

**TEXT APPROVED IN FINAL VOTE BY THE SENATE  
(JANUARY 10, 2005)  
(AMENDED BY MOTION PASSED FEBRUARY 10, 2005)  
(AMENDED MAY 5, 2005)  
(AMENDED AUGUST 29, 2005)**

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15<sup>th</sup> Legislature

1<sup>st</sup> Regular Session

**SENATE OF PUERTO RICO**

**S.R. 11**

January 10, 2005

Introduced by Messrs. *McClintock-Hernández, de Castro-Font,*  
*Dalmau-Santiago* and Mrs. *Santiago-Negrón*

Referred to the Committee on Rules and Calendar

**RESOLUTION**

To adopt the rules for the proceedings and internal government of the Senate of Puerto Rico.

**STATEMENT OF MOTIVES**

The Legislature is the forum where public affairs are discussed and its members, as direct representatives of the people, have a special responsibility to oversee and supervise the activities of the Executive Power. As the main decision-making center, the Legislature is an agile and well-informed body politic, with the capacity to address the social and economical realities of the Island. Said realities require of this institution the reforms needed to attain greater productivity and efficiency, at the least possible cost, in the management of public affairs.

In order to comply with this mission and in accordance with our juridical and constitutional laws, this Senate has established rules for its proceedings and internal government which affirm our belief in justice, freedom and democracy.

**BE IT RESOLVED BY THE SENATE OF PUERTO RICO:**

Section 1.—The rules for the proceedings and internal government of the Senate of Puerto Rico included hereinbelow are hereby adopted:

**I – ADOPTION, AMENDMENT, SUSPENSION AND  
INTERPRETATION OF THE RULES**

**RULE 1**

**A. INTRODUCTORY PROVISIONS**

Section 1.1.—Title.—

These Rules shall be known as the “Rules of the Senate of Puerto Rico.”

Section 1.2.—Power to Adopt.—

These Rules are adopted by the virtue of the Authority conferred to this Body by the Constitution of the Commonwealth of Puerto Rico in its Article III, Section 9, which provides that each Body “shall adopt the rules proper of legislative bodies for their proceedings and internal government.”

Section 1.3.—Purposes.—

These Rules are adopted for the purpose of assuring a logical and trustworthy order in that which concerns the legislative process, as well as to establish effective norms and directives for parliamentary procedures and ministerial and administrative matters. With such mechanisms, inspired on a democratic spirit, all members of the Body shall be assured the opportunity to participate, actively and conscientiously, in the analytical and decisional proceedings of the Senate.

Through these rules, the power of the majority to make those decisions that are proper to its legislative work is recognized, and at the same time, the right of the minorities to be heard and to record their oral and written points of view and the positions assumed in the consideration of issues is strengthened and guaranteed.

Through this procedural instrument, the respect of the individual rights of Senators, whether they belong to the Parliamentary Majority or Minority, is assured and the responsible deliberation in that germane to the approval of legislative measures which propitiate to the development of a better Government, is strengthened.

Section 1.4.—Applicability.—

These Rules shall be applicable to:

- a) All Senators, officers and employees of the Senate, the Standing and Special Committees, to subcommittees and to any other office or body attached to the Senate or under its control. Joint Committees shall be governed pursuant to the provisions to be adopted by the Legislature for such respect.
- b) Every citizen summoned by the Senate, its President or its Standing or Special Committees, or Subcommittees thereof, or that citizen who appears voluntarily without a summons regarding a matter germane to his/her appearance, for the duration of his/her relations with the Body or until his appearance has concluded or has been excused.
- c) Every citizen who is on the premises or facilities of the Senate, for the duration of his/her presence therein.

Section 1.5.—Interpretation of the Rules.—

The President shall be responsible for compliance with the provisions of these rules. For such purpose, he/she shall be responsible for its interpretation and application in a fair and liberal manner, taking the order, dignity and integrity of the Body, its proceedings and applicable jurisprudence as its decisional framework.

In those cases in which issues which have not been foreseen in these Rules should arise, the decisions shall be made using, among others, the following criteria:

- a) Previous decisions of the Senate, or in the absence thereof, of the House of Representatives, on issues of the same or similar nature.
- b) The corresponding rule of the Jefferson's Parliamentary Practice Manual, based on the interpretation adopted to such respect by the Senate of the United States, or in the absence thereof, by the House of Representatives.

## **RULE 2**

### **A. AMENDMENT OR SUSPENSION OF RULES**

#### Section 2.1.—Motion to Amend or Suspend Rules.—

These Rules may be suspended or amended through a written motion filed at the Office of the Secretary, pursuant to the procedure set forth hereinbelow.

However, its provisions may be suspended at any time without the application of the preceding requirement, in those cases in which there is the unanimous consent of the members present, if there is quorum.

Section 2.2.—Processing the Motion.—

Every motion drafted to amend or suspend the Rules shall be referred to the Committee on Rules and Calendar. Said Committee shall render the corresponding report within seventy-two (72) hours after the receipt of said motion. However, the Committee may petition the Body and be granted additional time to study and report the amendments proposed.

In those cases in which the Committee on Rules and calendar proposes amendments to the Rules, said amendments shall be filed at the Office of the Secretary for due processing.

Section 2.3.—Consideration of Reports.—

The reports rendered to such respect by the Committee on Rules and calendar shall be considered in the session following its date of filing. They shall be considered with preference over the other issues of the day.

Section 2.4.—Approval.—

The approval of motions to amend or suspend the Rules shall require the affirmative vote by roll call of the majority of the members, excepting Section 6.1 which shall require the unanimous consent of the Body.

## II – RELATIONS WITH THE HOUSE OF REPRESENTATIVES

### RULE 3

#### A. RELATIONS WITH THE HOUSE OF REPRESENTATIVES

##### Section 3.1.—Relations Between Both Bodies.—

The relations between the Senate and the House shall be governed in accordance with constitutional and statutory provisions, as well as by the joint rules or norms adopted by the bodies to such effects through a Concurrent Resolution.

##### Section 3.2.—Expressions.—

No member of the Senate, officer, or employee thereof, shall make undue or improper expressions on the works, proceedings and internal government of the House of Representatives, nor regarding any of its members, officers or employees, in their official capacity.

##### Section 3.—Expressions During Session.—

In the course of a Senate session, the only reference allowed as to the House of Representatives is to make official expressions on measures pending consideration or approved by said Body. No Senator may refer to the parliamentary procedures or to the legislative criteria of the House in terms of criticism. Neither shall expressions be made with respect to its members, officials or employees.

In the case that a Senator acts in contravention to the provisions of this Section, the President of the Senate, on his/her own initiative or through a question of order set forth by a member, shall call such Senator who has the floor to order for him/her to immediately refrain from making said expressions. The expressions of the Senator already made to such respect may be stricken from the record by order of the President.

### **III – CONSTITUTION, COMPOSITION AND ORGANIZATION OF THE SENATE**

#### **RULE 4**

##### **A. CONSTITUTION, COMPOSITION AND ORGANIZATION OF THE SENATE**

###### Section 4.1.—Commencement of Term.—

The term of office for which Senators are elected commences, pursuant to the Constitution of Puerto Rico in its Article III, Section 8 (as amended), on the second day of January following the date in which general elections are held.

###### Section 4.2.—Certificate of Election, Certificate of Filing Audited Financial Statement.—

As of January 2 on which his/her term commences and prior to taking oath and to the holding of the Inaugural Session of the Senate of the

corresponding Legislature, every Senator shall remit to the Secretary of the Senate the Certificate of Election and the Certificate of Filing the Audited Financial Statement issued by the competent electoral authority.

The Secretary shall also receive the certification issued by the competent electoral authority on the Senators who were elected in the general elections.

Having said information, the Secretary shall prepare a registry in which he/she shall state the complete name of each Senator, the date of the Certificate of Election, the fact that he/she has been elected or elected at large or for a specific senate district and the name of the officers who issued the document.

The certificates shall be returned to the Senators after the Inaugural Session.

Section 4.3.—Oath.—

As of January 2 when his/her term commences, every Senator shall take oath of office before the Secretary of the Senate. To such effects, the provisions of Article 186 of the Political Code, as amended, which makes reference to the oath of office, shall be applied as well as the provisions of Article 208 of the Political Code, which establishes a term to take the same.

