be disposed of first. It shall not be in order to interrupt the Orders of the Day with any other business, except a motion to adjourn, or that when the Senate adjourn it be to a time certain, or to recess, or to suspend the rules, and to receive messages from the Governor or from the House.

37. *After entering upon the consideration of the Orders of the Day, the Senate may, by order or at the discretion of the President, proceed with them in regular course as follows: Matters not giving rise to a motion or debate shall first be disposed of in the order in which they stand in the calendar; after which the matters that were passed over shall be considered in like order and disposed of by the Senate.*

38. *Whenever a bill or joint resolution or Senate resolution is laid on the table by order of the Senate, it may at any time be called up by a senator. When so called up, the bill or such resolution shall be placed on the action calendar for the next legislative day.*

VII

OF BILLS AND JOINT RESOLUTIONS

39. *During the regular session held in the first year of the biennium bills may be introduced by a senator or a standing committee at any time.*

During any adjourned session of the biennium (excluding the customary weekend adjournments), no bill may be introduced unless it has previously been filed with the Legislative Council and approved for printing by the sponsor no less than twenty-five calendar days preceding the opening of the session or unless it is introduced by or with the consent of the Rules Committee.

40. *Bills amending existing law, whenever practicable, shall be so prepared as to show the new matter proposed, old matter retained, and old matter to be omitted, and shall have the title, a statement of purpose approved by the sponsor, and the name of the introducer printed at the beginning. The subject matter of a bill shall be briefly indicated in the title. After final action has been taken on a bill or resolution any necessary amendments to the title of the bill or resolution shall be made and noted on the backings thereof by the Secretary.*

41. *Each bill intended for presentation by any member of the Senate shall be presented first to the Legislative Council. The Legislative Council shall examine and revise it as to form and expression, so far as may be required. After certifying to the revision and after approval by the sponsor the Legislative Council shall forward the bills to the printer designated by the Purchasing Director.*

42. *The Secretary shall prescribe the form for bills and shall cause a sufficient number of the bills to be printed with suitable margins and spaces. With respect to Senate bills and resolutions, amendments to Senate bills and resolutions, Senate proposals of amendments to House bills and resolutions, proposals of amendments to the Vermont Constitution, and reports of Committees of Conference, the Secretary may:*

(1) renumber and rearrange sections or parts of sections;

(2) transfer sections or divide sections so as to give separate section numbers to distinct subject matters, but without changing the meaning;

(3) insert or change the wording of headnotes;

(4) change reference numbers to agree with renumbered chapters or sections;

(5) substitute the proper section or chapter number for the terms "this act," "the preceding section" and similar terms;

(6) strike out figures where they are merely a repetition of written words and vice versa;

(7) change capitalizations for grammatical purposes;

(8) correct manifest typographical and grammatical errors; and

(9) make any other purely formal or clerical changes in keeping with the purposes of the legislation.

43. No bill shall be passed unless it has three readings, which shall be by title only. However, upon order of the Senate or at the direction of the President, the second or third readings shall be in full.

44. The Secretary shall submit the original bill to the President for examination, after which it shall be read the first time and referred to an appropriate committee by the President.

45. If the committee to which a bill is referred reports that the same ought not to pass, it shall be read the second time. Thereupon the question shall be: "Shall the bill be rejected?" If the question upon rejection is negatived, the question shall be: "Shall the bill be read the third time?"

46. If the committee to which a bill was referred reports that the bill ought to pass, it shall be read the second time. Thereupon the question shall be: "Shall the bill be read the third time?" Pending this question the bill shall be open to amendment.

47. If the committee to which a bill was referred reports it favorably, recommending amendment, or with proposal to the House to amend, the bill shall thereupon be read as proposed to be amended if it is read in full. The question shall be first upon the amendments recommended by the committee; after which the procedure shall be the same as in case of bills reported without amendment.

48. Bills originating in and reported by committees shall be read the first time and placed on the calendar for notice the succeeding day; unless referred pursuant to Rule 31, the second succeeding day they shall be placed on the calendar for second reading, after which they shall proceed in regular course as other bills.

49. A bill may be committed or recommitted at any stage and when so committed or recommitted it shall be, in substance, as last acted upon by the Senate, except that a proposal of amendment to the other House shall be disregarded. However, when reported by the committee, it shall proceed in the regular course as other bills.

