

SCR

2

<TARGET><BILL>SCR 2</BILL><SUBJECT>SCR
2</SUBJECT><COMM>SFIN27</COMM></TARGET>

SENATE FINANCE COMMITTEE REPORT

DATE: 3/21/11

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Finance Committee considered SENATE CONCURRENT RESOLUTION NO. 2

SCR 2-UNIFORM RULES: PRESIDING OFFICER PRO TEM

Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to the presiding officer pro tempore.

and recommends:

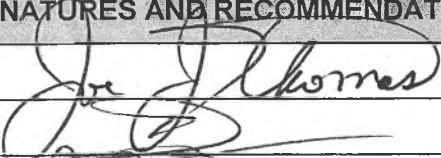

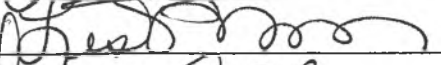
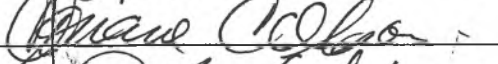
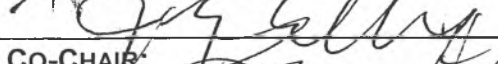
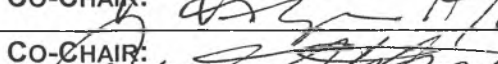
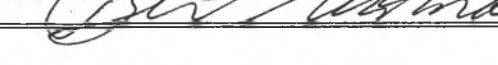
- Adopt previous CS SCR 2 (STA) Same Title New Title
- adopt previous CS _____ (_____) Same Title New Title
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LEG
CED	LAW
COR	LWF
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
Finac/leg			✓	

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
	THOMAS	✓			
	KCP	✓			
	McQuere	✓			
	OLSON			✓	
	ELLIS	✓			
CO-CHAIR: 	Hoffman	✓			
CO-CHAIR: 	Stedman			✓	

FISCAL NOTE

STATE OF ALASKA cost # codes
2012 LEGISLATIVE SESSION

Bill Version CSSCR 2(STA)
Fiscal Note Number _____
Publish Date 1/28/2012

Identifier (file name) _____ Dept. Affected Legislature
Title SCR 2 - Uniform Rules: Presiding Officer Pro Tem Appropriation _____
Allocation _____
Sponsor Senator Davis
Requester Senate Finance Committee OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							

Estimated SUPPLEMENTAL (FY12) operating costs 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Prepared by Darwin Peterson
Division Senate Finance Committee
Approved by Senator Stedman, Co-Chair
Senator Hoffman, Co-Chair

Phone 465-3873
Date/Time 1/28/12 2:30 P.M.
Date 1/28/2012

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Senator Bettye Davis@legis.state.ak.us
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Senator Bettye Davis

CSSCR 2(STA), 27-LS0031\B - "Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to the presiding officer pro tempore."

SPONSOR STATEMENT

THE PURPOSE OF SENATE CONCURRENT RESOLUTION NO. 2 IS TO AMEND THE UNIFORM RULES TO INCREASE THE DUTIES AND RESPONSIBILITIES OF TEMPORARY PRESIDING OFFICERS AND TO ALLOW MORE LEGISLATORS TO FUNCTION IN LEADERSHIP POSITIONS.

CSSCR 2(STA) creates a permanent third position in leadership for temporary presiding officers who heretofore only presided over the first floor session of a legislature until the chambers were organized and the permanent or regular presiding officers were seated.

Sections 1-3 change the nomenclature in titles to be consistent throughout the Uniform Rules.

Section 4 amends Uniform Rule 4 by establishing that in the absence of both the regular presiding officer (Speaker of the House) and the absence of the majority leader, the presiding officer pro tempore previously elected in Uniform Rule 1(b) serves as the presiding officer pro tempore. The result of the language amending section 4 of SCR 2 is that the presiding officer pro tempore elected at the start of the first session of legislature, in addition to the presiding officer pro tempore's duties set out in Uniform Rule 1(b), will continue for both sessions to serve as a "backup" in the absence of the regular presiding officer (Speaker of the House) and majority leader. Presiding officers pro tempore may also be assigned other duties consistent with the Uniform Rules. As presently provided in Rule 4, the regular presiding officers, majority leaders, and now the presiding officers pro tempore, may relinquish the chair to any member.

LEGAL SERVICES

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LEGISLATIVE AFFAIRS AGENCY
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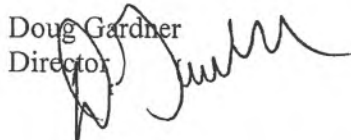
MEMORANDUM

March 21, 2011

SUBJECT: Sectional Summary to CSSCR 2(STA)
(Work Order No. 27-LS0031\B)

TO: Senator Bettye Davis
Attn: Tom Obermeyer

FROM: Doug Gardner
Director



You requested a sectional summary of SCR 2, a bill relating to proposed amendments to the Uniform Rules of the Alaska State Legislature relating to the presiding officer pro tempore. This summary is current as of the date of this memorandum and the "B" version of the resolution.

As a preliminary matter, a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 of the bill amends Uniform Rule 1(a) by replacing "temporary" with the phrase "pro tempore," making the use of the term "pro tempore" consistent throughout Uniform Rule 1.

Section 2 of the bill amends Uniform Rule 1(b) by replacing "temporary" with the phrase "pro tempore" in two places in Uniform Rule 1(b). Again, replacing "temporary" with "pro tempore" achieves consistency throughout Uniform Rule 1 when describing the "pro tempore" officer. This section also replaces "permanent" with the word "regular" when identifying the regular presiding officer in four places in Uniform Rule 1(b). The term "regular" is used to replace reference to the existing "permanent" officer, and provides consistency in describing the "regular" officer throughout Uniform Rule 1.

Section 3 of the bill amends Uniform Rule 1(c) by replacing the phrase "temporary and permanent," with "the presiding officer pro tempore," and "regular," and also replaces "officers" with "officer." Again, the proposed amending language is used to achieve consistency throughout Uniform Rule 1.

Senator Bettye Davis

March 21, 2011

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Section 4 amends Uniform Rule 4 by establishing that, in the absence of both the regular presiding officer (Speaker of the House) and the absence of the majority leader, the presiding officer pro tempore previously elected in Uniform Rule 1(b) serves as the presiding officer pro tempore. The presiding officer pro tempore elected at the start of the first session of a legislature, in addition to the presiding officer pro tempore's duties set out in Uniform Rule 1(b), will continue for both sessions to serve as a "backup" in the absence of the regular presiding officer (Speaker of the House) and majority leader. Section 4 of the bill does not displace or in any way alter the duties of the Speaker of the House, or the House Majority Leader. Rather, the bill provides a third leadership position called "presiding officer pro tempore" to identify a member elected to this position as a designated alternate in the event that the speaker and the majority leader are absent.

DDG:plm
11-169.plm



Examples of Duties of the Senate President Pro Tem
(as of February 2011)

Alabama Senate

Rule 21. Messages may be called at any stage of business by the President Pro Tempore or in his/her absence, then the Majority Leader, except while a matter is being considered, while the yeas and nays are being called, or while the ballots are being counted.

Rule 36. During the period between the end of the regular session and the convening of the next regular session, or, in the first year of a quadrennium, between the Organizational Session and the regular session, members may deliver bills to the Secretary of the Senate, which shall be known as "pre-filing." Such bills shall be numbered by the Secretary in the order of receipt and otherwise processed for introduction when the regular session has been convened. Pre-filed bills shall be assigned by the President, or his/her designee, with the concurrence of the President Pro Tempore, or his/her designee, to a standing committee for study and shall be formally referred to the same committee upon commencement of the regular session; provided, however, that no bill shall be pre-filed under this rule after the commencement of the last regular session of the Legislature in any quadrennium and before the organizational session following the general election.

Rule 42. In the absence of the President when the Senate convenes, the President Pro Tempore shall preside except as provided for in Rule 1; however, any other rule to the contrary notwithstanding, when the President of the Senate chooses not to preside, the President Pro Tempore shall preside. Should the President Pro Tempore not be in the chamber or choose not to preside, the Majority Leader shall preside and/or designate in writing a member to preside or until such time as the President or the President Pro Tempore, as the case may be, assumes or reassumes the presidential duties of the Chair; provided, however, that such delegation may not continue to the next legislative day.

Rule 45. When more than one member rises seeking recognition, the Presiding Officer shall decide which member to recognize. The President Pro Tempore shall be recognized first when rising for a Point of Order, as well as for the purpose of taking up House messages, executive messages, and other matters of serious import for the operation of the Senate. The Majority Leader, in the absence of the President Pro Tempore, shall have priority when seeking recognition.

Rule 47. (a) The Senate President Pro Tempore may designate the Majority Leader to perform the duties of the Senate President Pro Tempore in his/her absence, with the exception of signing of bills and resolutions, which only the President and President Pro Tempore are constitutionally allowed to do. The President Pro Tempore shall be an additional voting member of all Senate Standing Committees, superseding the number of members of each standing committee as set out in Rule 48, including Local Legislation No. 1, but excluding all other local legislation committees unless he/she is a member of another local legislation committee by geographical circumstance. The President Pro Tempore may designate in writing to the Secretary of the Senate the name of a member who is not already a member of the committee to represent him or her as a voting member under this rule. Such substitution shall be for a term of not less than one year unless such member so appointed dies or resigns from the Senate, or resigns from the committee so appointed under this rule.

(b) There shall be a Senate Committee on Assignments which shall be composed of the President Pro Tempore, the Lieutenant Governor, the Senate Majority Leader and three additional members appointed by the President Pro Tempore. The Committee on Assignments shall appoint the Chairperson, Vice Chairperson and membership of all Senate Standing Committees and Select Committees. The Committee may reappoint the membership of the committees, and may rename the leadership of the committees. Any such change in committee membership, or the chairman or vice-chairman thereof, shall only be authorized by a majority vote of the membership of the Committee

on Assignments. Actions of this committee shall be reported to the Senate by the President Pro Tempore or in his/her absence by the Senate Majority Leader as such appointments are approved. ...

Rule 54. A bill or resolution carrying an appropriation may be referred to a committee other than the appropriate finance and taxation committee if the subject matter requires such referral in the judgment of the President Pro Tempore. However, such bill or resolution shall also be referred to and reported by the appropriate committee on finance and taxation after being given a second reading.

Rule 68. The Secretary shall provide the Chairperson of each standing committee with a stamp with which to make endorsements on bills. Each standing committee of the Senate shall be furnished a secretary or clerk by the Secretary of the Senate. Office space shall be provided to the President Pro Tempore, the Senate Majority Leader, and to the Chairpersons of standing committees as such space is made available to the Senate.

Rule 82. Any motion relating to creating or filling a vacancy in the office of President Pro Tempore shall be in writing with a day certain for the vote, which day certain may not be less than five legislative days after the motion is filed. Any vote relating to the removal of a member serving as President Pro Tempore shall prevail only with a concurrence of a two-thirds vote of the elected members of the Senate.