The Senators shall begin to exercise their functions at the time of taking said oath. The Secretary shall state the date and the text of the oath taken by each Senator elected at large or by district in the Minutes of the Inaugural Session.

Section 4.4 – The Secretary Acting as President.—

The Secretary of the Senate shall act as President of the Body from January 2 following general elections until the Senate elects a President and he/she takes oath and is sworn into office.

In the exercise of said functions, the Secretary shall have the following responsibilities:

- a) Shall act as the executive officer of the Senate, with all powers and prerogatives of the Presidency;
- b) Shall keep the Office of the Secretary of the Senate operating, also exercising all the duties this entails;
- c) Shall be custodian of all Senate property; inclusively shall process the return of that property in the care of Senators who have ceased office on January 1 following the general elections.
- d) Shall make disbursements proper to his/her office, including those needed to hold the Inaugural Session of the Legislature;

- e) Shall inform the Senate, through a written document to be delivered to the President elect, of all actions, determinations, disbursements and obligations incurred by him/her as Acting President;
- f) Shall administer oath of office to the Senators elect, as provided in this Rule;
- g) Shall hold the office of President in the Inaugural Session, in compliance with the duties set forth in these Rules.

Section 4.5.—Legislator Acting as President.—

In the event that the Office of Secretary of the Senate were vacant, or that the Secretary were absent or prevented from exercising as President of the Body, the acting senator of the parliamentary majority of greatest seniority as member of the Legislature shall perform the duties of President assigned to the Secretary.

**RULE 5**

**B. INAUGURAL SESSION AND ELECTION OF OFFICERS**

Section 5.1.—Holding of Inaugural Session.—

The Inaugural Session of the Senate of the First Regular Session of each Legislature shall be held on the second Monday of the month of January following general elections, commencing at 11:00 A.M.

Section 5.2.—Election of Officers; Vacancies.—

In the Inaugural session the following officials shall be elected:

- a) President
- b) Vice President
- c) Secretary
- d) Sergeant at Arms

The President and the Vice President shall be elected from among the members of the Senate; the Secretary and the Sergeant at Arms, however, may not be members of said Body.

If there is a subsequent vacancy, caused by the resignation, removal or death of any of these four officers, the office shall be immediately filled through election if the Senate is convened Regular or Special Session. If not, the election shall be held in the first session convened after the vacancy has occurred. In this case, the President shall designate a substitute to exercise such duties pro tempore. If the vacant office is that of the President, the Vice President shall act as such until a President is elected and takes office.

In the case that the offices of President and Vice President were vacant, the Secretary or the Senator of the parliamentary majority that is in office and who has the greatest seniority as member of the Legislature shall

preside the Body to the sole effect of immediately electing the new officers. If the Body is not convened, the acting President shall call for a Special Session for such purpose.

Section 5.3.—Special Proceedings in the Inaugural Session.—

The Inaugural Session shall be held in accordance with the general proceedings indicated hereinafter:

- a) The Secretary of the Senate shall hold the Presidency and shall have the same authority and power established by law and the Rules for the President of the Senate. The Secretary shall resolve all parliamentary questions that are set forth, but his/her decisions may be appealed to the Body;
- b) The session shall be called to order and the national anthems of Puerto Rico and of the United States shall be heard;
- c) The official certifications issued by the competent electoral authority shall be read, and the names of the Senators shall be stated;
- d) In the case a member of the Body has not taken the oath of office, the Secretary shall proceed to do so. It shall be informed for the record that this requirement has been complied with by

all Senators, and the text of the oath shall be included in the Minute;

- e) There shall be a roll call to determine the existence of the required quorum. This shall be determined by the acting President. It shall be understood that the Body is officially constituted when the number of Senators present, duly certified and sworn, is greater than half of the Senate seats;
- f) After the Senate is constituted, the corresponding religious invocations shall be made;
- g) The political parties represented in the Body shall officially state the names of their Floor leaders and Alternate Floor leaders;
- h) The candidates to the Presidency of the Senate shall be nominated, and he/she shall be elected by the majority of the members that constitute the Body by secret vote. The acting President shall designate a Canvassing Committee, which, after counting, shall immediately announce the result of the voting. If said canvassing does not turn out a candidate with majority of votes, a new election shall be held;

- i) The Acting President shall proclaim the election of the President of the Senate and shall designate a Committee to escort him to the presidential dais. He/she shall take oath of his office before the acting President and upon his installation shall pronounce his inaugural speech.
- j) Once the President's message has concluded, the nomination and election of the Vice President, Secretary and Sergeant at Arms shall follow, which shall be conducted *viva voce*. If more than one candidate is nominated to any of these offices, the election shall be by secret vote.

The elected candidates shall take oath before the President and assume their respective offices.

If one of these officers cannot be elected in the Inaugural Session, his/her election shall take place in the next session, but the President shall designate an acting officer to such office.

- k) The Senate shall receive the members of the House of Representatives in the Sessions Hall to accept their greetings and reports according to protocol. The President shall appoint a committee of members of the Senate to reciprocate the visit and present the corresponding greetings to the House of

Representatives. Both committees shall make a joint visit to the Governor of Puerto Rico to present the greetings of the Legislature, inform him/her that both bodies have been constituted and to notify him/her that they are ready to hear his/her State of the Commonwealth Address.

The Senate Committee shall render a report to the Body regarding the visit to the Governor of Puerto Rico in the session following said visit.

Section 5.4.—Adoption of Rules in the Inaugural Session.—

The Senate shall adopt the Rules that shall govern its proceedings and internal government during the Inaugural Session. To such ends, it may, if deemed convenient, ratify the previous Rules, in effect up to said time, which shall continue to be effective in its totality until the same is amended or repealed.

**RULE 6**

**C. THE PRESIDENT**

Section 6.1.—Powers and Obligations.—

The President of the Senate shall have the following powers and obligations:

- a) Shall be the chief executive of the Body for all legislative and administrative affairs during the entire quadrennial for which he/she was elected. When permitted by law or rules, he/she may delegate those functions deemed necessary for the faithful compliance of his/her task;
- b) Shall preside over all meetings of the Senate, of the Committee of the Whole and of the Special Committee of the Whole;
- c) Shall decide all parliamentary issues of the Body, including questions of order set forth in the sessions;
- d) Shall appoint the Standing and Special Committees of the Senate; shall designate and substitute its members and officers, fill vacancies and designate the members of the Senate with respect to Joint Committees, may appoint co-presidents or designate the presidency and the vice presidency in alternate years;
- e) Shall refer bills and resolutions to Standing Committees for their consideration and study; shall refer to any Committee, including Special Committees, those matters of public interest that should be investigated or studied by the same, and shall require the corresponding report. The President may delegate

on the Secretary the process of referring measures or issues to the different Committees.

- f) Shall refer to each Committee the corresponding appointments, according to the jurisdiction thereof;
- g) The President may delegate the coordination functions of the Standing Committees on the Vice President and on the Majority Floor Leader.
- h) Shall sign all bills, joint resolutions and concurrent resolutions approved by the Legislature to be remitted to the Governor; shall sign all orders or summons issued on behalf of the Senate.
- i) Shall convoke Special or Called Sessions pursuant to the Constitution, the laws and these Rules.
- j) Shall maintain order and decorum at all times on the premises, structures and facilities of the Senate. Likewise, he/she shall not allow the public to make expressions of pleasure or displeasure caused by statements from the Senators in the Floor, nor shall he/she allow that works of the Body be interrupted or delayed by them.

In the exercise of said function, he/she may order the immediate evacuation of said areas, as well as the arrest of the persons who caused or promoted the situation.

In the event of a disturbance in the Sessions Hall while the Senate is assembled, the President may order the suspension of the Session or decree a recess in order to take the corresponding action;

- k) Shall have the obligation to vote on all issues, unless he/she wishes to be excused, and for such he/she shall call on the Vice President to preside or on any other Senator, in the absence or upon excuse of the former. This petition shall be handled pursuant to the provisions of Section 40.1;
- l) If he/she wishes to file a motion or take part in a debate, he/she shall call on the Vice President or on any other Senator to preside, in the absence or upon excuse of the former. To such effects, the President shall take his place among the Senators.
- m) When he/she is absent or must abandon the session and the vice president is not present, he/she may appoint any other Senator to substitute him. This appointment shall not extend to more than one session unless the Body has given its consent.