50. A bill may be withdrawn at any stage by its introducers. To withdraw a bill in committee, the introducers shall request the Secretary to place the bill on the Notice Calendar by title in bold type indicating intention to withdraw. If no objections are made thereto, the bill shall be considered withdrawn. When a bill has been withdrawn the effect is the same as though it never had been introduced.

51. Joint resolutions shall be treated in the same manner as bills except that joint resolutions expressing the sentiments of the General Assembly, or relating to adjournment, or relating to joint assemblies, or relating to pay of the Lieutenant Governor and members of the Legislature and other incidental expenses of the General Assembly, may be adopted upon their first reading; provided, however, that in the discretion of the President any joint resolution may be treated as a bill. Joint resolutions not treated as bills shall be printed in the Journal and they may, in the discretion of the President, and shall, upon vote of the Senate, be placed on the Calendar for action on the next day after being offered. No joint resolution need be revised by the Legislative Council or printed in full except in the journal. To the extent applicable, a Senate resolution shall be so treated.

52. Joint resolutions of the two houses shall not be used for the purpose of general legislation, but shall be in order for the purpose of expressing the sentiments of the Legislature, for special appropriations incidental to the session and business of the Legislature, for agreeing upon adjournment, and for other inferior and incidental purposes of legislation.

52A. Concurrent resolutions of the two houses shall be in order only for the purposes of expressing sentiments of congratulations, commendations, condolences, or the like.

VIII OF MOTIONS

53. Every motion shall be reduced to writing by the mover if required thereto by the President or a senator or the Secretary.

54. When a question is pending no motion shall be received except
To adjourn,
To proceed to the consideration of executive business,
To adjourn to a day certain,

*That when the Senate adjourn it shall be to a day certain,
To take a recess,
To lay on the table,
To postpone indefinitely,
To postpone to a day certain,
To commit or recommit,
To amend,
To suspend a rule,
To reconsider,*

which several motions shall have precedence as they stand arranged.

55. A call for the previous question shall not at any time be in order.

56. No motion shall be in order when the Senate is engaged in voting and until the vote is announced by the presiding officer. No conversation or passing of notes shall be in order when the Senate is engaged in voting and until the vote is announced. A Senator shall be seated in his or her seat when voting.

IX

OF AMENDMENTS

57. Amendments shall be in order from the floor at the second reading, after the amendments, if any, recommended by the committee are disposed of by the Senate, provided, however, that when a bill has been reported adversely by the committee, pending the question, "Shall the bill be rejected?" amendments from the floor shall be in order.

No motion to amend after third reading shall be in order except by consent of the Senate given by majority vote. The request for leave shall be accompanied by a statement of the proposed amendment. The question upon the request shall be decided without debate.

58. It shall not be in order to amend a bill from the House, but the motion shall be that the Senate propose to the House to amend.

59. Every amendment, or proposal to the House to amend, shall be submitted in writing.

60. The rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different proposition, or a motion simply to strike out, nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

61. An amendment previously adopted may be amended, but not so as substantially to negative the amendment theretofore adopted; provided, that after the Senate shall have committed or recommitted a bill, it may be amended upon

recommendation of the committee by negating an amendment theretofore adopted.

62. Should the House propose to the Senate to amend a bill, it shall be placed on the calendar for notice. The succeeding day the amendment shall be placed on the action calendar for consideration.

If the House proposes to the Senate to amend, the question shall be: "Shall the Senate concur in the House proposal of amendment?" But it shall be in order to move that the Senate concur in the House proposal of amendment with an amendment; or that the Senate refuse to concur and ask for a Committee of Conference.

*63. If the House shall disagree to a Senate proposal of amendment the following motions shall be in order and shall be privileged in the order named: **First**, That the Senate recede; **Second**, That the Senate insist and ask for a committee of conference; **Third**, That the Senate adhere.*

X

OF DEBATE

64. Motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, and to lay on the table, shall be decided without debate. A motion to suspend the rules shall be debatable.

65. No senator shall speak more than twice to the same question, without leave of the Senate, and senators who have once spoken shall not again be entitled to the floor (except for the purpose of explanation) to the exclusion of another who has not spoken.

66. In all cases, the senator first arising to address the Chair (subject to the restriction of Rule 65), shall be entitled to the floor, and when two or more arise at the same time, the President shall name the one who is to speak.

67. If the question in debate contains more than one point, the same shall be divided on demand of a senator, except that a motion to strike out and insert shall not be divided.