Arizona Senate

Rule 2. ... H. The President shall have the right to name any member as President Pro Tempore to serve during the President's absence, which appointment may extend throughout the session unless terminated by the Senate. The President may appoint any other member as temporary President Pro Tempore to serve for a limited period of time in the absence of the President and President Pro Tempore. In the absence or omission of such an appointment, the Senate shall proceed to elect a President Pro Tempore to act during the absence of the President.

Arkansas Senate

Rule 1.02. The President shall have the right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond adjournment; provided, however, that in case of the absence of the President Pro Tempore, he may make such appointment for a period not exceeding ten (10) days, with the approval of the Senate at the time the same is made.

Rule 2.01. (a) At the beginning of every regular session of the General Assembly the Senate shall elect from its members an officer to be styled "President Pro Tempore" of the Senate, who shall perform all the duties of the President of the Senate during his absence, except as otherwise provided in these Rules. At the beginning of each regular session, the President Pro Tempore shall appoint four (4) Assistant President Pro Tempores, one from each of the current Congressional Districts. At least three (3) of the Assistant President Pro Tempores shall be a member of the majority party. The President Pro Tempore shall designate one of the four Assistant President Pro Tempores to perform all the duties of the President Pro Tempore during his or her absence.

(b) Beginning with the 87th General Assembly, the President Pro Tempore shall not serve more than one term in the office nor shall the President Pro Tempore be Chairman of any Class "A", "B" or Class "C" Committee nor the Joint Budget Committee.

(c) The President Pro Tempore shall have the authority to convene the members of the Senate between sessions for the purpose of addressing any matter that affects the business of the full Senate.

Rule 5.01. The Chaplain shall be selected daily by the President Pro Tempore or his designee and shall attend the commencement of that day's session of the Senate and open the same with prayer.

Rule 7.02. ... (c) All vacancies on Class "A", Class "B" and Class "C" Committees of the Senate shall be filled by the President Pro Tempore on the basis of seniority or as provided by law or by other Rules of the Senate. In the temporary absence of the Chairman and the Vice-Chairman, the member next in rank and seniority, and soon, as often as the case may happen, shall act as Chairman. In case of a permanent vacancy in the Chairmanship or Vice-Chairmanship of any committee, the President Pro Tempore shall appoint another Chairman or Vice-Chairman within the first three (3) days of the next regular or special session of the General Assembly.

Rule 10.05. In the absence of a quorum, five (5) members shall be appointed by the President Pro Tempore to compel the attendance of absent members. In all calls of the Senate, the doors shall be closed, the names of the members shall be called by the Secretary of the Senate, and the absentees noted. Those for whom no sufficient excuse is made may, by order of the majority of those present, be sent for by members to be appointed by the President Pro Tempore for that purpose and their attendance secured and retained. The Senate shall determine upon what conditions they may be discharged. Members who voluntarily appear shall, unless the Senate otherwise directs, be immediately admitted to the Senate Chamber, and they shall report the names to the Secretary of the Senate to be entered upon the Journal as present. At any time after the roll call has been completed, the Presiding Officer may entertain a motion to adjourn. If the Senate adjourns, all proceedings under this section shall be vacated.

Rule 20.01. The President Pro Tempore shall appoint all conference committees which shall be ordered from the Senate from time to time, and unless otherwise directed by the Senate, the same number of Senators shall be named to serve on the conference committees as are named to serve on such committees by the House.

California Senate

Rule 2. The President pro Tempore, Assistant President pro Tempore, Vice Chair of the Committee on Rules, or senior member present shall call the Senate to order at the hour stated and, if a quorum is present, shall proceed with the order of business

Rule 7. The President pro Tempore shall take the Chair and call the Senate to order at the hour of the meetings of the Senate. The President pro Tempore is the Presiding Officer of the Senate.

It shall be the particular responsibility of the President pro Tempore to secure the prompt and businesslike disposition of bills and other business before the Senate. He or she shall maintain order in the Senate Chamber and, in case of a disturbance or disorderly conduct outside the bar or in the gallery, he or she shall have the power to order the same cleared.

The President pro Tempore shall serve ex officio as a member of all Senate and joint committees of which he or she is not a regular member, with all of the rights and privileges of that membership except the right to vote. In counting a quorum of any of these committees, the President pro Tempore may not be counted as a member.

The Assistant President pro Tempore or the Vice Chair of the Committee on Rules shall, in the absence of the President pro Tempore, perform the duties, and have all powers and authority, of the President pro Tempore.

Rule 8. The President pro Tempore of the Senate may name a Senator to perform the duties of the Chair in his or her absence. The Senator so named shall be vested, during that time on the floor, with all the powers of the President pro Tempore, and the Senator who performs these duties shall be known as the Assistant President pro Tempore.

In the absence of the President pro Tempore, the Assistant President pro Tempore, or the Vice Chair of the Committee on Rules, any Senator may perform the duties of the Chair.

Rule 10.5. On the first day of each session, the President pro Tempore, members of the Committee on Rules, Secretary of the Senate, and Sergeant at Arms shall be elected by a majority vote of the duly elected and qualified Members of the Senate and shall serve until their successors are elected and qualify. The Committee on Rules shall appoint an Assistant Secretary, a Minute Clerk, a Chaplain, and other employees with such duties as the committee requires.

Rule 11. The Committee on Rules shall consist of the President pro Tempore of the Senate, who shall be the chair of the committee, and four other Members of the Senate to be elected by the Senate. There is a vacancy on the committee in the event a member ceases to be a Member of the Senate or resigns from the Committee on Rules. Any vacancy occurring during a summer, interim study, or final recess, except in the case of the President pro Tempore, shall be filled by the remaining members of the Committee on Rules. A vacancy occurring at any other time shall be filled by election by the Senate.

The Committee on Rules shall appoint all other committees of the Senate and shall designate a chair and vice chair of each committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference, and experience. However, in making committee appointments, the Committee on Rules shall, as far as practicable, give equal representation to all parts of the state.

Rule 38.5. Every amendment proposed must be germane. In order to be germane, an amendment must relate to the same subject as the original bill, resolution, or other question under consideration.

A point of order may be raised that the proposed amendment or an amendment now in the bill, resolution, or other question under consideration is not germane, so long as the question is within control of the body. In that case the President pro Tempore shall decide whether the point of order is well taken. In the absence of the President pro Tempore, the Vice Chair of the Committee on Rules shall decide whether the point of order is well taken. If, in the opinion of the President pro Tempore or the Vice Chair of the Committee on Rules, the point of order is well taken, the question of germaneness shall on his or her motion be referred to the Committee on Rules for determination. The Committee on Rules shall make its determination by the following legislative day. If the point of order is raised and referral is made on the last legislative day preceding a joint recess, the Committee on Rules shall make its determination before adjourning for the recess. ...

Colorado Senate

Rule 1. (a) Unless otherwise ordered, the regular hour of meeting of the Senate shall be 10 o'clock a.m. on Mondays, and 9 o'clock a.m. on other days. The hour of adjournment shall be as ordered.

(b) The President of the Senate, or in the President's absence the President pro tempore, shall take the chair every day promptly at the hour to which the Senate stands adjourned, shall call the Senate to order, shall lead or designate another Senator to lead the members in a recitation of the pledge of allegiance to the flag of the United States of America, and on the ascertainment of a quorum, shall proceed to business.

(c) If at the hour for the convening of the Senate, the President and the President pro tempore shall be absent, the senior Senator present shall call the Senate to order and shall continue to preside, with all the powers, privileges, and duties of the President, until the President or President pro tempore shall appear.

Rule 12. ... (b) At the beginning of each regular session convening after a general election and at such other times as may be necessary, the Senate shall, by a majority vote of all members elected, elect one of its members as President, and another member as President pro tempore, who shall, during the absence or inability of the President to serve, preside over the Senate and exercise and perform all the powers, privileges, and duties of the President. In addition, in the event of the death, resignation, disability, or absence from the state of the President, the President pro tempore, as acting President, shall exercise all the powers and duties of the President when the General Assembly is not in session, but the exercise of such powers and duties by the President pro tempore shall continue only until the General Assembly shall meet or until the disability or absence from the state of the President is removed, whichever shall first occur. In the event of the death, resignation, disability, or absence from the state of the President pro tempore, then the majority floor leader shall succeed to the office of acting President pro tempore.

(c) Neither the President, President pro tempore, nor any acting or temporary presiding officer shall be excused from or prohibited from voting on any question because of so presiding, but shall not vote on appeals from such person's decision.

Connecticut Senate

Rule 6. If the President while presiding, wishes to leave the chair, the president pro tempore shall preside, or, in the absence of the president pro tempore, the president pro tempore's designee shall preside for a period not exceeding one day.

Rule 7. Within one week after appointment, the President Pro Tempore shall nominate a chaplain and up to three

deputy chaplains, and if such nominations are confirmed by the Senate by a majority vote, the candidates so nominated and confirmed shall serve for the 2011 and 2012 sessions.

Rule 9. ... (b) On any day that is not scheduled as a session day, the President Pro Tempore and the Minority Leader, or their designees, may call the Senate into session for purposes of transacting business of a procedural nature by filing with the clerk or the clerk's designee a written instruction to conduct a pro forma Senate session with or without the presence of a senator. Said direction shall include a written motion to adopt the day's Senate agenda and act on all items as indicated and incorporate the items by reference into the Senate journal and Senate transcript. Said motion shall be read into the record and shall have the same force and effect as if the Senate were convened with a presiding officer and senator.

Rule 18. The majority leader, other leaders of the majority party in the Senate and the chairperson and vice chairpersons of each standing and select committee shall be appointed by the president pro tempore of the Senate. Chairpersons and vice chairpersons shall serve at the pleasure of the president pro tempore and the majority leader. The clerks of the standing and select committees and the chairpersons of the subcommittees thereof shall be appointed by the chairpersons of the respective committees with the approval of the president pro tempore of the Senate. The minority leader shall be elected by the members of the minority party in the Senate and the other leaders of the minority party in the Senate shall be appointed by the minority leader. The minority leader shall appoint ranking minority members to each standing and select committee. Such ranking members shall serve at the pleasure of the minority leader. All standing and select committee members shall be appointed by the president pro tempore by the fifth regular session day of the first year of the term, except to fill a vacancy caused by death or incapacity or resignation from the Senate or from a committee; and except that the president pro tempore may appoint any member elected after the fifth regular session day of the first year of the term to any committee within five calendar days after the member takes the oath of office. Not more than nine senators shall be appointed to any standing committee, except that the joint standing committees on Appropriations and Finance, Revenue and Bonding shall consist of not more than eleven senators. The member first named shall be chairperson. The chairperson of each committee may appoint one of the members of the committee as clerk thereof. All Senate leaders, standing committee assignments, chairpersons, vice chairpersons and clerks and subcommittee chairpersons shall serve for both the 2011 and the 2012 sessions.

Delaware Senate

Rule 9. ... C. President Pro Tem's pre-filed list.