- n) May entrust the study of any issue he/she deems is urgent or of compelling public interest to a Standing or Special Committee when the Senate is not assembled in a Regular or Special Session.
- o) May designate a parliamentary advisor, who shall have continuous access to the Floor to comply with legislative tasks.
- p) Shall have an Advisory and Experts Corps, which shall be composed of advisors, technicians and experts, who shall, on request advise him/her, as well as the Senate and its Committees or Subcommittees in the study and investigation of legislative issues. For these same purposes and when deemed necessary, he/she may also create a Special Investigations Unit, which may be assigned to work in coordination with any of the Committees or Subcommittees of the Senate for the term of the study or investigation or for the time determined by the President.
- q) Shall represent the Senate and appear before the General Courts of Justice of Puerto Rico or before the Courts of the United States in any action filed against the Senate, its officers, Committees and Subcommittees or officers thereof, by reason

of their legislative functions. This power shall extend to the mechanisms of law to review or appeal decisions before courts of a higher rank.

May file on behalf of the Senate or intervene in those judicial actions in which he/she deems that the rights, powers and prerogatives of the Senate, its officers, Committees, Subcommittees and the officers thereof, could be affected in the performance of their legislative duties. This power also extends to the mechanisms of review and appeal.

The President may contract lawyers, experts, technicians as well as any other services deemed necessary to comply with his/her work and the subsequent representation before the Courts of Justice.

- r) Shall be in charge of the administrative affairs of the Senate. As such, he/she shall organize and direct the activities proper to the duties of the Body, including, among others, the selection, appointment, classification, promotion, retribution, discipline, dismissal, removal, sanctioning of personnel and the promulgation of norms for the administration thereof; drafting, managing and public disclosure of the budget; control over

purchases and disbursement of public funds; administration of the property and equipment and materials inventory systems; adoption of accounting methods; contracting of goods and services. He/she shall assure that all bid processes are conducted with the participation of the Parties represented in the Senate.

For such purposes, the President shall adopt and enforce those norms and rules that guarantee the transparency of the procedures in each particular case and that make the execution of administrative duties more effective. The President may delegate on the pertinent officers any of these duties through an Order to such effect;

- s) Shall appoint an Internal Auditor with the purpose to oversee that the resources of the Senate are used in accordance with the applicable laws and regulatory dispositions. To such effects, the Internal Auditor shall render an annual report, in writing, to the Senate, which shall be published in the Internet. Every person interested in obtaining a certified copy of this report at the Office of the Secretary of the Senate, may request it upon canceling a three (3) dollar internal revenue stamp, and at a cost

of five (5) cents per reproduced page. If the requested copies are not certified, the cost of reproduction shall only be charged. The accredited press may obtain a copy of this document free of charge.

- t) Shall oversee strict compliance of these Rules, as well as of the constitutional and legal principles that govern the legislative power.
- u) Shall not preside Standing or Special Committees;
- v) Shall establish a Legislative Appropriation Pre-Auditing Office which must issue an opinion prior to the approval of a legislative appropriation in order to guarantee the greatest transparency in the appropriation of funds;
- w) Shall establish a simple, yet transparent registry of lobbyist accessible to the public through the Internet.
- x) Shall be responsible for the faithful compliance of the content of the Digital State Act of 200, including absolute access through the Internet to legislative measures and reports, administrative documents and transmission of legislative sessions and principal public hearings through the Internet. Said

transmissions may be conducted through government broadcast stations and cable.

- y) Shall offer opportunity for continuing training and legislative education during the quadrennial to improve the capacities of Senators, advisors, employees and private citizens. In this manner the “Legislative Academy” shall be active throughout the quadrennial;
- z) Shall also perform all those duties that are entrusted to him/her by the Constitution, the laws or these Rules, as well as those established by the Senate or that are necessary to carry out his/her work, but that are not in conflict with our body of laws.

Section 6.2.—Source of the Power to Exercise the Office of President.—

In the discharge of legislative functions, as well as in the course of sessions, three (3) variations have been identified in the role of President according to the origin of the power to exercise such office, to wit:

- a) President in Office: is that member officially elected by the Body to assume said office.
- b) Acting President: is that who has the responsibility to hold the office by provision of law or rules in determined circumstances. These are the Secretary, Vice President or Senator of the

parliamentary majority who is in the exercise of his/her office and of greatest seniority as member of the Legislature.

- c) Incidental President: the Senator designated by the President, or in its defect, by the Vice President to exercise the office in a determined session, or part thereof, as provided in Section 6.3.

The Acting President and the Incidental President shall have in their capacity as such, the same duties, powers and prerogatives as the Official President, as well as any other that have been assigned by law in that which concerns his position on the Body.

Section 6.3.—Incidental President.—

The President may appoint any Senator to hold the presidential seat and exercise the functions of Incidental President in those cases in which he/she is to be absent, excused to vote or wishes to introduce a motion or participate in a debate, and the Vice President is absent or has been excused to such effect.

This appointment may not be extended for more than one session without the consent of the Body,

Once ten (10) minutes have elapsed after the time established for the Session to commence, if the works have not begun, any Senator of the majority, in order of seniority, may assume the incidental presidency or in its

defect, any Senator of the minority, in order of seniority, so that the works of the Senate are delayed.

## **RULE 7**

### **D. THE VICE PRESIDENT**

#### Section 7.1.—Duties as Vice President.—

The Vice president shall have the duties and attributes as the President of the Senate while substituting the latte in the exercise of his/her functions.

He/She shall likewise assist the President in his/her tasks as such, and shall carry out all those duties that are delegated to him/her by the President or assigned by the Body or our juridical code of laws.

#### Section 7.2.—Vice President as Acting President.—

As provided in Section 6.2, the Vice President shall carry out the duties of the President in the case of his/her absence, and for the duration thereof, when he/she wishes to be excused from voting or when introducing a motion or to participate in a debate. In the case of the death, resignation or removal of the President, the Vice president shall exercise such duties until the new President is elected and taken office, as provided in Section 5.2.

#### Section 7.3.—Designation of an Incidental President.—

In the exercise of his/her duties as President, the Vice President may appoint a Senator to substitute him/her in the cases set forth in Section 6.3.

**RULE 8****E. THE SECRETARY**Section 8.1.—Duties of the Secretary.—

The Secretary shall have the following duties and responsibilities:

- a) Shall be the Acting President, as provided in Section 4.4 of these Rules, and shall have, for such purposes, shall have the same rights and prerogatives that have been assigned to the President in office. He/she shall hold the Presidency in the Inaugural Session and shall carry out those duties prescribed in said section;
- b) An hour before the commencement of every session, he/she shall place on the desk of every Senator, a copy of the Minutes of the previous session, a printed copy of the list of bills, resolutions and motions of the Body introduced, the Orders of the Day as well as a copy of the Calendar of Special Orders of the Day.

He/she shall place on the desk of every Senator in the Floor a copy of the bills, resolutions and motions, consigning the expressions of the Body to be considered by the Senate, as well as copy of the Committee reports. He/she shall also deliver

to the members of the Body those documents that are for their information or action, or with respect to which there is an order from the Senate of the President to those effects.

- c) He/she shall do the roll call at the beginning of each session or when required and shall call absent Senators a second time. He/she shall inform the President the number of senators present at the Floor for determination of quorum.

He/she shall read to the Senate the documents that are for its information by orders of the President, pursuant to the provisions of these Rules.

- d) Shall prepare the Minutes corresponding to each session of the Senate, shall sign each one of them together with the President of the Senate and shall keep them for their annual publication. He/she shall be responsible for the preparation of the materials that is to be included in the Journal of Sessions and shall be in charge of their reproduction and distribution;
- e) Shall prepare a list of the bills, resolutions and petitions filed in the Senate and of those received from the House of Representatives; and shall keep a register of all processes, tasks, and measures undertaken by the Bodies and their Committees,

regarding said bills, resolutions and petitions, as of their filing to their ultimate processing. He/she shall also prepare a list of motions to congratulate or recognize or to express joy, grief or sympathy filed in the Senate.

He/she shall assign the corresponding number to the legislative measures filed in the Office of the Secretary, which shall immediately go through the pertinent process, as provided in these Rules.