XI

OF VOTING

68. The yeas and nays by roll call or division of the Senate shall be taken upon any question if demanded by a senator.

69. Every senator present shall vote when the yeas and nays are taken by roll call or upon a division of the Senate, unless excused by the Senate, but no senator shall be compelled to vote who was absent when the question was stated by the President.

70. A senator who appears in the Senate after the roll has been called, but before the result of the vote is announced, may request that the question be restated and shall have the right to vote on that question.

71. No senator shall be permitted to vote upon any question in which he or she is directly or immediately interested.

72. On all questions in the decision of which a simple majority is required when the Senate is equally divided, the Secretary shall take the casting vote of the President.

XII

OF RECONSIDERATION

73. No motion for reconsideration shall be in order unless made the next day of actual sitting of the Senate after that in which the vote was taken.

74. No senator, unless being one who voted with the prevailing side on the decision of a question, shall have the right to move a reconsideration thereof; provided that if the question shall have been decided by the casting vote of the President, a senator who voted with the prevailing side or one who did not vote, may move such reconsideration.

75. When a question has once been reconsidered the decision then arrived at shall not again be reconsidered. Nor when a motion to reconsider has been negatived shall the question again be considered or a like motion again be in order.

XIII

CONSTITUTIONAL AMENDMENTS

76. A standing committee of the Senate or any member of the Senate may propose an amendment to the Constitution during any regular session when permitted by the Constitution. The proposal shall be printed in accordance with the provisions of Rule 42, introduced into the Senate, read the first time, and by the President referred to an appropriate committee of the Senate. The committee of reference shall report to the Senate its recommendations concerning the proposal. If the committee to which a proposal of amendment was referred reports it favorably, recommending amendments, the question shall be first upon the amendments.

77. On being reported by the committee, whether favorably or unfavorably, or without recommendation, the proposal shall thereupon be printed in full in the calendar, including any amendments thereto recommended by the committee. On the fifth legislative day following the appearance of such proposals of amendment in the calendar, the proposal shall be read the second time in full. Thereupon the question shall be: "Shall the Senate adopt the proposal of

amendment to the Constitution of Vermont as recommended by the Committee on _____ and request the concurrence of the House?" Upon any proposal of amendment to the Constitution or of amendment to such proposal, the yeas and nays shall be taken. Pending this question the proposal shall be open to amendment.

78. Amendments to any proposal of amendment to the Constitution may be recommended by the committee of reference by majority vote of such committee. Amendments recommended by any senator before second reading shall be submitted to the committee of reference, in written form, where they shall be acted upon by the committee. Any amendment may be adopted or rejected, in whole or in part, by majority vote of such committee. Upon adoption or rejection of any amendment by the committee, the same shall be printed in the calendar at least one legislative day before second reading.

79. These rules may be suspended only upon the affirmative vote of three-fourths of the members of the Senate. Upon completion of the vote upon any amendments to the proposal, the question shall be: "Shall the Senate adopt the _____ proposal of amendment to the Constitution of Vermont (as amended) as recommended by the Committee on _____, and request the concurrence of the House?"

80. The yeas and nays by roll call shall be taken upon the proposal of amendment which shall require a two-thirds vote of the Senate for adoption, and also upon any proposal of amendment thereto which shall require a majority vote for its adoption.

81. Such hearings may be held upon a proposal of amendment as are deemed necessary by the committee of reference.

82. In the event that the Senate requests the House to return any proposal of amendment to the Constitution without having acted thereon, the proposal shall be recommitted to the committee which last acted upon such proposal, whereupon it shall be in order to further amend such proposal in compliance with these rules. Upon report to the Senate by the committee of reference, the question shall first be upon any recommendation of amendment and then as stated in Rule 79.

83. During the first year of the next biennial session following the initial adoption of any proposal of amendment, each proposal of amendment to the Constitution shall be printed in the calendar upon direction given by the Committee on Judiciary or by the Committee on Rules. Upon the 7th legislative day following the printing thereof, each proposal shall be read the third time and acted upon separately. Amendments to such proposals shall not be in order. The question shall be: "Shall the Senate concur in proposal (or the proposal), and request the concurrence of the House?" The concurrence of the

Senate shall be upon the affirmative vote of a majority of the members thereof, and the yeas and nays by roll call shall be taken.

84. Upon concurrence of the House in the same proposals of amendment, or any of them, the Committee on Judiciary shall forthwith offer a joint resolution setting forth the time and manner in which such proposals of amendment so concurred in shall be submitted to a direct vote of the freemen of the state.

85. All other rules of the Senate shall be applied to proposals of amendment to the Constitution unless inconsistent herewith.