(1) A bill or resolution filed with the Secretary may, in the discretion of the President Pro Tem, be placed upon the "President Pro Tem's pre-filed list" and the bill or resolution shall at such time be assigned to a Committee by the President Pro Tem. Copies of the President Pro Tem's pre-filed list shall be distributed to members prior to its reading by the Reading Clerk. The President Pro Tem's pre-filed list shall be read as soon as practicable by the Reading Clerk.

Rule 18. The President Pro Tempore shall appoint all committees; however, the President Pro Tempore, on at the Pro Tem's own initiative or upon order of the Senate, may appoint special or select committees.

Florida Senate

Rule 1.1. A President and a President Pro Tempore shall be elected for a term of two (2) years at the organization session preceding the regular session of each odd-numbered year. They shall take an oath to support the Constitution of the United States and the Constitution of the State of Florida, and for the true and faithful discharge of the duties of office. The Majority Party may, by caucus called by the President, elect a President Designate and a President Pro Tempore Designate, and their names shall be certified to the Secretary. The President may designate a Majority Leader whose name shall be certified to the Secretary. The Minority Party may, by caucus, elect a Minority Leader and a Minority Leader Pro Tempore, and their names shall be certified to the Secretary at the organization session. All elected officers are to hold office until their successors are chosen and qualified or until the expiration of their term, whichever shall occur first.

Rule 1.7. (1) The President may name any Senator to perform the duties of the chair.

(2) If for any reason the President is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

(3) If the President resigns, he or she may, prior to resignation, designate a member of his or her party to assume the duties of the chair until a permanent successor is elected.

(4) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from electing a presiding officer. If the chair is vacated permanently during a session of the Legislature, a new presiding officer must be elected within seven (7) days of the vacancy. If the chair is vacated permanently while the Legislature is not in session, the President's designee shall convene the Senate no later than thirty (30) days after the vacancy for the purpose of electing a new presiding officer. The election shall be the Senate's first order of business. In the event that a designation is not made pursuant to subsection (3) of this Rule, the President Pro Tempore shall assume the duties of the designee in convening the Senate to elect a new presiding officer.

Georgia Senate

Rule 1-1.2. (a) A President Pro Tempore shall be elected by the Senate from among its members by a majority of the Senators voting, provided the total vote constitutes a quorum. The President Pro Tempore shall act as President in case of the temporary disability of the President of the Senate. In case of the death, resignation, or permanent disability of the President of the Senate or in the event of the succession of the President of the Senate to the executive power, the President Pro Tempore shall become President of the Senate and shall receive the same compensation and allowances as the Speaker of the House of Representatives. The General Assembly shall provide by law for the method of determining disability as provided in this Paragraph.

(b) Whenever from any cause the President of the Senate shall be absent, the President Pro Tempore shall preside. If both shall be absent, the Secretary of the Senate shall call the Senate to order and shall preside until the election of an acting presiding officer, which said election shall be the first business of the Senate. The acting presiding officer shall preside until the return of one of the first named officers, at which time his or her functions shall cease.

(c) The President of the Senate may, during a day's session, name the President Pro Tempore or the designee of the President to perform the duties of the Chair during any part of that day, but no longer.

(d) While presiding, or in the absence of the President of the Senate, the President Pro Tempore shall have the same powers and duties as the President of the Senate.

Rule 1-1.3. When the President Pro Tempore or any other Senator is presiding, he or she shall not vote unless the Senate shall be equally divided, or unless his or her vote, if given to the minority, will make the division equal. The presiding Senator shall vote in all elections. In all cases where a fixed constitutional vote is required to pass a bill or measure under consideration, and said bill or measure shall lack only one vote to pass the same, the presiding Senator shall vote, and his or her vote shall be counted the same as that of any other member.

Rule 2-1.1. The Committee on Assignments shall be composed of the President Pro Tempore of the Senate, the Majority Leader, the Majority Caucus Chairperson, the Majority Whip, the Majority Caucus Vice-Chair, the Majority Caucus Secretary, and two Senators appointed by the President of the Senate. The President Pro Tempore or his designee shall serve as Chair of the committee. The Chair shall vote only to break a tie. Actions of this committee shall be reported to the Senate by the committee chairperson as necessary. The meetings of this committee shall be closed to the public.

Rule 2-1.2. There shall be a Committee on Administrative Affairs composed of the President of the Senate, the President Pro Tempore, the Majority Leader, the Minority Leader, the Secretary of the Senate, and three members appointed by the President of the Senate. This Committee shall have the responsibility of employing, supervising, disciplining, and setting the compensation of all aides, secretaries and other personnel for the Senate, including the Senate Budget and Evaluation, Senate Press and Senate Research offices. The Committee shall supervise the purchase and allotment of supplies for the Senate. This Committee shall also supervise and approve all out-of-state travel of members of the Senate and staff.

Rule 2-7.3. The Committee of the Whole shall not proceed with the business before it whenever a vote on any question shall disclose the fact that no quorum of the Senate is present. Whenever it is suggested that a quorum is not present, the President Pro Tempore or his or her designee shall satisfy himself or herself of the fact by actual count of the Committee and shall report the same to the Committee; and the President Pro Tempore or his or her designee shall, on his or her own motion, order that the Committee immediately rise, and he or she shall report the fact of the absence of a quorum to the Senate.

Rule 8-1.2. When two or more Senators shall rise at the same time, the President shall name the Senator entitled to proceed; provided, however, the President shall recognize the President Pro Tempore, the Majority Leader, and the Minority Leader, in that order of precedence, should any of them rise to speak, prior to recognizing any other Senator.

Hawaii Senate

Rule 5. (1) In case the President and Vice-President shall be absent at the hour to which the Senate had adjourned, the member of the majority party having the longest tenure in the Senate shall preside until a President pro tempore is chosen. If two or more members are equally qualified to preside, the eldest qualified member shall preside.

(2) The President pro tempore shall be invested with all of the powers and shall perform all the duties of the President. Whenever the President pro tempore is required to sign a bill or other instrument, the Clerk shall attach to such bill or instrument a certificate stating that such President pro tempore was duly elected and is authorized to so sign.

Idaho Senate

Rule 1. (A) The President of the Senate is the Lieutenant Governor and, in his absence or inability to serve, the President Pro Tempore shall perform with like privilege and authority all functions and duties of the President. The President shall vote only when the Senate is equally divided, but this restriction shall apply only to the President and not to the President Pro Tempore or any other Senator who may be in the Chair. The presiding officer shall never cast more than one vote. ...

Rule 3. (A) At the first meeting of the Senate at which a quorum shall be present, the Senate shall proceed to elect a President Pro Tempore and a Secretary and shall adopt temporary rules which, unless otherwise specifically stated, shall be the permanent rules of the preceding session. ...

Rule 6. (A) The President may, in the temporary absence or temporary incapacity of the President Pro Tempore, or with his consent, designate, either verbally or in writing, any Senator to perform the duties of the Chair who shall, during such time, be invested with all powers and privileges of the President except that of signing bills and joint resolutions, but such appointment shall not extend beyond an adjournment.

(B) Succession to Office of President Pro Tempore of the Senate. Upon the death, removal, permanent incapacity or resignation from office of the President Pro Tempore of the Senate, during a legislative session, the Senate shall proceed to elect a new President Pro Tempore. In the event of the President Pro Tempore's death, removal, resignation or permanent incapacity between legislative sessions, the Senate Majority Leader (and in the event of his death, removal, resignation or permanent incapacity to act as interim President Pro Tempore, the Senate Assistant Majority Leader) shall act as interim President Pro Tempore with all of the duties, powers and prerogatives of the office, to serve until the next session of the Legislature, at which time a new President Pro Tempore shall be elected.

Rule 7. ... (C) All employees of the Senate shall be selected by an attache committee, which committee shall be appointed by the Senate leadership, and the employees so selected shall be subject to the approval of the Senate. There shall be paid to the employees of the Senate, for all services rendered by them, such compensation as may be determined by Senate leadership. The President Pro Tempore is authorized to retain such personnel as deemed necessary during the interim.

(D) Subject to the overall supervision of the President Pro Tempore, the Secretary of the Senate shall have general responsibility for all Senate employees, although doorkeepers, watchmen, janitors, pages, and others charged with housekeeping functions, shall be immediately responsible to the Sergeant at Arms.

Rule 19. (A) The following standing committees shall be appointed by the leadership under the direction of the President Pro Tempore, by and with the advice and consent of the Senate; the number of members on each committee shall be fixed in the order of appointment, and such order shall be read into the Journal; provided that the President Pro Tempore shall appoint a majority of each committee and the chairman of each committee from the membership of the political party having a majority in the Senate: ...

Indiana Senate

Rule 1. ... (b) The announced convening time of the Senate may be changed after the Senate has adjourned with the agreement of the President Pro Tempore and the Minority Floor Leader. ...

Rule 3. Every Senator shall be present at all meetings of the Senate unless excused by the President Pro Tempore.

Rule 9. (a) The President Pro Tempore shall preside over the Senate when the President is absent or steps down from the Chair. Whenever presiding over the Senate, the President Pro Tempore shall at any time have the right to designate a member of the Senate to preside in place of the President Pro Tempore. In the absence of the President and the President Pro Tempore, the Majority Leader shall preside over the Senate.

(b) In the case of death or resignation of the President Pro Tempore, the Majority Caucus Chair shall serve as Temporary President Pro Tempore until the election of a President Pro Tempore by the members of the Senate pursuant to subsection (d) of this rule. If the Majority Caucus Chair is unable to serve as Temporary President Pro Tempore, the individuals holding the following positions shall serve as Temporary President Pro Tempore in the order listed:

(1) Majority Floor Leader.

(2) Majority Whip.

(3) Assistant President Pro Tempore.

(4) Assistant Majority Floor Leader. If two (2) individuals hold the position of Assistant Majority Floor Leader, the individual having served in that position the longest shall serve as Temporary President Pro Tempore.

(c) Whenever the Majority Caucus Chair, or any member listed in the order of succession, files with the Ranking Member of the Committee on Rules and Legislative Procedure a written statement suggesting that the President Pro Tempore is unable to perform the duties of the office because of incapacity, the Ranking Member shall convene the Committee within twenty-four (24) hours to decide the question. The President Pro Tempore, who serves as Chair of the Committee, shall not preside over the meeting of the Committee under this rule. However, the President Pro Tempore shall be permitted to vote on the question as a member of the committee. If the Committee finds that the President Pro Tempore is unable to perform the duties of the office, the Majority Caucus Chair shall serve as Temporary President Pro Tempore until the election of an Acting President Pro Tempore by the caucus of the President Pro Tempore pursuant to subsection (e) of this rule. If the Majority Caucus Chair is unable to serve as Temporary President Pro Tempore, the individuals holding the following positions shall serve as Temporary President Pro Tempore, in the order listed:

(1) Majority Floor Leader.

(2) Majority Whip.

(3) Assistant President Pro Tempore.