- f) Shall prepare a monthly report of the attendance of Senators to the sessions. In the same, the attendance, absence, and absences authorized for justified reasons such as: sickness, physical impossibility to appear, or for being on official duties as directed by the President of the Senate, shall be detailed.
- g) Shall write in the registry the process regarding documents forwarded to the Chairpersons of the Committees; shall forward to the latter the petitions, memorials, bills of law, resolutions, and appointments they are to study or investigate, the reports returned by the Senate for further action and any other document that is addressed to the Committee, He/she shall prepare a list of the measures that have only ten (10) days left

before the expiration of the term during which the committees must file their reports, as established in Section 31.1, to report to the Committee on Rules and Calendar, to the chairpersons of each of the concerned committees, as well as to the Senate in full in its next session.

- h) Shall have custody of the archives and documents connected to the parliamentary procedure of the Senate and shall keep a system of archives, conservation and disposition of documents, using modern technology norms. He/she shall not allow the removal of any original document from the Office of the Secretary, unless there is an order from the President or the Body to such effects.
- i) Shall prepare an Approved Text of every measure which shall include the text to be amended or repealed in every act or concurrent resolution which shall be certified and remitted to the House of Representatives with the corresponding documents, including its electronic mailing.
- j) Shall prepare the enrolled version of every bill, joint resolution and concurrent resolution originated in the Senate for the

corresponding final certification by both Bodies; and shall sign all enrolled texts to certify their correctness.

- k) Shall remit to the Governor of Puerto Rico, duly certified, those bills, joint resolutions and concurrent resolutions originated in the Senate, that have been approved by both Legislative Bodies.
- l) Shall be the custodian of the official seal of the Senate and shall seal all orders, summons or documents of the Senate; shall have the responsibility of certifying and informing, to whom it may concern, those agreements adopted by the Senate in its sessions
- m) Shall be responsible for the advanced publication of the annual book of laws and resolutions

Shall print and distribute the Decisions of the President, the Rules and any other regulatory provision or amendment adopted by this Body.

He/she shall also make public any other information, when required by regulatory provision or order of the President of the Body;

- n) When the President calls to a Called Session or Special Session, shall be responsible for preparing the convocation to be signed

by the President and shall remit the same to the Sergeant at Arms for the corresponding processing.

- o) Shall be responsible for requiring the Executive and Judicial Branches that they remit to the Senate all reports and documents provided by law or that have been requested of them
- p) Shall be responsible for the operation of his/her Office and of any others assigned by the Body or by the President, and shall furnish the equipment needed to carry out their work; he/she shall ensure faithful compliance of the duties entrusted to the employees of the Office of the Secretary, and shall sign vacation, absence and sick leaves as well as the daily and weekly attendance reports of said employees; shall notify the President of any faults or indiscipline by part of the employees of the Office of the Secretary in the performance of their powers and duties; and shall render an annual report to the President on the work of the Office of the Secretary, including in said report statistical data on the legislative works, which shall also be included in the internet or intranet page.
- q) Shall design a procedure through which the citizenry and the press shall have access to the documents in the custody of the

Senate, excepting the personnel records of the employees and officers of the Body, documents that are part of an ongoing investigation by the Body or of its Committees, and the documents and reports that affect the privacy of a nominee or his/her family, product of investigations conducted with respect to an appointment submitted by the Governor. If the copies requested are to be certified, the cancellation of a three (3)-dollar internal revenue stamp shall be required, and a charge of five (5) cents shall be imposed for each page to be reproduced, and any other cost for administrative expenses in the search or supervision thereof. If the copies requested are not to be certified, the cost of reproduction shall only be charged. The accredited press may obtain copy of these documents without cost.

- r) Shall coordinate with the Communications Office the disclosure of the Senate payroll, which includes that of the members of the Body, as well as that regarding all contracts executed and appointments.
- s) Shall establish an updated electronic disclosure mechanism of the legislative processes.

- t) Shall coordinate and handle the television broadcasting process and any other mechanism needed to enable the people to view public hearings and sessions of the Senate. For such purpose, the Secretary shall prepare a weekly calendar for the broadcasting of public hearings so that there is an equal distribution of such transmissions among all Standing Committees of the Senate. Said calendar shall be notified to the Body with sufficient time prior to the week of the transmission.
- u) The Secretary shall keep the Filing and Processing Office open on the fifteenth day after the filing of a resignation by a Senator, whether this falls on a work day or holiday, as provided in Act Number 387 of September 15, 2004.
- v) Shall perform any other duty that is imposed on him/her by law or Rule, or by order from the Body or the President.

Section 8.2.—Separation from Office.—

The Secretary, being an officer of the trust of the Body, may be separated from office at any time through the affirmative vote of the absolute majority of Senator in a secret voting.

Likewise, in the case of deficiencies, shall be subject to disciplinary sanctions to be imposed by the President, in his/her discretion.

**RULE 9****F. SERGEANT AT ARMS**Section 9.1.—Duties and Responsibilities.—

The Sergeant at Arms shall have the following duties and responsibilities:

- a) Shall be responsible for security and order in the premises, structures and facilities of the Senate;

In the exercise of this duty, and with authorization or order of the Body or the President, may make those arrests set forth in these Rules, as well as request the intervention of the Puerto Rico Police or of any other entity engaged in the rendering of security and vigilance services;

- b) Shall enforce the provisions of rule 26 regarding access to the Sessions Chamber, galleries and halls of the Senate;
- c) Shall attend all sessions of the Senate;
- d) Shall execute orders from the Senate and of the President, as well as those of the Chairpersons of the Committees;
- e) Shall distribute mail to the Senators and documents to be distributed by order of the Body, the Chairpersons of the

Committees or of the Secretary, and shall serve summons and convocations issued;

- f) Shall provide Senators with desk materials in the Floor and shall be in charge of the usher services in the Senate and in the Committees.
- g) Shall comply faithfully with all other duties and responsibilities imposed by law or regulations or that are assigned to him/her by the Body or the President.

Section 9.2.—Separation from Office.—

The Sergeant at Arms, being an officer of the trust of the Body, may be separated from office at any time through the affirmative vote of the absolute majority of Senator in a secret voting.

Likewise, in the case of deficiencies, shall be subject to disciplinary sanctions to be imposed by the President, in his/her discretion.

**RULE 10**

**G. FLOOR LEADERS**

Section 10.1.—Designation.—

Every political party represented in the Senate shall be entitled to designate, from among its members, a Floor Leader, and if represented by two or more Senators, to designate an Alternate floor Leader. The Floor

leader of the majority party shall be called Majority Floor Leader, and that of each minority party shall be called Minority Floor Leader.

Section 10.2.—Duties of the Majority Floor Leader.—

- a) Shall represent and speak on behalf of the group of senators of his/her party and of caucuses and conferences;
- b) Shall preside the Committee on Rules and calendar;
- c) Shall establish the Calendar of Special Orders of the Day and shall channel the works of the Body through the corresponding pronouncements and proposals; and shall oversee to the orderly and efficient processing of the affairs of the Body;
- d) Shall divide the time assigned to the majority among those Senators that shall participate in a debate when special rules have been agreed on for the same and shall inform the President the order and time corresponding to each intervention;
- e) Shall enter agreements with the legislative minorities for the adequate and effective functioning of the Body. Shall be responsible for compliance with that part of the commitments and agreements germane to him/her.
- f) Shall have the last initial turn pursuant to Rule 24.2

- g) Shall be in charge of reading, for the consideration of the Body, the measures included in the Calendar of Special Orders of the Day.
- h) Shall perform all those duties delegated to him/her by the President or assigned by the Body.

Section 10.3.—Duties of the Minority Floor Leader.—

- a) Shall represent and speak on behalf of the group of Senators of his/her party, as well as of caucuses and conferences held by the same;
- b) Shall express and process the agreements of his/her groups in parliamentary terms;
- c) Shall make recommendations on appointments and substitution of Senators from his/her party in Standing and Special Committees;
- d) Shall promote and conduct talks with the members of the Majority and shall be responsible for compliance with that part of the commitments and agreements germane to him/her and that result from such talks;
- e) Shall divide the time assigned to the minority among those Senators that shall participate in a debate when special rules

have been agreed on for the same and shall inform the President the order and time corresponding to each intervention.