XIV

MISCELLANEOUS PROVISIONS

86. When the reading of a paper is called for, and the same is objected to by a senator, the question shall be determined by a vote of the Senate.

87. All petitions shall be referred to a committee without reading, unless the reading be ordered by the Senate.

88. On motion of a senator the Senate may go into a Committee of the Whole for the consideration of pending questions. The President shall appoint the chair.

89. The presiding officer may make temporary or permanent arrangements for the use or non-use of any portion of the Senate Chamber by members of the news media including the press, television and radio. The taking of pictures on the floor of the Senate Chamber during a session thereof and/or machine recording of the proceedings are prohibited except by permission of the presiding officer had and obtained; and all apparatus and paraphernalia used in connection therein must be placed where the same will be used, before the opening of the session involved.

90. The Senate having taken the final vote upon any question the same shall not again be in order during the same session or any adjourned session thereof in any form whatever except by way of reconsideration.

91. Where a question of parliamentary procedure arises not covered by these Senate Rules, Mason's Manual of Legislative Procedure shall prevail, except Mason's Rule No. 780, as that rule is contrary to Senate procedures and customs.

XV

OF EXECUTIVE SESSIONS

92. A motion that the Senate go into executive session shall require a two-thirds vote of the members of the Senate present and voting in open session,

shall indicate the matters to be considered in executive session, and shall take precedence over all motions except the motion to adjourn.

93. A communication from the Governor dealing with a nomination requiring the advice and consent of the Senate shall be read and referred to the appropriate committee. The committee after full investigation shall make its report to the Senate for action thereon. A motion for an executive session shall be in order for the consideration of and action on the committee report. All action in executive session hereunder shall be by roll call vote and the vote of each Senator shall be announced in open session and journalized.

94. Other matters which the Senate may consider in executive session shall only consist of the following:

a. Contracts, civil actions at law, prosecutions by the state, or like manner of inquiry, where premature general public knowledge would clearly place the state, municipality, other public agency, or person at a substantial disadvantage.

b. Matters constituting a clear and imminent peril to the public safety.

95. The Journal of an executive session shall not be published until the questions therein considered are finally determined. Any motions made but withdrawn prior to voting shall also be journalized.

96. Committees of the Senate may go into executive session, upon two-thirds vote of members of the committee present and voting in open session, for the consideration of appointment reports and the other matters specified in Rule 94. Action in executive session shall be by roll call vote and, for appointments, shall be recorded by the clerk of the committee for publication in open session.

XVI

OF SUSPENSION OF RULES

97. No rule of the Senate shall be suspended except by vote of three-fourths of the members present.

XVII

OF AMENDMENTS

98. Any amendment to the Senate Rules shall require a vote of a majority of the members present.

XVIII
OF JOINT RULES OF THE SENATE AND
HOUSE OF REPRESENTATIVES

99. *Joint rules for both the House and Senate may be adopted by a majority vote of the membership of each house.*

100. *Joint rules adopted by the regular session of any legislature shall be in full force during both the regular session and any adjourned session of the same legislature, unless amended, modified or repealed as therein provided.*

XIX
OF CONDUCT OF MEMBERS AND OFFICERS

101. *Sexual Harassment*

(a) *A member and officer of the Senate shall be responsible for ensuring that each legislative employee and colleague enjoys a workplace free from discrimination by conducting himself or herself in a manner that promotes public confidence in the integrity of the Senate.*

(b) *Violation of this rule will result in appropriate disciplinary action enforced by the full Senate, if necessary.*

(c) *Retaliation against a person who complains, reports or cooperates in an investigation of sexual harassment is prohibited.*

(d) *The Rules Committee shall develop and adopt a policy and procedure for receiving and reviewing allegations of discrimination involving the conduct of members or officers of the Senate.*

(e) *The Secretary of the Senate shall develop procedures for employees of the Senate office.*

(f) *The Committee on Committees shall, at the beginning of the biennium, or as soon as possible thereafter, establish a Sexual Harassment Panel with the authority to receive, investigate and resolve complaints of sexual harassment, retaliation and noncompliance made against members or officers of the Senate. The panel shall be comprised of six members of the Senate, including at least one representative from each major political party.*

(g) *The President pro tempore shall ensure that training is made available to all Senate members and employees and that they receive copies of the policy and procedures which implement this rule.*

Attested to:

/s/David A. Gibson

DAVID A. GIBSON

Secretary of the Senate"