

MAINE STATE LEGISLATURE

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FIFTY-THIRD LEGISLATURE.

SENATE.

No. 6.

STATE OF MAINE.

The Committee on Revising the Rules, to which was referred the order of the Senate relating to revising the rules, have had the same under consideration, and ask leave to report the accompanying rules.

Per order.

E. F. WEBB.

Read and accepted.

IN SENATE, January 27, 1874.

SAMUEL W. LANE, *Secretary.*

RULES OF THE SENATE.

1. The President shall take the chair at the time to which the senate stands adjourned ; but in case of his absence at such time, the secretary shall preside until a president *pro tempore* be chosen.

2. At the first session of each day, on the appearance of a quorum, the journal of the preceding day shall be read ; and the President shall ascertain whether a quorum is present before such reading, and if it is found that a quorum is not present, he shall adjourn the senate.

3. When the President speaks he shall address the senate ; when a senator speaks he shall stand in his place and address the President.

4. The President, when he speaks to any member of the senate, and the members when referring to each other in debate, shall use in their addresses the title of *senator*, and by way of distinction name the county in which he resides.

5. The President shall have the right to name a senator to perform the duties of the chair during his absence ; but the substitution shall not extend beyond an adjournment.

6. The President shall rise to put a question, and shall declare all votes ; but if any senator doubt the vote, all those voting in the affirmative, when called upon by the President, shall rise and stand until they are counted, and also those in the negative, in like manner, to make the vote certain.

7. The President shall consider a motion to adjourn as always first in order, and it shall be decided without debate.

8. When a question is under debate, no motion shall be received but to adjourn, to reconsider, to lay on the table, to postpone to a day certain, to commit, to amend, or to postpone indefinitely ; which several motions shall have precedence in the order in which they stand arranged.

9. A motion shall be reduced to writing, if desired by the President or any senator, and shall then be deemed to be in pos-

session of the senate, to be disposed of by the senate; but the mover may withdraw it any time before a decision, or any amendment be made to it.

10. No senator shall address the senate until recognized by the President, nor more than once to the exclusion of any other senator, without leave of the senate, if objection is made, unless he be the mover of the matter under debate, and not then more than three times without leave.

11. No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment; nor shall an amendment proposing to ingraft a general provision of law upon a private bill, be in order; nor any amendment beyond the second degree.

12. An amendment proposed may be amended before it is adopted, but not afterwards, unless the vote adopting it be first reconsidered, and no senator shall be competent to move any reconsideration unless he voted with the majority and upon the same or a succeeding day; and a motion to reconsider any vote shall not be laid upon the table unless a time shall be specially assigned for its consideration.

13. A motion to reconsider shall take precedence of all other questions except a motion to adjourn; but if made while another question is pending, it shall not be put until the other question is disposed of, but simply entered.

14. Questions of order shall be decided by the President without debate; but if an appeal is taken, the same may be debated like other questions, and the decision thereon shall be entered upon the journal.

15. A question containing two or more propositions capable of division, shall be divided whenever desired by any member.

16. In filling up blanks, the largest sum and longest time shall be put first.

17. Every paper shall be once read at the table, before any senator shall be obliged to vote on it, but when the reading of a paper is called for, that has been before read to the senate, if any senator object, the question shall be determined by the senate.

18. All bills and resolves in the second reading shall be committed to the committee on bills in the second reading, to be by them examined, corrected, and so reported to the senate.

19. Upon the second reading of a bill or resolve, after the same shall be read through, and before the question is put on its pas-

sage, it shall be read and considered by paragraphs, at the request of any member of the senate ; and no bill or resolve shall have a second reading, unless a time (not less than one hour after the first reading) be assigned therefor.