Section 10.4.—Duties of the Alternate Floor Leader.—

- a) The Alternate Floor Leader shall have the same duties and equal attributes as the Floor Leader, while substituting the latter in the exercise of his/her functions.
- b) He/she shall likewise assist the Floor Leader in his tasks as such and shall undertake all those duties that are delegated to him/her by the Majority or Minority Floor Leader, as the case may be.

**RULE 11**

**H. DETERMINATION AND JURISDICTION OF STANDING  
COMMITTEES**

Section 11.1.—Determination of Standing and Special Committees.—

The Senate shall organize its works through Standing Committees. Their creation and jurisdiction shall be determined by Senate Resolution.

The creation and jurisdiction of the Special Committees shall be determined by a Senate Resolution, but in no case shall their term of effectiveness exceed six (6) months.

Section 11.2.—Jurisdiction.—

Bills, resolutions, messages, petitions, memorials, documents and appointments shall be remitted to the Standing Committees, taking as basis the particular jurisdiction of each Committee, as it is established in the Senate Resolution to be adopted for the determination and creation of the Committees.

**RULE 12****I. COMMITTEE MEMBERS**Section 12.1.—Designation of Members and their Offices.—

The President of the Senate shall designate the members of the Standing Committees in which there shall be at least one member of each political party represented in the Senate. The offices in the Committees shall be adjudicated as follows:

- a) The Senator who appears first on the list of members of a Standing Committee shall be its Chairperson;
- b) The one who appears second shall be its Vice President.
- c) The Senator designated in third place shall be its Secretary;
- d) The Senator of each minority represented in the Body who has been designated in first place shall be the Floor Leader of the minority he/she represents.

In the case there is a vacancy in said offices, the President shall designate the successor, making the changes or substitutions he/she deems necessary.

Section 12.2.—Designation in Coordination with Floor Leaders.—

In the exercise of his/her power to designate the members of the standing committees, the President shall consult the Floor Leaders of the parties with regard to the designation of Senator of the majority or of the minorities to the same.

Section 12.3.—Ceasing to be Part of the Caucus.—

In the case a Senator should cease to be part of the caucus of the party for which he/she was elected or designated, his/her position in the Committees to which he/she was appointed may be vacated upon express petition of the Floor Leader of said Party.

However, the President shall guarantee said Senator his/her right to be a member of the Committees, and to such effect, shall designate him/her as member of those Committees he/she deems pertinent.

Section 12.4.—Assistance to Committee Meetings; Excessive Absenteeism.—

It shall be the duty of the members of a Committee to assist and participate in the meetings thereof. The Secretary of the commission shall keep a register of assistance to the same.

When a Senator is absent to three consecutive regular meetings of a Committee of which he/she is an official member, he/she shall excuse his/her absences to the satisfaction of the Committee when it is required to such effects. Upon the failure to do so, the Chairperson of the committee shall notify said fact to the President of the Senate, who shall proceed to take the corresponding action, including notice to the Floor Leader of the corresponding Body, disciplinary sanctions or the substitution of the Senator in said Committee.

Section 12.5.—Disqualification from Matters Before the Committee.—

A member of a Committee shall disqualify him/herself from taking part in any matter that is before the Committee and in which he/she has a direct interest.

Section 12.6.—“Ex Officio” Members.—

The President, Vice President and Floor Leaders shall be ex officio members of all Standing Committees and may take part in the deliberation,

works and voting in the same. The Alternate Floor Leaders and those Senators who have held the office of President of the Body or of Governor of Puerto Rico shall only “ex officio” members of those Standing Committees composed of nine (9) members or more.

## **RULE 13**

### **J. DUTIES AND PROCEEDINGS IN THE COMMITTEES**

#### Section 13.1.—Duties and Powers of Standing Committees.—

The Standing Committees of the Senate shall have the following duties and powers:

- a) Investigate, study, assess, report, make recommendations, amend or substitute those measures or matters that are included, related to its jurisdiction or those referred to it;
- b) Hold public hearings and executive meetings, summon witnesses, hear testimonies, inclusively under oath, and require all that documental information or of another nature deemed necessary for its works. The Committee shall summon the author of a measure that is under its jurisdiction so that he/she may participate in those hearings and meetings in which the measure is being considered.

The Committees shall use as basis for their recommendations, amendments or substitutes, only those changes that are germane to the original measure;

- c) Draft and file bills of law, resolutions and substitute measures;
- d) Assess, supervise and give continuous follow-up to the organization and adequate operation of those agencies, departments, offices and entities of the Government of Puerto Rico that are within its jurisdiction, in order to determine if the same are effectively complying with the laws, regulations and programs corresponding to the same in accordance with their purpose and mandate.
- e) Assess and recommend to the Senate the confirmation or rejection of appointments corresponding to them, which under constitutional mandate or by law, require the advice and consent of the Senate of Puerto Rico.

Each committee shall keep a record of all nominated candidates with information of personal nature, academic studies, experience, financial statements and that other data that expedites the evaluation of the candidate, which is obtained in public hearings. It shall be assured that the candidate has

complied with the tax laws of the Government and that he/she has knowledge of the norms of ethics applicable to his/her profession or to the office to which he/she is nominated.

- f) Provide the Secretary the information needed so that it may be published, at least two days in advance, in two newspapers of general circulation in Puerto Rico and in the Internet, the calendar, date, time and place and issues to be addressed in the public hearings.
- g) All Standing Committees shall have the obligation to review the existing laws whose subject matter is under the jurisdiction of their respective Committees, to be in a position to prepare and submit to the Body a report with its findings, conclusions and recommendations. The purpose of this is to update the same with the social and juridical reality.
- h) Each Committee shall receive the corresponding reports from the Comptroller of Puerto Rico, and shall have 120 days to file its report.

Section 13.2.—Rules for Internal Operation (By-Laws).—

For the faithful and effective compliance of its obligations, the Committees shall approve by-laws, which shall not be in contravention with

our constitutional, legal, regulatory and jurisprudence code of laws, or with the provisions of these Rules, especially with the following sections regarding the general proceedings norms which shall prevail in the Committees. The rules adopted by said Committees shall take effect upon the filing thereof at the Office of the Secretary and notification to the Body in the immediately following session.

Section 13.3.—Calendar and Work Program.—

Each Committee shall prepare a weekly work program, which shall include all meetings or public hearings to be held, in which it shall set forth the measures and issues to be considered during said period, as well as the place, date and exact time in which each meeting or hearing shall be held. The Chairperson of the Committee shall deliver this program to the Secretary of the Senate, to the Committee on Rules and Calendar and to the sergeant at Arms no later than Thursday of the week before, in order to inform the work plan to all Senators and to the news media.

The Chairperson of each Committee shall prepare an agenda for each meeting, which shall include all matters to be considered, indicating the order corresponding to each, in accordance to the weekly program indicated in the preceding paragraph.

Section 13.4.—Notice of Meetings.—

The schedule of the weekly meetings shall be reproduced and delivered to the Senators who are members of the Committee by its Chairperson. Said delivery shall constitute sufficient notice of the date, time and place in which the meetings indicated in the schedule shall be held. If there is a change therein, it shall be immediately notified in the turn of Messages and Communication in the immediately following session. In the case the Body is not assembled, the Chairperson of the Committee or its Executive Director shall notify the same immediately to the members.

No other Committee meeting shall be held unless the date, time and place thereof has been notified with sufficient time prior to the holding thereof. However, in those cases in which it is urgent to hold a meeting, other than a public hearing, that the time factor may be foregone, but the President, before proceeding with said meeting, shall ascertain that all members of the Committee have been duly summoned and notified.

Section 13.5.—Process to Notify the Senators.—

An objection to the process of notification and summons shall not be valid if the Chairperson of the Committee evidences that reasonable steps were taken to notify the same, including that if the member could not be notified personally or by telephone, that said summons was informed to one

of his/her direct employees or closest relative so that they, in turn, would inform the Senator of the same as soon as possible.

Section 13.6.—Meetings Open to the Public.—

Committee meetings shall be public, except when the same are administrative meetings, executive meetings or when a different provision arises from these Rules.

Section 13.7.—Public Hearings.—

The Committee that is assigned the first consideration of a measure or issue, shall be the only one authorized to hold public hearings and to call witnesses to such effect. It shall have the obligation to coordinate the participation in said hearings of other Committees that have also been assigned the same issue. The reports to be filed by the Committee with primary jurisdiction shall include the steps taken in detail and evidence to prove their compliance with this obligation.