(4) Assistant Majority Floor Leader. If two (2) individuals hold the position of Assistant Majority Floor Leader, the individual having served in that position the longest shall serve as Temporary President Pro Tempore.

(5) Assistant Caucus Chair. If two (2) individuals hold the position of Assistant Caucus Chair, the individual having served in that position the longest shall serve as Temporary President Pro Tempore.

(6) Assistant Majority Whip.

(d) If the President Pro Tempore dies or resigns when the Senate is in session, the full Senate shall meet within forty-eight (48) hours to elect a new President Pro Tempore. If the President Pro Tempore dies or resigns when the Senate is not in session, the full Senate shall meet within five (5) calendar days to elect a new President Pro Tempore.

(e) If the President Pro Tempore is found unable to perform the duties of the office under subsection (c) when the Senate is in session, the caucus of the President Pro Tempore shall meet within forty-eight (48) hours to elect an Acting President Pro Tempore. If the President Pro Tempore is found unable to perform the duties of the office under subsection (c) when the Senate is not in session, the caucus of the President Pro Tempore shall meet within five (5) calendar days to elect an Acting President Pro Tempore. The full Senate is not required to meet to approve the election of an Acting President Pro Tempore by the caucus.

(f) The Temporary President Pro Tempore and the Acting President Pro Tempore shall exercise all of the duties and powers granted to the President Pro Tempore under the Standing Rules and Orders of the Senate.

(g) The Acting President Pro Tempore shall serve until the Committee on Rules and Legislative Procedure determines that the President Pro Tempore is able to resume the duties of the office. The Committee shall meet within twenty-four (24) hours to determine the question upon receipt of a written statement from the President Pro Tempore that the President Pro Tempore is able to resume the duties of the office. The President Pro Tempore, who

serves as Chair of the Committee, shall not preside over the meeting of the Committee under this Rule. However, the President Pro Tempore shall be permitted to vote on the question as a member of the committee.

Rule 17. ... (d) A motion to adjourn may be made only by the President Pro Tempore or Senator designated by the President Pro Tempore.

Rule 21. The first item of business at the first regular session of a term of the General Assembly shall be the election of the following:

The President Pro Tempore
The Principal Secretary

Rule 23. (a) The President Pro Tempore shall appoint the following:

- (1) Majority Floor Leader.
- (2) Majority Whip.
- (3) Assistant President Pro Tempore.
- (4) Assistant Majority Floor Leader(s).
- (5) Assistant Majority Whip.
- (6) Assistant Majority Caucus Chair(s).
- (7) Assistant Majority Secretary of the Senate.
- (8) Postmaster of the Senate.
- (9) Principal Doorkeeper of the Senate.
- (10) Majority Attorney of the Senate.
- (11) Deputy Secretary of Operations.
- (12) Acting Principal Secretary of the Senate, if the Principal Secretary is removed, suspended, unable to serve, or resigns.
- (13) Chief Legal Counsel. ...

Rule 24. The officers and employees of the Senate shall be responsible to and under the direction of the President Pro Tempore or President Pro Tempore-elect.

Rule 32. (a) The President Pro Tempore or President Pro Tempore-elect shall appoint the chairperson and members of each of the standing committees and subcommittees thereto. The appointments to standing committees and subcommittees shall be reported to the Senate by the President Pro Tempore and recorded in the Journal.

(b) The chairpersons and members of the standing committees and subcommittees thereof shall continue for the term of the General Assembly unless removed by the President Pro Tempore or unable to serve.

(c) All vacancies on any committee or subcommittee shall be filled by appointment by the President Pro Tempore or President Pro Tempore-elect of the Senate.

Rule 49. (a) Whenever the President Pro Tempore of the Senate shall assign a filed Senate bill or joint resolution to a standing committee, the assignment shall be made within seven (7) calendar days following the last day for filing Senate bills and joint resolutions and shall cause the bill or joint resolution with the committee assignment to be set forth on a bill filing list. ...

Rule 51. Bills and resolutions pre-filed prior to a session or during recess after organization day may be assigned and released by the President Pro Tempore or President Pro Tempore-elect of the Senate to a standing committee for consideration and will be introduced the first or a subsequent day on which the Senate is convened.

Rule 84. (a) If the Senate dissents in House amendments, the President Pro Tempore may appoint a conference committee, and if the House dissents in Senate amendments, the Speaker may request by the appointment of House conferees, that the President Pro Tempore appoint a conference committee.

(b) The Senate conference committee consists of two Senators, with the first listed Senator being the Senate Chairperson. Advisors may be appointed at any time by the President Pro Tempore.

(c) Senate conferees may be changed or removed at any time by the President Pro Tempore, who shall give written notice to the Office of the Minority Leader of the change.

(d) The appointment of a conference committee and any change of conferees shall be reported by the President Pro Tempore to the Senate and posted in the information center for the Senate committee meetings and on the Senate bulletin boards.

Rule 87. (a) All bills passed by both Houses shall be printed in enrolled form and shall be certified as accurate by the first author of the bill, the President of the Senate, the President Pro Tempore, and the Principal Secretary. One copy of each enrollment shall be furnished to the author at the time of that certification.

Iowa Senate

Rule 53. The senate shall elect, from its membership, a president pro tempore. When the president is absent, the president pro tempore shall preside, except when the chair is filled by temporary appointment by the president or the majority leader.

The president pro tempore, when presiding, shall perform duties as prescribed in rule 52, paragraphs 1 and 2.

The president pro tempore shall serve as a member of the legislative council and as a member of the senate committee on rules and administration.

Kentucky Senate

Rule 26. ... The President may designate any Senator to preside in the absence of both the President and President Pro Tem and to perform all duties of the President, including duties as a member of the Committee on Committees. This designation by the President may be made from time to time or for any period of time as the President may designate.

Rule 27. ... Any decision made by the President shall be subject to appeal to the Senate. During the pendency of any appeal to the Senate from a decision of the chair, the President shall vacate the chair and call the President Pro Tem to preside. When the President Pro Tem is presiding on an appeal to the Senate from a decision of the President, no motion or business shall be in order except the motion on appeal from the decision of the President, and that motion shall not be debatable. Upon an appeal, the question put to the Senate shall be stated as follows: "Shall the decision of the President stand as the judgment of the Senate? An 'Aye' vote shall support the President's ruling, and a 'Nay' vote shall oppose the President's ruling." The ruling of the President shall be sustained unless a majority of the members elected to the Senate oppose the ruling.

Rule 28. The Senate shall elect a President Pro Tem, who shall perform the duties of the President when the President is absent from the Senate, or when empowered by the President to perform the duties of the chair.

Rule 37. There shall be a Committee on Committees composed of the President, the President Pro Tem, the Majority Floor Leader, the Majority Caucus Chairman, the Majority Whip, the Minority Floor Leader, the Minority Caucus Chairman, and the Minority Whip of the Senate.

The majority of this committee shall have full power to act on all matters referred to the committee either by these rules or by action of the Senate. A meeting of the Committee on Committees may be called by the President, the Majority Floor Leader, or a majority of the committee members.

The President shall be Chairman of the Committee on Committees, and in the President's absence, the Majority Floor Leader shall serve as Chairman.

All bills and resolutions bearing the force and effect of law shall, upon their introduction, be automatically referred to the Committee on Committees which shall refer same to the proper committee not later than the third day in which the Senate is in session after the date of introduction.

The Committee on Committees shall have supervision and control over all employees of the Senate whether elected by the Senate or appointed by the Committee on Committees or provided by the Legislative Research Commission, and the Committee on Committees shall see that they perform all of their duties to the Senate and the members thereof. The Committee on Committees is empowered to discharge any or all of said employees and officers except

the constitutional officers of the Senate. The Committee on Committees shall appoint the members of all standing and special committees and shall fill any vacancies thereon.

Louisiana Senate

Rule 3.4. A. The President Pro Tempore shall be elected by the members of the Senate from among the members thereof in the same manner as the President. He shall be elected every four years, and his election shall be the next order of business following election of the President.

B. He may be removed from office in the same manner as the President.

C. A vacancy in the office of President Pro Tempore shall be filled in the same manner as the original election.

Rule 3.5. The President Pro Tempore shall:

(1) In the absence of the President, preside or call a member to preside over the Senate.

(2) Upon the death or resignation of the President, assume the powers, duties, and emoluments of the President until a president is elected as provided in Senate Rule 3.2.

(3) In case of the disability or temporary absence of the President, assume the powers, duties, and responsibilities of the President until the termination of the disability or absence. The Senate shall make appropriate financial recompense to the President Pro Tempore for his service during such time.

(4) Determine the meeting time of the Senate, with concurrence of the Senate.

(5) Perform such other duties as are assigned to him by the President, the Senate, the state constitution or laws, the Joint Rules of the Senate and House, the Senate rules, or otherwise by the Legislature.

Maine Senate

Rule 201. The President shall:

...3. Appoint all committees, a Sergeant-at-Arms, an Assistant Sergeant-at-Arms, a President Pro Tempore to perform the duties of the Chair during the President's absence and chamber staff, unless the Senate otherwise directs. Name a Senator to perform the duties of the President when the President Pro Tempore is absent. The President may rescind these appointments at any time; ...

Rule 202. The President Pro Tempore shall:

1. Preside at the time to which the Senate has adjourned when the President is absent;

2. When the President assumes the office of Governor, exercise the powers and duties of the office of President until the vacancy in the Senate created by the President's succession to the office of Governor is filled, the Senator so elected is seated and a President is elected.

Michigan Senate

Rule 1.104. a) A President pro tempore, Assistant President pro tempore, and Associate President pro tempore shall be elected by a vote of a majority of the Senators elected and serving. They shall be elected at the first session of a quadrennium. All officers elected by the Senate are to hold office until their successors are elected and qualified or until the expiration of their term, whichever occurs first. ...

Minnesota Senate

Rule 14.2. The President may call a member to preside. In the absence of the President, the President Pro Tem, the Chair of the Committee on Rules and Administration, or the Chair's designee, shall preside over the Senate. In the absence of the President and the Chair, the Senate may select a member to perform the duties of the President. Substitutions do not extend beyond adjournment.

Mississippi Senate

Rule 9. There shall be elected a President Pro Tempore in the manner provided in Section 5-1-15, Mississippi Code of 1972. The President Pro Tempore shall not be eligible for appointment as chairman of any standing Senate committee, with the exception of the Rules Committee.

Rule 10. In the election of the President Pro Tempore, the candidate receiving the lowest number of votes shall be dropped after the first ballot and on each succeeding ballot until one (1) candidate receives a majority of all votes cast, and the vote shall be by viva voce vote on roll call of the members.

Rule 11. In the absence of the President, or at the President's request, the President Pro Tempore shall act in the President's stead, assuming the duties and responsibilities herein granted to the President.