20. No bill or resolve shall pass to be engrossed, without being twice read ; and all bills and resolves, immediately after the same shall have been engrossed, shall be committed to the committee on engrossed bills, whose duty shall be to examine the same, and to see that the same have been truly engrossed ; and before any bill shall pass to be enacted, or any resolve be finally passed, it shall be reported by the committee for the examination of engrossed bills, to be truly and strictly engrossed, and the title thereof be read by the President.

21. No resolve of any kind, or order making any grant of money, lands, or other public property, shall be passed without being read on two several days ; the time for the second reading shall be assigned by the senate.

22. After the reading of the journal, the following shall be the order of business :

1st, House papers not acted on ; and if accompanied by a bill or resolve, the first reading of such bill or resolve.

2d, Messages and documents from the executive and heads of departments.

3d, The reception and reference of petitions and such other papers, except bills and resolves, as require action by a committee.

4th, Reports of committees, and if accompanied by a bill or resolve, the first reading of such bill or resolve. Bills, resolves, etc., offered by senators, and their reference or first reading.

5th, Bills and resolves reported by the committee on bills in the second reading.

6th, Bills on their passage to be enacted, and resolves on their final passage.

It shall be the duty of the secretary to number bills and resolves in the order in which they shall be reported by said committee, and enter them upon the calendar in such order. They shall be taken up for their second reading and passage to be engrossed, or other disposition, in the order in which they stand upon the calendar. When a bill or resolve, after it is put on the calendar, is laid on the table, and no time assigned for its further consideration, it shall go to the foot of the calendar as it then

stands. Papers from the house, concerning which there has been a disagreeing vote of the two houses, shall be disposed of before commencing with the calendar. This rule shall not apply to or interfere with motions to reconsider, or special assignments or other privileged questions.

23. When the yeas and nays are taken, the names of the senators shall be called alphabetically.

24. After a question is put to vote, no senator shall speak on it. Every senator who may be present shall vote unless excused by the senate, or excluded by interest.

25. The unfinished business, in which the senate was engaged at the time of the last adjournment, shall have preference in the orders of the day.

26. No engrossed bill or resolve shall be sent to the house without notice thereof being given to the senate by the President.

27. Every member who shall present a petition, shall place his name thereon and a brief statement of its subject.

28. All confidential communications made by the governor to the senate, shall be by the members thereof kept inviolably sacred until the senate shall by their resolution take off the injunction of secrecy.

29. No rule shall be dispensed with, except by the consent of two-thirds of the members present.

30. Any member of the senate may exchange seats on consulting the President and obtaining his permission.

31. No member shall absent himself from the senate without leave, unless there be a quorum left present.

32. All committees shall be nominated by the President (unless when it may be determined that the election shall be by ballot), and appointed by the senate.

33. The following standing committees shall be appointed at the commencement of the session, viz.:

STANDING COMMITTEES OF THE SENATE.

On bills in the second reading.

On engrossed bills.

To consist of twelve members each. Any one of the first, and any two of the second shall constitute a quorum.

34. No member of the senate shall act as counsel for any party before any committee of the legislature.

35. All messages from the senate to the house, and to the governor, or governor and council, shall be carried by the secretary, unless the senate shall direct some other mode of transmission, and all papers shall be transmitted to the governor and council, and the house, by the secretary or his assistant.

36. The senate may, at any time, upon motion, by vote of a majority of the members present, resolve itself into a committee of the whole for the purpose of considering any subject named in the motion; and a chairman shall be appointed by the President. If a message is announced while the senate is in such committee, the President shall resume the chair for the purpose of receiving it; immediately after which, the committee shall proceed, until dissolved in the usual manner.

37. The rules of parliamentary practice comprised in Cushing's Manual, and Cushing's Law and Practice of Legislative Assemblies, shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the senate, or the joint rules of the two houses.

STATE OF MAINE.

IN SENATE, January 27, 1874.

Reported from Select Committee on Senate Rules, by Mr. WEBB
of Kennebec, and on his motion ordered to be printed.

SAMUEL W. LANE, *Secretary.*