Committees with secondary responsibility may hold separate public hearings on said issue, provided they have the prior written approval of the Chairperson of the Committee with primary responsibility or of the President of the Senate, who shall thus notify the same to the Chairperson of the Committee with primary responsibility.

After the holding of a public hearing is determined, the Chairperson of the Committee shall take the necessary steps for its disclosure and shall contact the President of the Senate to enable the holding of said hearing.

The Sergeant at Arms shall be responsible for making the pertinent arrangements for the holding of said hearing. The same shall be held in the hall provided for such purpose by the Senate. However, public hearings may be held outside of the Capitol Building for the purpose to promote citizen participation, with the written approval of the President of the Senate.

In the course of the public hearing, the Committee shall hear and question the persons summoned, as well as those other persons interested in being assigned a turn to such effect, upon petition. The witnesses may express their points of view orally or in writing. The Committee shall also receive written testimonies for their evaluation by the Committee.

Only Senators shall intervene in the interrogations of a Committee, but said Committee, through its by-laws, may grant the Chairperson discretion to make occasional exceptions to this Rule, in the case of advisors, investigators or experts of the Senate, of the Committee or of a Senator who is a standing member of the same. The members of the Committee may have their advisors present during the hearings in order to

make consultations during the same, provided this does not interrupt the works of the Committee.

The Chairperson of the Committee shall oversee compliance with order and decorum, including the limiting and conditioning of access of persons to the hearings or meetings, in order to preserve the orderly and efficient processing of the works. The chairperson of the Committee may order a recess at any time.

For the purposes of the public hearings, the Chairperson of the Committee is empowered to begin the same, order a recess and to receive oral or written information from the deponents summoned, even when there is no quorum. In these cases, the attendance of the members present shall have the effect of a duly held meeting.

Public hearings shall be held for the sole purpose of hearing testimonies, making interrogatories and to obtain the most information possible regarding the issue that is being considered by the Committee. There shall not be allowed a debate between the Senators and the deponents. The expressions of the Senators regarding their personal opinions on the measure or issue, as well as the agreements of the Committee on such respect shall not be expressed in the public hearings.

Public hearings shall be announced at least two (2) days in advance, in two newspapers of general circulation and in the Internet, thus giving the public a real opportunity to be informed, participate and express their opinions.

Section 13.8.—Executive and Special Meetings.—

The Chairperson of the Committee may convoke an executive or special meeting when he/she deems it necessary in order to comply with its duties and responsibilities. These meetings shall be notified to the Chairperson of the Committee on Rules and Calendar. Notice to the members of the Committee shall be done in accordance with the provisions of Sections 13.4 and 13.5. Said meetings may be held upon conclusion of the public hearings when the same have been included in the convocation of the public hearing or when the Senators have been duly notified, as provided in this Rule.

With the exception of the members of the Committee, no person shall enter or participate in an executive meeting without the previous consent of its Chairperson or through the affirmative vote of the absolute majority of the Committee.

Section 13.9.—Mark-Up Sessions.—

A Committee with primary jurisdiction over an issue may, on the initiative of its Chairperson, hold mark-up sessions to amend, approve or reject measures or issues referred to the Committee. The President of the Senate may require the Chairperson of a Committee to hold such mark-up session for a specific measure or issue.

Section 13.10.—Meetings During Session.—

No Committee, with the exception of the Committee on Rules and Calendar, shall meet while the Senate is in session, unless there is the previous consent of the Body.

Section 13.11.—Quorum.—

At the beginning of each meeting of a Committee there shall be a roll call to determine quorum. The Chairperson shall state the names of the members present at the beginning of the meeting and shall state for the record the names of those that arrive afterwards. Quorum shall consist of the majority of the standing members of the Committee.

The Chairperson of the Committee shall certify the members present in each meeting, who shall sign an attendance form, which shall be the document to be used by the Secretary to determine the payment of per

diems. The Chairperson of the Committee shall attest to and be personally responsible for the information included in said certification.

Section 13.12.—Agreements; Voting.—

No Committee shall adopt agreements regarding a measure or issue under its consideration, unless it is done in a duly convoked regular, executive or special meeting, according to Sections 13.4 and 13.5, and in which there has been the required quorum. In the case of quorum, agreements may be adopted through the affirmative vote of the majority of members present, as provided in the Committee By-Laws.

However, in those cases in which a Committee is convoked and the required quorum is not attained, The Chairperson may, if he/she deems it necessary, submit to the members of the Committee, through referendum, the issues to be agreed upon in said meeting.

The place, date and exact time for which the Committee has been convoked for such purpose, and in which quorum was not attained, shall be stated in the referendum document.

The Senators shall cast their vote in the referendum document, requiring for the approval of the issue under consideration the affirmative vote of the majority of the members of the Committee.

Section 13.13.—Minutes and Official Records.—

Each Committee shall prepare and keep a Minutes Book of the meetings held. Each Minute shall contain the following:

- a) Place, date and time of the meeting;
- b) Members present and absent;
- c) Measures and issues for its consideration;
- d) Names of the deponents and of the persons or institutions they represent;
- e) Decisions made by the Committee, informing the vote cast by each member, in the case voting is by roll call or referendum.

The official record of a Committee regarding measures or issued under its consideration, shall include all documents and procedures corresponding to the same. The original measure, copy of the proposed amendments, copy of any fiscal or actuarial report and of written statements and opinions of interested parties, the Minutes of the public hearings, and the Minutes of the meetings in which decisions were made or the final report adopted, as well as a copy of said report shall be part of said record. These documents shall be public.

At the end of the term of each Legislature, the Chairperson of every Committee shall deliver to the Secretary of the Senate, the Book of Minutes

of the Committee and its official records, and the former shall forward the same to the Legislative Library, as provided by Act No. 59 of June 19, 1964, as amended. The filing of these documents shall be coordinated with the Public Documents Administration Office of the Senate of Puerto Rico.

Section 13.14.—Summons.—

The President of the Senate and the Chairpersons of Standing and Special Committees and their respective Subcommittees shall be empowered to issue summons to any person or entity for their appearance to testify, furnish information or deliver and documental or physical evidence, or both, within the process of an investigation, pursuant to the provisions of Articles 31 to 35, inclusively, of the Political Code, as amended. (Chapter 9, Title 2 – LPRA, Appearance and Examination of Witnesses).

The summons orders shall be signed by the Chairperson or by the Chairperson of a Standing or Special Commission, upon approval of the President of the Senate.

Every summons shall be remitted to the Sergeant at Arms for its immediate service.

Section 13.15.—Works During Legislative Recess.—

The Chairperson of each Committee shall prepare a detailed work program for the legislative recess, which he/she shall notify to the Chairperson of the Committee on Rules and Calendar.

The purpose of this program is to tend to all measures and issues that are pending consideration by the Committee.

The work program shall be approved by the President of the Senate, since Committee may not meet on Saturdays, Sundays or on holidays during the legislative recess without his/her previous consent.

The Committees shall prepare and file their reports on the measures and issues that they have considered during the recess period as soon as they conclude such task.

Section 13.16.—Use of the Internet by the Committee.—

All Standing Committees may use the worldwide web (Internet) for all Committee purposes, including, without limitation, publishing of calendars for meetings or hearings, publication of Committee proceedings, grant live access to the general public whether through audio or video to the Committee proceedings, and to receive testimonies, opinions and any other type of information.

Section 13.17.—Applicability of Rules to Subcommittees and to Special and Joint Committees

The provisions of this Rule or of any other pertaining to Standing Committees shall be applicable to Subcommittees and Special and Joint Committees, in all that which is not in conflict with their peculiar circumstances, their duties or mandate, unless the Senate, through a Resolution, adopts other agreements to such respect.

Section 13.18.—Payment of Per Diems.—

After the holding of a public hearing, onsite inspection, executive meeting or mark-up session, it shall be a requirement for the corresponding payment of per diems, that the corresponding Minutes are filed at the Office of the Secretary, in original and copy, no later that one work day after the holding thereof. The filing of the Convocation, Attendance and Referendum document, if applicable, in original and copy shall be also required.