Rule 65. (1) There shall be a standing Committee on Rules which shall consist of the President (who shall be a nonvoting member), the President Pro Tempore, and four (4) Senators, each having served at least four (4) years in the Senate, one (1) from each Congressional District of the State as constituted on January 1, 2004, to be selected by the Senators from their respective congressional districts by caucus. The voting precinct of the Senator representing such district shall determine the congressional district caucus in which the Senator shall participate and for which the Senator may hold membership on the Rules Committee. The President Pro Tempore shall serve as chairman of the committee; the vice chairman shall be appointed by the President Pro Tempore from among the Senators on the committee. ...

Missouri Senate

Rule 10. The president pro tem shall be parliamentarian of the senate and may decide all points of order, and in his absence such points of order may be decided by the chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, except in either case, the point of order may be referred by the then acting parliamentarian, to the Committee on Parliamentary Procedure for consideration and determination. All rulings on points of order shall be subject to an appeal to the senate and all questions and points of order shall be noted by the secretary with the decision thereon.

Rule 12. All committees listed in Rule 25 shall be appointed by the president pro tem of the senate, except as otherwise provided. The minority party members shall be chosen by the minority party in the manner determined by the minority party caucus.

At the beginning of each session the caucus chairman of the minority party may file with the secretary of the senate a statement setting forth the method by which minority party members are to be appointed as determined by the minority party caucus, but if no such statement is filed, the minority party members shall be appointed to committees by the minority floor leader.

Rule 13. The president pro tem shall be chosen by the senate, and if the president pro tem so chosen is absent, or his office vacant, the senate may proceed to elect an interim president pro tem to hold the office during such absence or other incapacity, at the pleasure of the senate.

Rule 14. The president pro tem shall sign all acts, joint resolutions and addresses. All writs, warrants and subpoenas issued by order of the senate shall be under his or her hand attested by the secretary.

Rule 16. Stenographers and reporters wishing to take down the debates and proceedings of the senate may be admitted by the president pro tem to the reporters' table on the floor of the senate for that purpose, and under such further regulations as the senate may prescribe, but no persons, including members of the senate, other than members of the press, shall be permitted to sit at the press table while the senate is in session.

Rule 17. Subject to the unanimous approval of the president pro tem and the majority and minority floor leaders as to time and duration, live or taped news media broadcasts of sessions of the senate may be made by broadcast media representatives. Reporters and technicians to effectuate such broadcasts or taping may be admitted to the chamber for this purpose, but no apparatus or procedure shall be used which will interfere with the usual procedure of the senate. All recording or broadcasting shall be done from areas reserved or set aside for such activities by news media representatives by the president pro tem.

Rule 25. The president pro tem of the senate shall appoint the following standing committees: ...

Rule 27. The Committee on Parliamentary Procedure shall be composed of three members: the president pro tem, the chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, and the minority floor leader.

Rule 31. 1. The standing committees of the senate on Administration, Appropriations, and such other committees as the president pro tem shall designate, may function within the state unless otherwise approved by the president pro tem during the interim between the end of the first regular session and the commencement of the second regular

session, at such times and places as are considered necessary to consider bills and other matters referred to them, to hold hearings, hear testimony, receive evidence, make such studies as are deemed necessary and to perform any other necessary legislative function pertinent to their respective powers and duties.

2. The actual and necessary expenses of each committee functioning during the interim pursuant to the provisions of this rule, and the expenses of its members and the research and clerical personnel assigned to it incurred in attending meetings of the committee or of any subcommittee thereof, shall be paid from the senate contingent fund upon the approval of the chairman of the committee on administration and the president pro tem of the senate.

Montana Senate

Rule S10-30. President, President pro tempore, and other officers. (1) The Senate shall, at the beginning of each regular session, and at other times as may be necessary, elect a Senator as President and a Senator as President pro tempore.

(2) The Senate shall choose its other officers and is the judge of the elections, returns, and qualifications of the Senators.

Rule S10-60. Succession. (1) In case of the absence or disqualification of the President, the President pro tempore of the Senate shall perform the duties of the President until the vacancy is filled or the disability removed.

(2) Whenever the President pro tempore of the Senate is of the opposite political party from that of the President, the following procedure applies:

(a) If the President dies while in office, the members of the Senate have the right to immediately nominate and elect an acting President of the same party.

(b) If the President is absent for 2 or more legislative days or at any time after the 85th legislative day or at any time during special session of the Legislature and wants to appoint an acting President during the President's absence, the President may do so, or the members of the Senate have the right to immediately nominate and elect an acting President of the President's caucus.

(c) An acting President of the Senate has the powers of the President and supersedes the powers of the President pro tempore.

Nevada Senate

Rule 2. President Pro Tem and Other Presiding Officers. 1. Except as otherwise provided in subsection 2:

(a) The President Pro Tem has all the power and shall discharge all the duties of the President during his absence or inability to discharge the duties of his office.

(b) In the absence or inability of the President Pro Tem to discharge the duties of the President's office, the Chair of the Standing Committee on Legislative Operations and Elections shall serve as the presiding officer. In the absence or inability of the Chair, the Vice Chair of the Standing Committee on Legislative Operations and Elections shall serve as the presiding officer. In the absence or inability of the Vice Chair of the Standing Committee on Legislative Operations and Elections, the Senate shall elect one of its members to serve as the presiding officer. A member who is serving as the presiding officer has all the power and shall discharge all the duties of the President until the absence or inability which resulted in the member serving as the presiding officer has ended.

2. When the President Pro Tem or another member is serving as the presiding officer, the President Pro Tem or other member may vote on any question for which he is otherwise qualified to vote as a member. If the Senate is equally divided on the question, the President Pro Tem or other member may not give an additional deciding vote or casting vote pursuant to Senate Standing Rule No. 31 or Section 17 of Article 5 of the Nevada Constitution.

New Jersey Senate

Rule 1:4. At the organization meeting, the Senate shall elect a President, a President, *pro tempore*, and a Secretary, each of whom shall continue in office at the pleasure of the Senate. The votes of 21 or more members are required for the election of each of those officers and for their removal from office. Vacancies in those offices shall be filled at the next meeting of the Senate

Rule 3:9. a. If the President desires to temporarily vacate the Chair during any meeting, the President shall request the President, *pro tempore*, or name another Senator to preside. While presiding the President, *pro tempore*, or other Senator shall exercise the powers and duties of the President.

b. When the President is absent, the President, *pro tempore*, shall possess all the powers and discharge all the duties of the President.

New Mexico Senate

Rule 1-2. The other officers of the senate shall be:

- (a) a president pro tempore;
- (b) one chaplain;
- (c) one chief clerk;
- (d) three assistant chief clerks; and
- (e) one sergeant-at-arms.

Rule 4-5. The president pro tempore when acting as president, or any member of the senate while acting as presiding officer of the senate, shall be invested with all the powers and duties conferred by these rules upon the president. Whenever the president is not in the chair, the president pro tempore or some member designated by the president pro tempore, or elected by the senate, shall preside.

Rule 9-1. There shall be a committee known as the "committees' committee", which shall be composed of the president pro tempore, the majority floor leader, the majority whip, the minority floor leader, the minority whip and five members of the majority party and one member of the minority party appointed by the president pro tempore, by and with the consent of the senate; provided if a vacancy is created on the committees' committee for any reason, the president pro tempore or the appropriate caucus if the vacancy is that of a party leader, may fill the vacancy. The chairman of the committees' committee shall be the president pro tempore. The vice chairman shall be selected by the members of the committees' committee. ...

Rule 9-13-1. There shall be a committee known as the senate ethics committee, which shall be composed of the president pro tempore, the majority floor leader, the majority whip, the minority floor leader, the minority whip, the majority caucus chairman, the minority caucus chairman and one member of the senate minority party appointed by the senate minority floor leader. The senate ethics committee is designated as the committee to which all matters pertaining to ethics shall be referred. The president pro tempore shall chair the senate ethics committee. ...

Rule 10-1. When the senate resolves itself into the committee of the whole, the president pro tempore, or a senator designated by him or the senate, shall preside.

North Carolina Senate

Rule 4. Convening and presiding in absence of President. – In the absence of the President, the President Pro Tempore or a Senator designated by the President Pro Tempore shall convene or reconvene the Senate and preside, and during such time shall be vested with all powers of the President of the Senate except that of casting a vote in case of a tie when the President Pro Tempore or the designated Presiding Officer has already voted on the question as a Senator. In the event of the absence of the President and President Pro Tempore at any time fixed for the reconvening of the Senate, the Senate shall be called to order by a member designated by the President Pro Tempore, or if no member is designated, by the Deputy President Pro Tempore of the Senate. If no member has been designated and the Deputy President Pro Tempore is also absent, the Senate shall be called to order by the Chair of the Committee on Rules and Operations of the Senate who shall designate some member to act as Presiding Officer.

Rule 9. Parliamentarian to be appointed by the President Pro Tempore. – The President Pro Tempore shall appoint from among the members of the Senate a Parliamentarian. In the absence of the Parliamentarian, the Chair of the Committee on Rules and Operations of the Senate shall act as Parliamentarian.

Rule 17. ... (g) The President Pro Tempore may authorize and provide for the broadcasting of Senate sessions via television or Internet.

Rule 31. Appointment of committees. – The President Pro Tempore of the Senate shall have the exclusive right and authority to appoint the membership of all committees, regular and select, and to appoint committee chairs and vice-chairs and to establish select committees, but this does not exclude the right of the Senate by resolution to establish select committees. Upon the recommendation of the Committee on Rules and Operations of the Senate, the Senate

may alter the name, number, and composition of the standing committees by a majority vote of the Senators present and voting.

Rule 34. (a) ... The President Pro Tempore shall have the exclusive right and authority to determine the total number of members and the number of members of each political party of each committee. No Senator shall hold membership on more than 12 standing committees unless the Committee on Rules and Operations of the Senate provides otherwise. ...

(b) The President Pro Tempore and the Deputy President Pro Tempore may serve as ex officio members of each Senate committee and subcommittee.

Rule 37. Committee of the Whole Senate. ... Only the President Pro Tempore, the Deputy President Pro Tempore, or the Chair of the Committee on Rules and Operations of the Senate may move to resolve into the Committee of the Whole Senate. ... The Chair shall be the President Pro Tempore of the Senate or his designee.

Rule 57. Conference committee. – The President Pro Tempore of the Senate, or in the President Pro Tempore's absence, the Deputy President Pro Tempore, upon motion, shall appoint a conference committee when the Senate fails to concur in amendments or committee substitutes put by the House to a bill originating in the Senate, or when the House of Representatives fails to concur in amendments or committee substitutes put by the Senate to a bill originating in the House. Senate conferees shall include the primary sponsor of the bill. In considering the bill committed to the conferees, only such matters as are germane to the bill shall be considered by the conferees, and the conference report shall deal only with such matters. The matters referred to the conference committee by the conference committee chairs shall go to and be considered by the conferees appointed by the Senate and the House of Representatives. While the bill is in conference committee, the Senate's position shall be determined by a majority of the Senate conferees. Upon agreement by the Senate and House of Representatives, a conference report shall be drafted reflecting the matters considered and agreed upon by the conferees. The conference report shall not be amended.

