

# **MAINE STATE LEGISLATURE**

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S T A T E   O F   M A I N E

111th Legislature

RULES OF THE SENATE

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Secretary of the Senate

STATE OF MAINE  
111th LEGISLATURE

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 the President pro tempore shall preside. In case of the absence of the President pro tempore, the Secretary shall preside until a President pro tempore is 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.

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.

The President shall also have the right to appoint a Secretary of the Senate and an Assistant Secretary of the Senate to fill any vacancy that may occur in said office while the Legislature is not in session, to serve until the Senate in session shall elect a Secretary or Assistant Secretary.

The President shall have the authority to appoint legal counsel while the Legislature is in session.

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. The President may vote in all cases.

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 - (1) to adjourn, (2) to reconsider, (3) to lay on the table, (4) to postpone to a day certain, (5) to commit, (6) to amend, (7) to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged.

Questions of concurrence or otherwise with the House shall have precedence of each other in the following order:

- 1st. To recede
- 2nd. To concur
- 3rd. To insist
- 4th. To adhere

A motion to adjourn shall always be first in order, and shall be decided without debate.

9. A motion shall be reduced to writing, if desired by the President or any senator, and shall then be deemed to be in possession of the Senate, to be disposed of by the Senate; but the mover may withdraw it at 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.

11A. No amendment to a bill or resolve shall be acted upon by the Senate until the same has been printed or reproduced and distributed to the members under the direction of the Secretary of the Senate, unless the same shall bear the recommendation of the Committee on Bills in the Second Reading that such printing or reproduction be dispensed with; and any amendment not so printed or reproduced or bearing such recommendation, shall lie on the table until printed or reproduced or until said Committee has recommended that such printing or reproduction be dispensed with. All amendments presented or filed with the Secretary for printing or reproduction shall bear the signature of the member presenting or filing the same.

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.

12A. When a motion has once been made and carried in the affirmative or negative, it shall not be in order for any member of the Senate who voted in the minority to move a reconsideration thereof; but any Senator who voted with the majority, or in the negative on a tie vote, may move to reconsider on the same or succeeding day. A motion to reconsider shall not be postponed or laid on the table without a certain time assigned for its further consideration. When a motion for reconsideration has been decided the vote shall not be reconsidered. A motion to reconsider shall not be in order more than once on the same question.

12B. When a member of the Senate shall move, or give notice of his intention to move, a reconsideration of any vote, the papers to which the motion relates shall remain in possession of the Secretary until the question of reconsideration shall have been decided, or the right to move such a question is lost.

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 a second reading of a bill or resolve, after the same shall be read through and before the question is put on its passage, 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 duties 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 upon; and if accompanied by a bill or resolve, the first reading of such bill or resolve.

2nd. Messages and documents from the executive and heads of departments.

3rd. The reception and reference of petitions and such other papers as require action by a committee.

4th. Orders.

5th. Bills and resolves printed under joint rules.

6th. Reports of committees.

7th. Bills and resolves reported by the Committee on Bills in the Second Reading.

8th. Bills on their passage to be enacted, and resolves on their final passage.

9th. Orders of the day.

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 on Bills in the Second Reading, 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 precedence 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 or member-elect who shall present a bill, resolve or a petition shall place his signature thereon and a brief descriptive title of its contents.

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. Members 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, a sergeant-at-arms, an assistant sergeant-at-arms, a postmaster, a doorkeeper and 2 pages shall be appointed by the President, unless the Senate otherwise directs. Such appointments may be rescinded at any time by the President.

33. At the commencement of the session the President shall appoint a committee on bills in second reading to consist of four members, and a committee on engrossed bills to consist of twelve members. The Director of Legislative Research shall serve as clerk of the committee on bills in second reading.

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 a 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 Reed's Rules, or any other standard authority, 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 of the joint rules of the two houses.

38. A copy of each Senate order requiring action by any department, bureau, commission, board or agency of the state which is passed by both branches of the legislature shall be forwarded to such department, bureau, commission, board or agency by the Secretary of the Senate immediately after the adjournment of the legislative day in which the order was passed by the concurring branch of the legislature.

39. No smoking shall be allowed within the Senate chambers while the Senate is in session.

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