**IV – UNIFORM RULES TO GOVERN INVESTIGATIONS  
CONDUCTED BY STANDING OR SPECIAL COMMITTEES OF THE  
SENATE OF PUERTO RICO**

**RULE 14**

Section 14.1.—Statement of Policy of the Body.—

The legislative bodies shall exercise their investigative power with prudence and justice, taking care that the rights of the persons and institutions affected by the investigation are protected, as well as the interests of the sectors represented in the Legislative body that conducts the same.

For decades, legislative bodies have conducted investigations of great impact on Puerto Rican lives. This experience suggests the need to establish a body of basic, objective and uniform rules to govern legislative investigations that are entrusted to standing or special committees through Senate Resolutions.

Section 14.2.—Applicability.—

This Rule shall take effect only if the Resolution that directs the investigation provides it when an investigating officer is appointed or by motion approved by the majority of the members of the Body upon vote by

roll call. This Rule shall not be applicable to the Committee on Ethics of the senate of Puerto Rico, which is governed by its own Rules.

Section 14.3.—Work Plan.—

The Committees or those that are entrusted with an investigation shall approve a work plan, prior to any measure or proceeding. Said work plan shall set forth, among other things, the need or convenience of appointing an investigating official, as well as advisors or experts whose expertise is required, possible deponents, request for documents, and the estimated time to conclude said investigation.

The work plan may be modified, altered, or extended by petition of the investigator of the majority with the approval of the Committee.

Section 14.4.—Manner of Conducting Investigations.—

The Committees shall summon deponents to appear to render testimonies, whether at an executive meeting or at a public hearing, and the members of the majority as well as of the minorities may request, through the Chairperson of the Committee, that witnesses be summoned or documents required.

In no case shall the testimonies of deponents whose appearance has not been informed to the minorities at least three (3) days before the date established for the deposition, be received.

No testimony shall be presented in a public hearing unless the Committee has had the opportunity to hear the same in an executive meeting, or in the cases applicable, that the Investigating Officer has informed the Committee the contents of the statement or documents, provided that the witness or the documents are available.

Copies of any document, object or element of proof to be used in the course of the deposition of any witness shall be made available to the members of the Committee at least three (3) days prior to the dates established for the executive meeting, provided that the same is available to the members of the Committee within said term.

The Chairperson of the Committee shall grant up to a maximum of ten (10) minutes to the members of the Committee to conduct their interrogations.

Section 14.5.—Rights of the Deponents.—

Each deponent shall be granted:

- 1) The right to be personally notified and to verify the personal summons at least two (2) calendar days before to the Investigating Officer, and at least five (5) days prior to the date set for his/her appearance to the Public hearing or Executive meeting.

- 2) The right to appear with counsel at all stages of the investigation.
- 3) The right to consult with counsel during the deposition or interrogation.
- 4) The right to directly address the committee for a maximum time of fifteen (15) minutes prior to commencing his/her deposition at an executive meeting or upon the conclusion thereof. The Chairperson of the Committee may grant him/her additional time when deemed necessary.
- 5) The right to make petitions germane to his/her testimony before the Committee and that the same be addressed in a period not to exceed forty-eight (48) work hours after formulation thereof. The pertinence of said petitions shall be assessed and adjudicated by the President of the Committee.
- 6) The right to not be approached by investigating officers when they are in violation of rights guaranteed by the Constitutions of the Government of Puerto Rico and of the United states of America.

Section 14.6.—Expressions by Committee Members.—

When in public hearings, the Chairperson of the Committee and the minority floor leaders in said Committee, as well as the ex officio members of the same shall have the right to make expressions at the beginning and at the end of the investigative process, for a term which shall not exceed five (5) minutes for each delegation with ex officio members present.

Section 14.7.—Manner of Conducting Investigations.—

In addition to the rights of each delegation consigned in the preceding Section 14.6, each delegation shall be entitled to:

- 1) Interrogate, through its members or its Investigating Officer, the deponents or witnesses that appear before the Committee during the time established for interrogations. The investigators of the minorities shall have half the time used by the Investigating Officer of the parliamentary majority, up to a maximum of one (1) hour, whichever of the two is less.
- 2) Obtain for its Investigating Officer all evidence gathered in the course of the investigative process. At the beginning of the same, the manner in which the exchange of evidence and information is to be conducted shall be agreed on.

- 3) The internal work documents corresponding to the dependencies of the Senate shall be processed directly through the Investigating Officers of each delegation.

The external documents of the Senate shall be processed by the investigator of the majority, who shall furnish a copy to the investigators of the minority.

Section 14.8.—Investigating Officers.—

The Committee shall oversee that in the performance of its responsibilities, the Investigating Officers respect the dignity and reputation of the persons and institutions with which they intervene and shall assure that the image of the Senate is protected before the community, assuring the absolute confidentiality of the findings of the investigation until the Committee authorizes the disclosure thereof.

- 1) The Investigating Officer of each delegation shall recommend the support personnel he/she deems necessary for compliance with his/her duty, within the budgetary limitations established, and shall make available to the members of the Committee the evidence as discovered in the course of the investigation, in accordance to the procedure that has been established.

Section 14.9.—Financing of Legislative Investigations.—

Each Senate legislative delegation shall receive a budget that shall be used in the most efficient and adequate manner that allows it to perform its supervisory legislative duties and any other responsibility inherent to its duties.

Section 14.10.—Use of Resources in Addition to Those Assigned.—

Investigation expenses shall circumscribe to the budget fixed by the Senate of Puerto Rico for the same, and the use of external resources to those of the Senate of Puerto Rico is hereby prohibited for the financing of the investigation. Said prohibition does not cover services and resources offered free of cost, provided the same does not affect the integrity and confidentiality of the investigations. On this matter, the Chairperson of the Committee shall make the corresponding determination.

Section 14.11.—Production of Reports.—

- a) Every investigation shall conclude with a complete report from the Committee to the Body.
- b) The report shall contain a clear list of the findings of the investigation, as well as recommendations for legislative action that said findings deem advisable.

- c) The Committees in charge of an investigation may render partial reports to the Senate from time to time.
- d) The production of final and partial reports shall respond to the work calendar that the Committee or the Senate determines.
- e) When the investigation is assigned to a special committee, once the report is accepted, it shall transfer all its documents to the standing committee that handles said matter.

Section 14.12.—Particular Votes.—

- a) Each member of an investigative committee shall be entitled to include together with the report of the Committee, whether final or partial, his/her particular vote on the report. Each minority delegation may likewise include its vote with the report of the majority.
- b) The Committee in charge of an investigation shall grant reasonable time to its members to draft their votes and to include them in the report to be submitted to the Senate upon conclusion of the investigation, in those cases deemed necessary.

**V. BILL AND RESOLUTION****RULE 15****A. FILING, PRINTING AND PROCESSING OF BILLS AND RESOLUTIONS**Section 15.1.—Power to File.—

Bills and Resolutions shall only be filed by Senators and Standing Committees.

A senator may introduce a bill or resolution at any time. However, a bill introduced after the first one hundred and twenty (120) days as of the commencement of the First Regular Session and sixty (60) days after the commencement of the Second Regular Session shall not be considered in that same session. This term may vary through the affirmative vote of the majority of the members of the Body, as provided in Sections 2 and 5 of Act No. 9 of April 9, 1954, as amended.

In Special Sessions, the measures shall have the corresponding correlative and chronological numbering, but shall not be considered in the course of said Session, unless they are included in the Convocation by the Governor.

Section 15.2.—Filing Process.—

The filing of a measure shall be done by delivering at the Office of the Secretary an original and four (4) typewritten copies enclosing the electronic filing thereof. The original shall contain the signature of its author or authors, if it were more than one Senator, or that of the Chairperson of the Committee that introduces it.

The measure shall likewise contain the signature of the Senators who, without being the principal authors thereof, undersign the same. The heading shall be as provided in Section 15.5.

Section 15.3.—Numbering of Measures.—

Upon filing a bill, joint resolution, concurrent resolution or Senate resolution, the Secretary shall deliver a copy with the official seal of the office of the Secretary as a receipt of the measure filed, which has been assigned correlative and chronologic numbering.

This numbering shall be made in continuous order for the term of the Legislature and the same shall be consecutive among them, but separate in that regarding each type of measure.

Every legislative measure, once filed, shall be included in the computer system in order and by classification.

The Registry shall made separately and available to the public in general, for those who wish to acquire it personally as well as through the Internet.

