

Senate Resolution 5

By: Senators Johnson of the 1st, Price of the 56th and Balfour of the 9th

A RESOLUTION

1 Adopting the Rules of the Senate for the 2003 Session of the General Assembly of Georgia;
2 and for other purposes.

3 BE IT RESOLVED BY THE SENATE that the Rules of the Senate in force at the
4 adjournment of the 2002 Regular Session of the General Assembly are hereby adopted as the
5 Rules of the Senate for the 2003 Session and for the duration of this General Assembly, with
6 the following amendments:

7 A new rule is added immediately preceding Senate Rule 1, to be designated Senate Rule .1,
8 to read as follows:

9 **"Rule .1.** As used in these Rules, the term 'President of the Senate' refers solely to the
10 Lieutenant Governor and 'President' refers to the Lieutenant Governor, the President Pro
11 Tempore, or any other Senator who is presiding over the Senate."

12 Subsection (d) of Senate Rule 17 is amended to read as follows:

13 "(d) No person or group shall be introduced or allowed to address the Senate after the
14 thirtieth (30th) legislative day of a regular session. At any time during a regular session
15 the presiding officer may introduce any member of the Georgia Congressional Delegation
16 or any other person of national prominence. During the first fifteen (15) days of any regular
17 session individuals or groups may be introduced and allowed to address the Senate only
18 upon the written recommendation of a majority of the Decorum Committee. The Decorum
19 Committee shall be composed of ~~the President of the Senate, who shall be Chairman,~~ the
20 President Pro Tempore, who shall be Chairman, the Majority Leader, the Minority Leader,
21 the Majority Whip, and the Chairman of the Rules Committee. During the sixteenth
22 (16th) through the thirtieth (30th) legislative days of any regular session, individuals or
23 groups may be introduced and allowed to address the Senate only after a sponsoring
24 Senator has secured a three-fourths' affirmative vote of the members of the Rules
25 Committee assembled in a scheduled meeting."

1 Senate Rule 19 is amended to read as follows:

2 **"Rule 19.** All questions as to priority of business to be acted on shall be decided by the
3 President of the Senate, with the concurrence of the President Pro Tempore, without
4 debate unless otherwise provided for in these Rules."

5 Senate Rule 20 is amended to read as follows:

6 **"Rule 20.** When two or more Senators shall rise at the same time, the President shall
7 name the Senator entitled to proceed; provided, however, the President shall recognize the
8 President Pro Tempore, the Majority Leader, and the Minority Leader, in that order of
9 precedence, should any of them rise to speak, prior to recognizing any other Senator."

10 Senate Rule 23 is amended to read as follows:

11 **"Rule 23.** (a) The President of the Senate may, during a day's sitting session, name any
12 Senator the President Pro Tempore or the designee of the President Pro Tempore to
13 perform the duties of the Chair during any part of that sitting day, but no longer.

14 (b) In addition to any other provisions in these Rules, the President Pro Tempore, with the
15 agreement of the President of the Senate in the President of the Senate's sole discretion,
16 shall perform the duties of the Chair during the Third Reading and Consideration of
17 General Bills and Resolutions for any bill or resolution:

18 (1) Placed on the Rules Calendar after having been reported by the Appropriations
19 Committee or the Reapportionment and Redistricting Committee; or

20 (2) Whose primary sponsor is the Administration Floor Leader."

21 Senate Rule 24 is amended to read as follows:

22 **"Rule 24.** Whenever from any cause the President of the Senate shall be absent, the
23 President Pro Tempore shall preside. If both shall be absent, the Secretary of the Senate
24 shall call the Senate to order and shall preside until the election of an acting President
25 Pro Tempore, which said election shall be the first business of the Senate. The acting
26 President Pro Tempore thus elected shall preside until the return of one of the first named
27 officers, when his or her functions shall cease."

28 Senate Rule 25 is amended to read as follows:

29 **"Rule 25.** (a) All committees, officers of committees and subcommittees, and members
30 of committees shall be appointed by the President ~~unless otherwise ordered by the~~
31 Senate Committee on Assignments, provided that the chairperson of a standing committee
32 may appoint subcommittees in cases not provided by the Committee on Assignments.

1 (b) The Committee on Assignments shall be composed of the President Pro Tempore as
 2 Chairman, the President of the Senate, and the Majority Leader. Actions of this committee
 3 shall be reported to the Senate by the President Pro Tempore as necessary. The meetings
 4 of this committee shall not be required to be open to the public. This committee shall not
 5 be subject to the requirements of Senate Rule 187."