Rule 60. Pages. – (a) The President Pro Tempore of the Senate shall appoint pages. The President Pro Tempore, or such person as the President Pro Tempore may designate, shall supervise the pages and assign to them their duties. Each page shall be at least 15 years of age or be in the ninth grade at the time of service. ...

Rule 66. President to sign papers. – All addresses and all warrants and subpoenas issued by order of the Senate, shall be signed by the President, the President Pro Tempore, or the Deputy President Pro Tempore. All acts and resolutions shall be signed by the President, the President Pro Tempore, the Deputy President Pro Tempore, or by a Senator designated by the President Pro Tempore to act as Presiding Officer.

Rule 72. Assignment of seats; offices. – (a) The President Pro Tempore of the Senate shall assign seats in the Senate Chamber to the members elected. The President Pro Tempore, when assigning seats, may give preferential consideration to the respective members according to the length of service which each member has rendered in the Senate. No incumbent appointed to fill an unexpired term in the immediate preceding session shall retain the seat if requested by a Senator elected to said session.

(b) Not later than two weeks after the initial committee assignments become final, the President Pro Tempore of the Senate is authorized to make assignments of committee rooms and offices to designated committees, chairs, and members of the Senate. In making such assignments of individual offices, the President Pro Tempore may give preferential consideration to the respective members according to the length of service which each member has rendered in the Senate.

North Dakota Senate

Rule 202. President Pro Tempore. In the absence of the President of the Senate, or during refusal of the President to act, the President Pro Tempore shall exercise all rights and prerogatives of the President. While the Legislative Assembly is in session, the President Pro Tempore shall sign all vouchers for payment of money out of the appropriation for the Legislative Assembly.

Oklahoma Senate

Rule 1-3. INTERPRETATION. When the Senate is in daily session, interpretation of the rules shall be made by the President Pro Tempore or by an elected member of the Senate designated by the President Pro Tempore as Presiding Officer pursuant to Senate Rule 2-4; when a committee is meeting, interpretation of the rules shall be made by the committee chair, or in the chair's absence the vice-chair, of the committee; and at all other times interpretation of the rules shall be made by the President Pro Tempore of the Senate. ...

Rule 2-1. OFFICERS. Officers of the Senate shall be:

The President, who shall be the Lieutenant Governor of the State of Oklahoma;

The President Pro Tempore, who shall be the Presiding Officer of the Senate;

Such other officers as may be designated by the Majority and Minority caucuses; provided, the Majority Floor Leader shall serve as acting President Pro Tempore in the event that the President Pro Tempore vacates the office on a temporary basis. If the President Pro Tempore shall vacate the office on a permanent basis, the Majority Floor Leader shall serve as acting President Pro Tempore until such time as the Senate shall elect a new President Pro Tempore; and

The Secretary.

Rule 2-2. ELECTION. The President Pro Tempore shall be elected by a majority of the members of the Senate when the Senate convenes on the first Tuesday after the first Monday in January of each odd-numbered year. The Secretary of the Senate, who shall not be a member of the Senate, shall be elected by a majority of the members following election of the President Pro Tempore and announcement of the other officers.

Rule 2-4. DUTIES OF THE PRESIDENT PRO TEMPORE.

A. The President Pro Tempore shall be the chief executive officer of the Senate and shall prescribe all policies not otherwise provided by law or by the rules. The President Pro Tempore shall serve as Presiding Officer of the Senate during its daily sessions but may designate another member of the Senate to serve as Presiding Officer at such times as the President Pro Tempore deems appropriate. Wherever the title "Presiding Officer" appears in the rules it shall mean the President Pro Tempore or an elected member of the Senate designated by the President Pro Tempore as Presiding Officer.

B. The President Pro Tempore may refer any matter concerning exercise of the Senate's discretionary powers and duties under Section 30 of Article V of the Oklahoma Constitution to a standing committee or select committee as the President Pro Tempore deems appropriate.

C. The President Pro Tempore shall determine the duties to be performed for the Senate by the Secretary of the Senate and shall designate a Chief of Staff to be responsible for staff duties not assigned to the Secretary of the Senate. The President Pro Tempore or a designee shall be responsible for the issuance of all warrants and vouchers and the maintenance of an accurate account of expenditures by the Senate.

Rule 3-1. EXECUTIVE ASSISTANTS. Each member of the Senate shall be entitled to designate an executive assistant. Executive assistants shall serve at the discretion of, and perform such duties as prescribed by, the individual member of the Senate for whom employed, subject to such policies as may be established by the President Pro Tempore.

Rule 3-2. LEADERSHIP STAFF. The President Pro Tempore shall be entitled to employ a leadership staff. Leadership staff shall serve at the discretion of, for such compensation pursuant to law as may be determined by, and perform such duties as prescribed by, the President Pro Tempore.

Rule 3-3. SERVICE STAFF. The Chief of Staff, subject to the review and supervision of the President Pro Tempore, shall be authorized to employ service staff. Service staff shall be employed according to policies established by the President Pro Tempore and shall receive such compensation pursuant to law as may be determined by, and perform such duties as prescribed by, the President Pro Tempore.

Rule 4-2. MANDATORY AUDIT. The President Pro Tempore shall cause an audit of the Senate's expenditures to be made at least once each fiscal year.

Rule 4-3. PHYSICAL PROPERTY. The President Pro Tempore shall be responsible for the physical property of the Senate and for that portion of the Capitol assigned to the Senate. The Chief of Staff, under direction of the President

Pro Tempore, shall be authorized to perform routine repairs, maintenance and upkeep on such property and facilities.

Rule 4-4. SUPPLIES AND EQUIPMENT. The use of Senate supplies and equipment, including Senate postage meters, is restricted to official Senate business. Questions of compliance shall be resolved by the President Pro Tempore or, at the discretion of the President Pro Tempore, the Rules Committee.

Rule 6-1. PROPOSALS. Any member of the Senate may submit in writing to the President Pro Tempore a proposal for study or consideration by the Senate, subject to such deadlines for interim studies as may be established by the President Pro Tempore.

Rule 7-1. TYPES AND NUMBER. There shall be two types of Senate committees established by the President Pro Tempore, to-wit: standing committees and select committees. The President Pro Tempore shall appoint the chair and vice-chair of each standing committee and of each select committee.

The President Pro Tempore may establish, and appoint the members of, as many ad hoc subcommittees of each standing committee as the President Pro Tempore deems appropriate. There shall be as many select committees as are created by the President Pro Tempore.

Rule 7-2. MEMBERSHIP. Membership on standing committees and on select committees shall be subject to the following:

A. The President Pro Tempore shall appoint, subject to the approval of the Senate, the Majority Caucus members and the chair and vice-chair of each standing committee.

...

D. The President Pro Tempore shall appoint all members of select committees.

E. The President Pro Tempore and Majority Floor Leader shall each be ex officio and voting members of all standing and select Senate committees.

Rule 7-4. DUTIES OF LEGISLATION COMMITTEES. Each legislative committee shall be responsible for the formulation of legislative programs and determination of nonlegislative matters within the jurisdiction prescribed by the President Pro Tempore; shall inquire into the administration and execution of all laws within the same jurisdiction; shall consider such proposals as may be submitted to the committee by the President Pro Tempore; and shall be responsible for the continuing codification of all laws within the prescribed jurisdiction.

Rule 8-1. COMMITTEE OF THE WHOLE. Without prior notice, the Senate may, by motion approved by a majority of the members of the Senate, declare itself a Committee of the Whole, at which time the President Pro Tempore or a member designated by the President Pro Tempore shall chair the Committee of the Whole. Rules applicable to other Senate committees shall be applied to the Committee of the Whole, except those rules relating to notice.

Rule 10-2. GALLERIES AND HALLWAYS. The President Pro Tempore or a designee is empowered to assign seats in the galleries of the Senate and is empowered to order the galleries and hallways of the Senate cleared to preserve order or to ensure the safety of the members of the Senate. ...

Rule 10-5. CALL OF THE SENATE. The Senate may, by majority vote of the members present, operate under Call of the Senate, in which case the President Pro Tempore is empowered to compel the attendance of all members of the Senate and is empowered to confine the members of the Senate to the chamber.

Rule 10-10. SENATE LOUNGE AND ANTEROOMS. The President Pro Tempore may prescribe policies restricting the use of the Senate lounge and any rooms adjoining the lounge or the Senate chamber.

Oregon Senate

Rule 7.01. Election of Presiding Officer; Pro Tempore Presiding Officer. (1) The members of the Senate shall elect by a roll call vote a President of the Senate. A constitutional majority (16) is required to elect a President. (2) The members shall also elect by a roll call vote a President pro tempore of the Senate. A constitutional majority (16) is required to elect a President pro tempore.

Pennsylvania Senate

Rule IV

1. (a) The Senate shall, at the beginning and close of each regular session and at such other times as may be necessary, elect one of its Members President Pro Tempore, who shall perform the duties of the Lieutenant Governor in any case of absence or disability of that officer, and whenever the office of Lieutenant Governor shall be vacant. (Const. Art. 2, Sec. 9)

(b) The vote of a majority of the Members voting shall be required to elect a President Pro Tempore. Except at the beginning and close of each regular session, the Senate shall only elect a President Pro Tempore when the office has become vacant and the vote of the majority of the Members elected shall be required to vacate the office of a seated President Pro Tempore.

Rule V

1. The President Pro Tempore shall:

(a) Appoint the Chairmen, Vice-Chairmen and members of the Standing Committees of the Senate as soon after the election of the President Pro Tempore as possible.

(b) Appoint members to special committees whenever authorized.

(c) Fill all vacancies occurring in standing and special committees.

(d) Refer to the appropriate standing committee, every bill and joint resolution which may be introduced in the Senate or received from the House of Representatives. Such referral shall be at the President Pro Tempore's convenience but not later than the succeeding legislative day.

(e) Appoint and have under the President Pro Tempore's direction such Senate employees as are authorized by law.

(f) Vote last on all questions when occupying the Chair.

2. The President Pro Tempore may:

(a) Name any Senator to preside in the absence of the President, or if both the President and President Pro Tempore are absent the Majority Leader, or the Majority Leader's designee, shall preside. The Majority Leader, during such time, shall be vested with all powers of the President. This authority shall not extend beyond a day's adjournment.

Rule XV

1. There shall be the following permanent Standing committees, the Chairmen, the Vice-Chairmen and members thereof to be appointed by the President Pro Tempore as soon as possible after his election in sessions convening in odd-numbered years or such other times as may be necessary. The composition of each Standing Committee shall reasonably reflect the party composition of the Senate membership. ...

2. (a) The President Pro Tempore shall be an ex-officio voting Member of all standing committees and subcommittees and not included in the number of committee members herein provided except that the President Pro Tempore shall not be an ex-officio Member of the Committee on Ethics and Official Conduct. ...

Rule XX

1. The President Pro Tempore shall appoint three Senators to comprise a Committee of Conference. Two shall be from the majority party and one from the minority party. ...