6 Senate Rule 30 is amended to read as follows:

7 **"Rule 30.** The Committee on Rules shall arrange and fix the calendar for each day's
 8 business for the last ~~25~~ 30 days of each regular session of the General Assembly. Such
 9 calendar shall be a standing and continuing special order during said period. No matter
 10 shall be taken up or acted on otherwise than in the order and manner fixed by such
 11 calendar, except by a three-fourths vote of those voting, provided such three-fourths
 12 constitutes a majority of the members elected to the Senate."

13 Senate Rule 59 is amended to read as follows:

14 **"Rule 59.** All appeals from the decisions of the Chair shall be made immediately, ~~and~~
 15 ~~no appeal shall be in order after other business has intervened from the time of the~~
 16 ~~alleged error of the Chair and before said appeal is sought.~~ The President Pro Tempore
 17 shall be the Senate Parliamentarian (and in his or her absence it shall be the Secretary of
 18 the Senate) who shall concur with or overturn the decision of the chair. A motion of appeal
 19 of the decision of the President Pro Tempore or the Secretary of the Senate shall be decided
 20 immediately by a vote of the majority of the members to which the Senate is entitled."

21 Senate Rule 64 is amended to read as follows:

22 **"Rule 64. (a)** A motion made by any Senator need not be seconded.
 23 (b) Upon a motion by any Senator, a Special Order or a Special Order Resolution may be
 24 taken up by the Senate at any time following the conclusion of the current business before
 25 the Senate."

26 Senate Rule 77 is amended to read as follows:

27 **"Rule 77. (a)** Nothing may be legitimately laid on the table excepting what may be taken
 28 up again.
 29 (b) A motion to lay on the table shall not itself be subject to being laid on the table."

30 Subsection (c) of Senate Rule 88 is amended to read as follows:

31 "(c) Any bill or resolution postponed to a day certain shall take its place at the bottom
 32 of the Calendar under which the Senate is operating on the day to which it was

1 postponed; except that after the ~~fifteenth~~ tenth day of any regular session, a bill or
 2 resolution postponed for the second time shall be placed on the General Calendar for the
 3 day to which it was postponed."

4 Subsection (d) of Senate Rule 94 is amended to read as follows:

5 "(d) A notice of motion to reconsider a bill or resolution shall take precedence over
 6 a motion to transmit and shall have the effect of defeating the motion to transmit;
 7 except on the thirty-third (33rd) day and during the last three (3) days of any regular
 8 session, a Senator must give notice immediately of his or her intention to move to
 9 reconsider, and the ~~presiding officer~~ President Pro Tempore or the designee of the
 10 President Pro Tempore shall set a time during the day when the motion will be
 11 entertained, so stating the time to the Senate; the time shall be at the discretion of the
 12 ~~presiding officer~~ President Pro Tempore or the designee of the President Pro Tempore, but
 13 not less than ten minutes. If the Senate is considering any other business at the time the
 14 motion to reconsider has been set to be entertained, the motion will be taken up upon
 15 conclusion of that business."

16 Senate Rule 97 is amended to read as follows:

17 "**Rule 97.** All bills and resolutions reconsidered shall take their place at the foot of the
 18 calendar of bills then in order for a third reading; however, during the last ~~twenty-five~~
 19 ~~(25)~~ thirty (30) legislative days of each session, a reconsidered bill or resolution which
 20 was passed or adopted shall take its place at the foot of the Rules Calendar, and a
 21 reconsidered bill or resolution which was defeated shall be placed on the General
 22 Calendar."

23 Subsection (c) of Senate Rule 105 is amended to read as follows:

24 "(c) When a general bill or resolution is received from the House during a period when the
 25 Senate is in recess on the thirty-third (33rd) day of a regular session, the bill or resolution
 26 may be read and referred to committee by the ~~presiding officer~~ Committee on Assignments
 27 during such period of recess. The Secretary of the Senate shall maintain during such period
 28 of recess a public listing of all bills so read and referred. Any Senator who desires to move
 29 to engross any such bill or resolution must serve written notice of his or her intention to do
 30 so by delivering such written notice to the Secretary before midnight of that thirty-third
 31 (33rd) day. When notice is so given, further proceedings on a motion to engross shall be
 32 as provided in Rule 106A, except as otherwise provided in this rule."