Rhode Island Senate

Rule 1.6. "President Pro Tempore" is a member of the senate elected to that position, who presides over the senate in the absence of the president of the senate.

South Carolina Senate

Rule 1. ... B. At various times as he or she deems necessary during the session, the President *Pro Tempore* is authorized to make a motion to provide for the convening of the Senate in statewide session for the exclusive purpose of the introduction and referral of bills, receipt of communications and committee reports and the reading and passage of local legislation to which all members of an affected delegation have given their consent for the bill to be taken up, and to adjourn immediately thereafter. Any such motion shall provide the specific dates during which the motion shall apply and shall provide that the Senate must convene at 11:00 a.m. and adjourn not later than 12:30 p.m. on each such day and such motion must be made at least two (2) days prior to the beginning of the period for which it applies.

C. The President *Pro Tempore* or his designee, when, in his opinion, it is impractical or dangerous to hold a regularly scheduled session(s) of the Senate, may declare the body adjourned to some other time. Such actions are to be taken only in times of great emergency including, but not limited to, natural disasters, severe weather, and acts of God.

Rule 7. A. If a Senator in speaking, or otherwise, violates the Rules of the Senate, the presiding officer shall, or any member may, by raising a point of order, call him to order; and when a member is called to order by the President or under a point of order, he or she shall sit down and may not proceed without leave of the Senate, unless the President takes the point of order under advisement. The President may call for the Sense of the Senate on any question of order. Every question of order must be decided by the President, without debate, and Senators shall have the right to appeal the decisions of the President to the full Senate. When the decision of the President is appealed, the President *Pro Tempore* or his or her designee shall preside and the President shall retire from the chamber during the pendency of the appeal and the Senate's debate and action on the motion to appeal. The question before the Senate shall be "Shall the ruling of the President be overridden?" and after not more than thirty (30) minutes, fifteen (15) minutes for and fifteen (15) minutes against, of debate it shall be decided by a majority vote of the membership.

...

South Dakota Senate

Rule S1-1. President pro tempore presides in absence of president. If the president is absent or unable to serve, the president pro tempore shall act as presiding officer of the Senate. The acts of the president pro tempore have the same validity as those of the president.

Rule S2-2. Seating assignments. The president pro tempore of the Senate, with the advice of the minority leader, shall make the seating assignments for the floor of the Senate.

Rule S3-1. Elective officers. The officers of the Senate are a president pro tempore of the Senate, a secretary of the Senate and such other officers necessary to conduct the business of the Senate, who shall be formally elected by a majority vote of the members-elect of the Senate. Employees necessary to conduct the business of the Senate shall be appointed by the president pro tempore and their appointment shall be announced at the opening of the session.

Rule S4-2. Chairs of standing committees. The president pro tempore of the Senate shall serve as the chair of the legislative procedure committee. For other committees, the member of a committee announced first is the chair. In the absence of the chair, the member announced next shall act as chair, and so on as often as necessary.

Rule S4-3. Referral of bills to committee. Upon the first reading of a bill, the president pro tempore of the Senate or his designee shall assign that bill to an appropriate committee for hearing.

Tennessee Senate

Rule 3. SPEAKER PRO TEMPORE. The Speaker of the Senate shall appoint a Speaker pro tempore who shall perform such duties as assigned by the Speaker. The Speaker pro tempore shall serve at the pleasure of the Speaker. The Speaker pro tempore shall preside during the absence of the Speaker, except that the Speaker shall have the right to name any member to perform the duties of the Chair for a period not to extend beyond an adjournment. In the absence of the Speaker and the Speaker pro tempore, it shall be the duty of the Clerk to call the Senate to order and call the roll for the election of a temporary speaker. In the event of an interim vacancy in the office of Speaker, through death or resignation, or in the event of disability, the Speaker pro tempore shall conduct the necessary business of the Senate only until such time as an election can be held in the Senate to fill the vacancy.

Texas Senate

Rule 1.02. The Senate shall, at the beginning and close of each session, and at such other times as may be necessary, elect one of its members President Pro Tempore, who shall perform the duties of Lieutenant Governor in any case of absence or disability of the Lieutenant Governor.

Rule 1.03. If the office of Lieutenant Governor becomes vacant, the President Pro Tempore of the Senate shall convene the Committee of the Whole Senate within 30 days after the vacancy occurs. The Committee of the Whole Senate shall elect one of its members to perform the duties of the Lieutenant Governor in addition to the duties of

Senator until the next general election. If the Senator so elected ceases to be a Senator before the election of a new Lieutenant Governor, another Senator shall be elected in the same manner to perform the duties of the Lieutenant Governor until the next general election. Until the Committee of the Whole Senate elects one of its members for this purpose, the President Pro Tempore shall perform the duties of the Lieutenant Governor.

Utah Senate

Rule SR-20.03. The President may call a Senator to the chair as President Pro Tempore and that Senator has the power of the President while conducting. This substitution does not extend beyond adjournment.

Vermont Senate

Rule 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. ...

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

Rule 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. ...

Virginia Senate

Rule 2. (a). There shall be elected by the Senate, on the first day of the session following the election of the Senate, a President pro tempore who shall serve for a term of four years and be a senior member in the Senate.

(b). In the event of the absence, disability or vacancy in the office of the Lieutenant Governor, the President pro tempore shall carry out the duties of the Lieutenant Governor as presiding officer. Further, the President pro tempore shall be the Chairman of the Commission on Interstate Cooperation of the Senate.

(c). The President pro tempore shall have the right to name in open session, or if he is absent, in writing, a Senator to perform the duties of the presiding officer, but such substitution shall not extend beyond an adjournment of a daily session, except by unanimous consent of those present.

(d). In the event of a vacancy in the office of the Lieutenant Governor, or whenever the powers and duties of the Governor shall devolve upon the Lieutenant Governor, the President pro tempore shall have the right to name, in writing, a Senator to perform the duties of the presiding officer during his absence; and the Senator so named shall have the right to name, in open session, or in writing, if he is absent, a Senator to perform the duties of the presiding officer, but such substitution shall not extend beyond adjournment of a daily session, except by unanimous consent of those present.

Rule 7. The Senate shall elect 11 Pages and five Pages shall be appointed by the following: one by the Lieutenant Governor; one by the President pro tempore; one by the chairman of the caucus of the majority party; one by the majority leader; and one by the minority leader. The Pages shall be no less than 13 and no more than 14 years of age at the time of election or appointment, shall be residents of the Commonwealth of Virginia, and shall be elected or appointed for a term of one year. No Page shall be eligible for reelection. Any such Page so elected or appointed may be suspended or dismissed for cause by the Clerk of the Senate.

Rule 19. (a). A Committee on Rules, which shall be in addition to the foregoing standing Committees, 17 Senators, consisting of the standing Committee Chairs; the President pro tempore, if the person is not a Chair; the Majority Leader, if the person is not a Chair; the Minority Leader; and members to comprise the 17.

Rule 50. The Senate may go into the Committee of the Whole only upon the affirmative vote of a majority of the members elected. When the Senate shall resolve itself into the Committee of the Whole, the President shall leave the

Chair and the President pro tempore shall preside in the Committee. If the President pro tempore is absent from the Senate, then the Senate shall elect a chairman to preside therein. ...

Washington Senate

Rule 2. 1. Upon the organization of the senate the members shall elect one of their number as president pro tempore who shall have all the powers and authority and who shall discharge all the duties of lieutenant governor acting as president during the lieutenant governor's absence. The senate shall also elect a vice-president pro tempore who will serve in the absence of the lieutenant governor and the president pro tempore.

2. In the absence of the president pro tempore, and vice president pro tempore, or with their consent, the president shall have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any documents requiring the signature of the president.

West Virginia Senate

Rule 4. The President of the Senate shall appoint a President *pro tempore*, who, during the absence of the President, shall preside and perform all the duties of the President.

Wisconsin Senate

Rule 1. (1) The senate shall elect, by roll call vote, one of its members to serve as president and one to serve as president pro tempore. The president and president pro tempore shall serve for the biennial session unless separated by death, resignation, or removal by the adoption of a resolution by a majority of the current membership. ...

Rule 2. (1) When the president is absent or unable to preside over the senate sitting in session, the president pro tempore may preside and assume all of the duties enumerated under rule 4. The substitution does not extend beyond adjournment and ends upon the president's return or the election of a new president. ...

Rule 3. Duties of president pro tempore and majority leader. When the president is separated by death, resignation, or removal from office, or is otherwise unable to serve, all of the powers and duties of the president not enumerated in rule 4 devolve upon the president pro tempore until a president is elected. When both the president and president pro tempore are separated by death, resignation, or removal from office, or are otherwise unable to serve, all of the powers and duties of the president not enumerated under rule 4 devolve upon the majority leader until a president is elected

Legislative Leaders

Leadership positions. At the beginning of each legislative session, decisions are made concerning leadership positions. Among the first is the determination of which titles will be used and the number of individuals who may hold each position. The most common leadership titles are president of the Senate, speaker of the House, majority leader and minority leader. However, there usually are no limits to the names and numbers of leadership positions that may exist, and table 99-2.13 illustrates the variety used by legislative chambers.

Selection and terms. Once titles and the number of individuals to hold each position have been set, the actual selection of legislative leaders commences. It is one of the key steps taken to organize a legislative chamber, and tables 99-2.14 through 99-2.18 illustrate how state legislatures choose their leaders.

The presiding officer—that is, the president of the Senate or speaker of the House—typically is elected by a vote of the full body. However, in the states shown below, the person who is elected by the people to serve as lieutenant governor acts as the president of the Senate.

Alabama	New Mexico
Arkansas	New York
California	North Carolina
Connecticut	North Dakota
Delaware	Oklahoma
Georgia	Pennsylvania
Idaho	Rhode Island
Indiana	South Carolina
Michigan	South Dakota
Mississippi	Texas
Missouri	Vermont
Nebraska	Virginia
Nevada	Washington

The president pro tem selects other caucus leaders in three states. In Alabama, the president pro tem appoints the Senate majority leader and assistant majority leader. The Senate assistant majority leader and the majority whip are appointed by this leader in Connecticut. In the Indiana Senate, the president pro tem chooses the majority leader, assistant majority leader and majority whip.

The majority leader appoints other caucus leaders in the Connecticut Senate and House, Florida Senate and House, Iowa Senate, Minnesota Senate, Oregon Senate and Rhode Island Senate. The specific leaders who are selected by the majority leader are:

Connecticut Senate	Assistant majority leader, majority whip
Connecticut House	Deputy majority leader
Florida Senate	Majority whip
Florida House	Majority floor leader, majority caucus chair
Iowa Senate	Majority caucus secretary
Minnesota Senate	Majority whip, majority caucus secretary
Oregon Senate	Assistant majority leader, majority whip
Rhode Island Senate	Majority whip

In the Delaware House, the speaker pro tem is the most senior member of the majority caucus. The chairman of the District of Columbia Council is elected by the citizens of Washington, D.C.