1 Subsection (d) of Senate Rule 113 is amended to read as follows:

2 "(d) All local bills on the Local Consent Calendar, which must be placed on each
3 Senator's desk at least one hour before the time of convening, shall be put to the Senate for
4 a vote on the electronic roll call system as a group at the time provided in the order of
5 business; (Senate Rule 28, No. ~~15~~ 16), and the question shall be whether all bills on the
6 Local Consent Calendar shall pass."

7 Senate Rule 115 is amended to read as follows:

8 "**Rule 115.** Upon the introduction of any bill or resolution or other matter, requiring
9 reference to a committee, the President ~~shall~~ of the Senate shall, with the concurrence of
10 the President Pro Tempore, or the President Pro Tempore's designee, as a matter of course
11 and without debate refer the same to the proper committee, ~~unless otherwise ordered~~
12 ~~by the Senate.~~ If the President Pro Tempore, or the President Pro Tempore's designee,
13 does not concur, and such disagreement is communicated to the Secretary of the Senate
14 prior to the end of the same legislative day, the bill shall be sent to the Rules Committee
15 for definitive referral to a committee."

16 Senate Rule 122 is amended to read as follows:

17 "**Rule 122.** In forming a Committee of the Whole the President of the Senate shall
18 leave the Chair, and a Chairman to preside in Committee shall be appointed by the
19 President of the Senate with the concurrence of the President Pro Tempore."

20 Senate Rule 138 is amended to read as follows:

21 "**Rule 138.** (a) There are three ways in which a proposition may be amended, to-wit:

22 1st. By inserting or adding.

23 2nd. By striking out.

24 3rd. By striking out and inserting.

25 (b) An amendment is itself subject to be amended, in all three of the ways above
26 mentioned, but it is not permissible to amend an amendment to an amendment.

27 (c) Any amendment to the amount of an appropriation in an appropriations bill must
28 include both the 'reduction' and 'addition' so that the total expenditure for the entire bill
29 shall be unchanged."

30 Senate Rule 141 is amended to read as follows:

31 "**Rule 141.** Any irrelevant amendment or amendment obviously offered for the
32 purpose of delay shall be ruled out of order by the President Parliamentarian."

1 Subsection (b) of Senate Rule 143 is amended to read as follows:

2 "(b) However, when the Senate adopts a substitute to any bill or resolution other than one
3 offered by the committee from which the bill was last reported, passage of the bill shall
4 be suspended at that time. The bill shall then be placed at the top of the General
5 Calendar of the next meeting day of the Senate, at which time the previously adopted
6 substitute shall stand automatically reconsidered and the substitute and the bill shall be
7 before the Senate for consideration and passage. On and after the ~~fifteenth (15th)~~ tenth
8 (10th) legislative day of any regular session, the adopted substitute and bill shall be placed
9 on the General Calendar, subject to being placed on the Rules Calendar by the Rules
10 Committee. Any amendment offered by a Senator which contains more than three
11 pages or is more than one-half the verbiage of the document which it amends (whichever
12 is less) shall be treated as a substitute for the purposes of this ~~paragraph~~ subsection."

13 Senate Rule 153 is amended to read as follows:

14 "**Rule 153.** The President, ~~is authorized on his own motion, or upon point of order~~
15 being made, ~~when shall report the decision of the Parliamentary stating that~~ in his or her
16 opinion a House amendment to a Senate bill is not germane, ~~to rule out such amendment~~
17 and such amendment shall be ruled out of order. The effect of such ruling of the ~~President~~
18 Parliamentarian, if not appealed from or if appealed from and the appeal not sustained,
19 shall be the same as a vote of the Senate to disagree, and as such the Secretary shall so
20 report it to the House. Such point of order shall take precedence over a motion to agree."

21 Senate Rule 154 is amended to read as follows:

22 "**Rule 154.** When any bill or resolution which originated in the Senate has been amended
23 in the House, and is before the Senate for action on the House amendment, one or more
24 amendments may be offered in the Senate to the House amendment. A proposed Senate
25 amendment to the House amendment may itself be subject to amendment, and in this
26 respect Rule 138 shall not apply."

27 Subsection (a) of Senate Rule 156 is amended to read as follows:

28 "(a) Whenever any member moves that a Committee of Conference be appointed,
29 on disagreeing votes or other matters of the two Houses, and said motion prevails, the
30 ~~President~~ Committee on Assignments shall appoint three (3) members for the Committee,
31 who voted in the majority on the position assumed by the Senate, if such vote has been
32 had."

1 Subsection (f) of Senate Rule 156 is amended to read as follows:

2 "(f) The President, ~~is authorized on his own motion, or upon point of order being~~
 3 made, ~~when~~ shall report the decision of the Parliamentarian stating that in his or her
 4 opinion a conference committee report is not germane to the original bill or resolution,
 5 ~~to rule out and~~ such conference committee report shall be ruled out of order. The effect of
 6 such ruling of the ~~President~~ Parliamentarian, if not appealed from or if appealed from
 7 and the appeal not sustained, shall be the same as a vote of the Senate to reject, and
 8 as such the Secretary shall so report it to the House. Such point of order shall take
 9 precedence over a motion to adopt."

10 Senate Rule 185 is amended to read as follows:

11 "**Rule 185.** (a) The ~~President~~ Committee on Assignments shall appoint the following
 12 standing committees, which shall not exceed the following number of Senators each:

13 AGRICULTURE AND CONSUMER AFFAIRS- ~~8~~ 7

14 APPROPRIATIONS - ~~35~~ 29

15 BANKING AND FINANCIAL INSTITUTIONS - ~~11~~ 9

16 CHILDREN AND YOUTH - 5

17 ~~CORRECTIONS, CORRECTIONAL INSTITUTIONS AND PROPERTY~~-~~7~~

18 ~~DEFENSE, SCIENCE, AND TECHNOLOGY~~-~~9~~

19 ECONOMIC DEVELOPMENT; AND TOURISM AND CULTURAL AFFAIRS-~~6~~ 9

20 EDUCATION - ~~10~~ 9

21 ETHICS - ~~9~~ 12

22 ~~FINANCE AND PUBLIC UTILITIES~~-~~12~~ 9

23 HEALTH AND HUMAN SERVICES - ~~13~~ 10

24 HIGHER EDUCATION - ~~10~~ 7

25 INSURANCE AND LABOR -~~12~~ 11

26 INTERSTATE COOPERATION - 5

27 JUDICIARY - ~~12~~ 11

28 NATURAL RESOURCES AND THE ENVIRONMENT- ~~12~~ 13

29 PUBLIC SAFETY AND HOMELAND SECURITY- ~~10~~ 7

30 REAPPORTIONMENT AND REDISTRICTING - ~~24~~ 23

31 REGULATED INDUSTRIES AND UTILITIES - 11

32 RETIREMENT - ~~6~~ 7

33 RULES - ~~15~~ 14

34 SCIENCE AND TECHNOLOGY - 8

35 SPECIAL JUDICIARY - ~~11~~ 10

36 STATE AND LOCAL GOVERNMENTAL OPERATIONS - ~~6~~ 7

1 STATE INSTITUTIONS AND PROPERTY -13

2 TRANSPORTATION - 13 10

3 VETERANS AND CONSUMER MILITARY AFFAIRS - 6 8

4 (b) The above limitations shall not apply when the President Committee on
5 Assignments appoints a Senator to committees if that Senator was duly elected in a
6 special election.

7 (c) Each Senator shall be appointed to serve on four committees provided for in this
8 Rule and no more; except that: (1) the President Pro Tempore and the Chairman of the
9 Committee on Appropriations shall serve ex officio as voting members of the Committee
10 on Economic Development; and Tourism; ~~and Cultural Affairs~~ and such membership shall
11 not count as one of the four committees; and (2) membership on the Committee on
12 Reapportionment and Redistricting, membership on the Committee on Ethics, membership
13 on the Committee on Assignments, and membership on the Committee on Interstate
14 Cooperation (which is created by law) shall not count as one of the four committees.

15 (d) In addition to the members otherwise provided for on any committee, the President
16 the Committee on Assignments may add one or more ex officio members to any
17 committee. The limitations of this rule with respect to numbers of members of committees
18 and with respect to numbers of committees on which a member may serve shall not apply
19 with respect to such ex officio memberships.

20 (e) The President Committee on Assignments shall appoint a chairman, a vice
21 chairman, and a secretary for all standing committees and a chairman of standing
22 subcommittees.

23 (f) The President Committee on Assignments may create, in ~~his~~ its discretion, within any
24 standing committee, a subcommittee or subcommittees and appoint the membership and
25 officers thereof. Nothing herein contained shall be construed to limit the authority of the
26 standing committees or the officers thereof.