In most legislatures, there is no limit to the number of years that an individual may hold a leadership position. However, 24 chambers reported that some of their leadership positions have term limits—either official or unwritten. Table 99-2.19 highlights these limits.

Roles and responsibilities. The roles and responsibilities of legislative leaders vary considerably among the states. Shown below are brief synopses of the duties typically associated with selected leadership positions. Tables 99-2.20 through 99-2.36 provide more detailed information on leaders' duties.

President of the Senate. The president is the principal leader of the Senate. The president typically will 1) preside over the daily sessions of the Senate, 2) preserve order in the chamber, 3) state parliamentary motions, 4) rule on parliamentary questions, 5) appoint committee chairs and members, 6) refer bills to committee, 7) sign legislation, writs and warrants, and 8) act as the official spokesperson for the chamber. In about 26 states, the lieutenant governor serves as the president of the Senate, and many of these duties often are assumed by the president pro tem.

President pro tem of the Senate. The primary roles assigned to the president pro tem are to 1) preside over the Senate in the president's absence, 2) exercise the powers and duties of the president in his or her absence, and 3) assume other duties as assigned by the president. Sometimes, this is an honorary position, with few substantive duties assigned. In states where the lieutenant governor presides over the Senate, the president pro tem often assumes duties associated with a president.

Speaker of the House or Assembly. The speaker is the principal leader of the House or Assembly. The speaker typically will 1) preside over the daily sessions of the House or Assembly, 2) preserve order in the chamber, 3) state parliamentary motions, 4) rule on parliamentary questions, 5) appoint committee chairs and members, 6) refer bills to committee, 7) sign legislation, writs and warrants, and 8) act as the official spokesperson for the chamber.

Speaker pro tem. The primary roles assigned to the speaker pro tem are to 1) preside over the House or Assembly in the speaker's absence, 2) exercise the powers and duties of the speaker in his or her absence, and 3) assume other duties as assigned by the speaker. In some states, this is an honorary position, with few substantive duties assigned.

Majority leader or majority floor leader. The primary functions of a majority leader usually relate to floor duties. The majority leader 1) is the lead speaker for the majority party caucus during floor debates, 2) develops the calendar, and 3) assists the president or speaker with program development, policy formation and policy decisions.

Majority whip. The duties of the majority whip are to 1) assist the floor leader, 2) ensure member attendance, 3) count votes, and 4) generally communicate the majority position on issues.

Majority caucus chair. The majority caucus chair generally 1) develops the majority caucus agenda with other principal leaders, 2) presides over the majority caucus meetings, and 3) assists with the development of policy.

Majority caucus secretary. The main responsibility of the majority caucus secretary is to keep records of caucus meetings.

Minority leader or minority floor leader. The minority leader is the principal leader of the minority party caucus. The minority leader is responsible for 1) developing the minority position, 2) negotiating with the majority party, 3) directing minority caucus activities on the chamber floor, and 4) leading floor debate for the minority caucus.

Minority Whip. The major responsibilities for the minority whip are to 1) assist the minority leader on the chamber floor, 2) count votes, and 3) ensure attendance of minority party members.

Minority caucus chair. The minority caucus chair 1) presides over caucus meetings and 2) assists the minority leader with policy development.

Minority caucus secretary. The main responsibility of the minority caucus secretary is to keep records of caucus meetings.

Table 99-2.22 Major Roles and Responsibilities—President Pro Tem or Vice President

State (1)	Acts as official spokesperson for the chamber	Acts as official spokesperson for the caucus	Presides over floor sessions	Preserves order during meetings	States parliamentary motions	Rules on parliamentary questions	Appoints other caucus leaders	Appoints committee chairs	Appoints committee members	Sets calendar(s) or agenda(s)	Refers bills to committee
Alabama			S					S	S		S
Alaska			S								
Arizona											
Arkansas	S										
California	S	S	S	S	S	S					
Colorado			S						S		
Connecticut		S	S				S	S	S		
Delaware											
Florida											
Georgia			S		S	S					
Hawaii											
Idaho	S	S	S		S			S	S		S
Illinois											
Indiana	S				S		S	S	S		S
Iowa											
Kansas			S								
Kentucky									S	S	S
Louisiana											
Maine											
Maryland	S	S	S	S							
Massachusetts											
Michigan			S	S	S	S					
Minnesota											
Mississippi			S	S	S	S					
Missouri	S	S	S	S	S	S		S	S		S
Montana											

Table 99-2.22 Major Roles and Responsibilities—President Pro Tem or Vice President, cont'd.

State (1)	Acts as official spokesperson for the chamber	Acts as official spokesperson for the caucus	Presides over floor sessions	Preserves order during meetings	States parliamentary motions	Rules on parliamentary questions	Appoints other caucus leaders	Appoints committee chairs	Appoints committee members	Sets calendar(s) or agenda(s)	Refers bills to committee
Nebraska											
Nevada	S		S	S	S	S					
New Hampshire											
New Jersey											
New Mexico											
New York											
North Carolina	S							S	S		
North Dakota			S		S	S					S
Ohio					S						
Oklahoma	S		S	S	S	S		S	S		
Oregon			S		S	S					
Pennsylvania	S	S	S	S	S	S		S	S		S
Rhode Island											S
South Carolina	S		S			S					S
South Carolina								S	S	S	
Tennessee											
Texas											
Utah											
Vermont									S	S	
Virginia			S								
Washington			S			S					
West Virginia			S								
Wisconsin											
Wyoming											
American Samoa											
District of Columbia											
Puerto Rico			S		S	S					

Table 99-2.22 Major Roles and Responsibilities—President Pro Tem or Vice President, cont'd.

Key:

S=Senate

H=House or Assembly

B=Both chambers

Note:

1. The following chambers did not return a survey: Delaware Senate, Hawaii Senate, Maryland House, New Hampshire Senate, New York Senate, American Samoa House, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.

Table 99-2.23. More Duties of the President Pro Tem or Vice President

State (1)	Signs legislation, writs and warrants	Has jurisdiction over employees	Leads floor debate	Presides over caucus meetings	Ensures member attendance	Counts votes	Develops caucus agenda	Coordinates information dissemination to members	Other
Alabama									
Alaska									
Arizona									
Arkansas									
California			S	S	S	S	S	S	
Colorado									
Connecticut				S			S	S	
Delaware									
Florida									
Georgia					S				
Hawaii									
Idaho	S	S	S			S	S	S	
Illinois									
Indiana	S	S	S		S				
Iowa									
Kansas									
Kentucky		S							
Louisiana									
Maine									
Maryland									
Massachusetts									
Michigan									
Minnesota									
Mississippi									
Missouri	S	S	S		S			S	
Montana									

Table 99-2.23 More Duties of the President Pro Tem or Vice President, cont'd.

State (1)	Signs legislation, writs and warrants	Has jurisdiction over employees	Leads floor debate	Presides over caucus meetings	Ensures member attendance	Counts votes	Develops caucus agenda	Coordinates information dissemination to members	Other
Nebraska									
Nevada	S								
New Hampshire									
New Jersey									
New Mexico									
New York									
North Carolina				S					
North Dakota	S								
Ohio									
Oklahoma	S	S	S			S		S	
Oregon									
Pennsylvania	S	S					S	S	
Rhode Island									
South Carolina		S							
South Carolina		S							
Tennessee									
Texas									
Utah									
Vermont			S						
Virginia									
Washington									
West Virginia									
Wisconsin									
Wyoming									
American Samoa									
District of Columbia									2
Puerto Rico									

**Table 99-2.23 More Duties of the President Pro Tem or Vice President,
cont'd.**

Key:

S=Senate
H=House or Assembly
B=Both chambers

Notes:

1. The following chambers did not return a survey: Delaware Senate, Hawaii Senate, Maryland House, New Hampshire Senate, New York Senate, American Samoa House, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. District of Columbia: The chairman pro tem acts in the chairman's absence.

Table 99-2.26 Major Roles and Responsibilities—Speaker Pro Tem

State (1)	Presides over floor sessions	Preserves order during meetings	States parliamentary motions	Rules on parliamentary questions	Ensures member attendance	Counts votes	Develops caucus agenda	Coordinates information dissemination to members	Other
Alabama									
Alaska	H								
Arizona	H	H	H	H					
Arkansas									2
California	H		H	H					3
Colorado									
Connecticut	H	H	H	H	H	H	H	H	4
Delaware	H								
Florida	H								
Georgia	H			H					5
Hawaii									
Idaho									
Illinois									
Indiana	H	H		H					
Iowa	H		H	H			H		
Kansas	H								
Kentucky	H								
Louisiana									6
Maine									
Maryland									
Massachusetts									
Michigan	H								
Minnesota	H	H	H	H	H	H	H		
Mississippi	H	H	H						
Missouri									
Montana									

Table 99-2.26 Major Roles and Responsibilities—Speaker Pro Tem, cont'd.

State (1)	Presides over floor sessions	Preserves order during meetings	States parliamentary motions	Rules on parliamentary questions	Ensures member attendance	Counts votes	Develops caucus agenda	Coordinates information dissemination to members	Other
Nebraska									
Nevada									7
New Hampshire									
New Jersey									
New Mexico									
New York	H		H	H					
North Carolina	H								8
North Dakota									
Ohio									
Oklahoma	H	H		H					9
Oregon									
Pennsylvania									
Rhode Island									10
South Carolina	H	H	H	H					11
South Dakota									
Tennessee	B	H	H	H					12
Texas	H								
Utah									
Vermont									
Virginia									
Washington									
West Virginia									
Wisconsin									
Wyoming									
American Samoa									
District of Columbia									
Puerto Rico									

Table 99-2.26 Major Roles and Responsibilities—Speaker Pro Tem, cont'd.**Key:**

S=Senate

H=House or Assembly

B=Both chambers

Notes:

1. The following chambers did not return a survey: Delaware Senate, Hawaii Senate, Maryland House, New Hampshire Senate, New York Senate, American Samoa House, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. Arkansas: In the House, the speaker pro tem performs the duties of the speaker in his or her absence.
3. California: The speaker pro tem of the House also may preside over caucus meetings.
4. Connecticut: The speaker pro tem of the House also refers bills to committee and has jurisdiction over employees.
5. Georgia: The speaker pro tem also may act as the official spokesperson for the House.
6. Louisiana: In the House, the speaker pro tem performs the duties of the speaker in his or her absence.
7. Nevada: In the Assembly, the speaker pro tem performs the duties of the speaker in his or her absence.
8. North Carolina: In the House, the speaker pro tem performs the duties of the speaker in his or her absence.
9. Oklahoma: The speaker pro tem of the House also may sign legislation, writs and warrants.
10. Rhode Island: In the House, the speaker pro tem performs the duties of the speaker in his or her absence.
11. South Carolina: In the House, the speaker pro tem also refers bills to committee.
12. Tennessee: The speaker pro tem of the Senate also sets calendars or agendas.