27 (g) Once a Senator is appointed to a standing committee, he or she shall never be removed
28 therefrom during his that term of office to which he or she was most recently elected,
29 unless that Senator so requests.

30 (h) In addition to the standing committees created by this Rule, there shall be a
31 Committee on Senate Administrative Affairs composed of the ~~President of the Senate~~;
32 ~~the~~ President Pro Tempore, the Majority Leader, the Secretary of the Senate, the Chairman
33 of the Committee on Rules, and ~~four~~ (4) three (3) members of the Senate appointed by
34 the President Pro Tempore. This Committee shall have the responsibility of employing,
35 supervising and setting the compensation of all aides, secretaries and other personnel
36 for the Senate, including the Senate Research and Senate Information offices. The
37 Committee shall supervise the purchase and allotment of supplies for the Senate."

1 Senate Rule 186 is amended to read as follows:

2 **"Rule 186.** After the announcement of the standing committees and subcommittees, no
3 other Senators shall be placed thereon; except when Senators have been elected to fill
4 vacancies caused by death or resignation from the Senate or by being reassigned at his
5 or her request. The ~~President~~ Committee on Assignments may assign any Senator to such
6 committees as have vacancies and may fill any vacancy in the offices of chairman, vice
7 chairman, or secretary."

8 Subsection (b) of Senate Rule 187 is amended to read as follows:

9 "(b) A vice chairman may preside in the absence of the chairman if he or she obtains
10 a certificate from the ~~President~~ Secretary of the Senate certifying that the chairman is
11 incapacitated or if he or she is directed in writing by the chairman to preside. All
12 certifications or directions shall be recorded in the Senate Journal."

13 Subsection (g) of Senate Rule 187 is amended to read as follows:

14 "(g) Testimony before the committee may be recorded at the discretion of the
15 committee; however, any additional paid personnel to take testimony must be approved
16 by the ~~President of the Senate~~ Committee on Senate Administrative Affairs. Transcription
17 of any recorded testimony shall be made or released only upon the written direction of
18 the committee or the Secretary of the Senate when the Senate is not in session."

19 Subsection (s) of Senate Rule 187 is amended to read as follows:

20 "(s) When these rules are not applicable, the Senate rules shall apply, and when
21 neither apply, the committee shall be governed by ~~acceptable parliamentary procedure~~ the
22 most current edition of *Mason's Manual of Legislative Procedure*."

23 Senate Rule 216 is amended to read as follows:

24 **"Rule 216. (a)** When any question arises which is not provided for in ~~the foregoing~~
25 these rules, the same shall be controlled by ~~the rules usually governing legislative~~
26 ~~bodies~~ the most current edition of *Mason's Manual of Legislative Procedure*.

27 (b) For any rule requiring the concurrence of the President and the President Pro Tempore,
28 or his or her designee, if for any reason such concurrence does not occur, the matter shall
29 be immediately decided by a majority vote of Senators present, provided such number shall
30 constitute a quorum, unless otherwise directed by these rules."

31 Subsection (a) of Senate Rule 218 is amended to read as follows:

32 "(a) Upon receiving nominations by the Governor that require Senate confirmation,

1 the President of the Senate shall immediately transmit such nominations to the Committee
2 on Assignments and shall notify the Senate that such nominations have been received.
3 However, no nominations may be considered by the Senate until the expiration of
4 seventy-two (72) hours after receipt thereof by the President of the Senate, or until the
5 expiration of forty-eight (48) hours after being referred ~~to a~~ to the committee. The
6 Secretary shall make such nominations available for review by any Senator. Any
7 Senator may notify the President Pro Tempore in writing that he or she wishes to have a
8 nomination considered ~~by a~~ by another standing committee; provided, however, any
9 nomination to the State Board of Education or the Board of Regents shall be considered
10 by a standing committee before consideration by the Senate without the necessity of
11 a written request therefor, and said committee shall notify the Governor of the time, date
12 and place of the committee meeting for consideration of such nomination. The ~~President~~
13 Committee on Assignments shall then refer any such nomination to the standing
14 committee of the Senate which would ordinarily consider bills or resolutions relative to
15 the board, bureau, commission or other office to which such nominee was nominated
16 and such standing committee shall be called by the chairman of said standing
17 committee within a reasonable time after receiving said request from the ~~President~~
18 Committee on Assignments. At the time the Senate considers such nominations, the
19 committee or committees shall make their recommendations, if any, relative to such
20 nominees."