Section 15.4.—Format of Bills and Resolutions.—

The bills and resolutions that originate in the Senate shall have the following parts in this order:

1. Heading
2. Title
3. Statement of Motives (optional)
4. Enacting (or Resolving) Clause
5. Body

This part of the bills and the resolutions is composed of sections, although some bills may have articles.

When any of the parts of a measure is missing, with the exception of the Statement of Motives which is optional, the Secretary shall not accept the introduction thereof unless the corresponding correction is made.

Section 15.5.—Headings.—

The heading of all measures shall state the number of the Legislature during which they are being introduced, as well as the number of the Regular or Special Session to which they correspond.

The heading shall follow the format below:

COMMONWEALTH OF PUERTO RICO

\_\_ Legislature

\_\_ Regular/Special Session

SENATE OF PUERTO RICO

S. B.

(Date)

Introduced by ....

Undersigned by ....

Referred to the Committee on ....

Resolutions shall conform to the same format, except that Joint Resolutions shall be designated as “S. J. R.,” Concurrent Resolutions as “S. Conc. R.,” and Senate Resolutions as “S. R.”

The Secretary shall provide an electronic macro system that shall enable the composition of the measure pursuant to what is established in the Rules.

When introducing an administration measure, to be understood as legislation promoted by the Governor of Puerto Rico, the measure shall be deemed as introduced by the Senators affiliated to the party to which the Governor belongs. However, it shall not necessarily mean that they endorse the measure.

Section 15.6.—Title.—

All bills or resolutions shall have a short title on which the subject or purpose of the same shall be clearly and concisely stated, so that the purpose of the measure is understood from reading the title.

No measure shall contain more than one subject, except for the general budget measure.

When a bill has the purpose of amending any laws in effect, the title shall indicate the parts of each law being amended, stating the corresponding article, section, subsection or clause, the number of the law, its date of approval and whether the same has been amended. When the bill has the purpose of amending a Code, its title shall include the name by which it is known.

Section 15.7.—Statement of Motives.—

Senators, at their discretion, may include in the measures they introduce a Statement of Motives whereby they state the reasons that in their judgment make the approval of the same meritorious.

The Statement of Motives shall be inserted between the Title and the Enacting or Resolving Clause.

Section 15.8.—Enacting and Resolving Clauses.—

All bills and resolutions shall contain an Enacting or a Resolving Clause, as the case may be, which shall be included after the Title or the Statement of Motives, if any.

The clauses shall read as follows:

- a) Bills: “Be It Enacted By The Legislature Of Puerto Rico.”
- b) Joint and Concurrent Resolutions: “Be It Resolved By The Legislature Of Puerto Rico.”
- c) Senate Resolutions: “Be It Resolved By The Senate Of Puerto Rico.”

Section 15.9.—Body.—

The body of a measure refers to the provision-containing text of the same.

Section 15.10.—Amendment to a Law in Effect.—

In those cases in which the measure introduced amends a law in effect, the parts being eliminated from the text, if any, shall appear in bold and in brackets [**bold**]. Those parts being added to the text, if any, shall appear in italics (*italics*). A letter of simple type shall be used for those parts of the text in which the legislative intent is for them to remain unaltered.

Section 15.11.—Account of Measures Introduced.—

The pre-montage of the account of bills and resolutions introduced through the Office of the Secretary shall be updated and be in the electronic system immediately and consistently after a measure has been introduced. The measures shall be likewise referred to the corresponding Committee or Committees, regardless of whether they were introduced during a legislative recess.

One hour before the beginning of each session, the Secretary shall have placed on the desks of all Senators at the Floor the final account of the introduced measures, which shall contain the Name of the Measure, the Author, and the Committee to which it was referred. More than one account of bills and resolutions may be presented per session.

The bills and resolutions included in this account shall be those comprised within the first reading of measures made within the Order of Business in the course of a session, pursuant to the provisions of Section 24.5.

Section 15.12.—Request to Undersign.—

After a measure has been introduced, a Senator may include his/her name as an undersigned thereof by filling out the corresponding request form. Said request form shall have the authorization of at least one (1) of

the original authors, which shall be consigned through the signature of the latter. The request form shall be handed to the Secretary during the course of the session in which said measure has been drafted, included in the relation of measures introduced and referred to Committees. In such a case, the Senator shall be included in the heading of the measure, in the part that reads “Undersigned by ...” Should not at least one (1) of the original authors be present in the session, the Senate may authorize the inclusion of undersigning Senators through a motion to that effect.

After said session has elapsed, the request form for those purposes shall be included in the Journal of Sessions and posted on the Internet; the name of the Senator making the request shall be printed on the copies of the measure printed after said session, at its next stage of processing.

Section 15.13.—Distribution.—

After a measure has been introduced, the Secretary shall process and distribute the same as follows:

- a) The original shall be remitted to the President, who shall indicate on the first page of the measure to which Committees the same shall be referred. The measure may not be sent to more than three Committees, unless under exceptional circumstances. After this stage in processing, said original shall

be returned to the Office of the Secretary. The President may delegate onto the Secretary the function of referring measures to Committees, pursuant to the provisions of Section 6.1(e).

- b) A copy of the introduced measure, after it has been assigned to the corresponding Committee or Committees, shall be sent to:
  - 1) The Committee on Rules and Calendar;
  - 2) The Press Box;
- c) A copy shall be delivered through electronic means to the Majority and Minority Floor Leaders, as well as disclosed through the Internet. A copy of the same shall be delivered to the reporters who thus request it.

Section 15.14.—Printing of Documents.—

The Secretary shall direct that measures be made available over the Internet as well as the printing of measures as follows:

- a) If the measure was referred to one (1) Committee, 25 copies shall be printed;
- b) If the measure was referred to two (2) Committees, 40 copies shall be printed;
- c) If the measure was referred to three (3) Committees, 55 copies will be printed.

The printed measures shall be sent to the Committees to which they were referred and to the Archive.

Section 15.15.—Senate Resolutions.—

Senate Resolutions shall not be printed until they are approved by the Body, unless the Senate provides otherwise. However, the same shall be available over the Internet.

Section 15.16.—Identical Measures.—

In those cases in which the Senator introduces a bill or a resolution that is identical or extremely similar to another that is in effect, undergoing processing, and which has been introduced previously by a Senator of the same party, the Secretary, before processing the introduction of said measure, may notify the author of said duplication, in order for said Senator to determine the course of action to follow.

Section 15.17.—Withdrawal of the Measure.—

A bill or resolution may be withdrawn by its author or all of its authors, as the case may be, through a written or oral notice to the Body, at any time before the report of any of the Committees to which it had been referred has been filed.

Section 15.18.—Elimination of Original Measures.—

All original bills or resolutions shall be rendered ineffective and be eliminated from any stage in processing or statistic account relative to measures pending at the Body in the following cases:

- a) When the Senate approves a substitute measure;
- b) When the Senate has two or more similar or identical measures pending and one of them is approved; and
- c) When the Senate, in lieu of the Senate measure undergoing processing, approves a similar or identical measure of the House of Representatives.

Section 15.19.—Measures Introduced by Committees and Substitute Measures.—

After printed, the measures introduced by Standing Committees, including substitute measures, shall be sent to the Committee on Rules and Calendar for its inclusion in the Calendar of Special Orders of the Day, unless the Body provides for another processing route.

**RULE 16**

**B. JOINT RESOLUTIONS**

Section 16.1.—Definition.—

Joint Resolutions are those legislative measures approved by both Bodies and the Governor of Puerto Rico, which shall lose their force of law

and their effectiveness when the work has been performed or the desired purpose has been met. These shall not become a part of the permanent statutes of Puerto Rico.

Section 16.2.—Processing.—

Joint Resolutions shall be processed the same as a bill for their approval, as provided for in these Rules.

**RULE 17**

**C. CONCURRENT RESOLUTIONS**

Section 17.1.—Definition.—

Concurrent Resolutions are those measures approved by both Bodies, which are used to:

- a) Propose amendments to the Constitution of Puerto Rico;
- b) Consign expressions of the Legislature not in the nature of legislation;
- c) Provide for the internal government of the Legislature

Section 17.2.—Processing in General.—

Concurrent Resolutions, except for those proposing amendments to the Constitution, after introduced shall be referred to the Committee on Rules and Calendar, which shall render its report and file it with the Office of the Secretary. Once the report has been rendered, said Committee shall

include it in the Calendar of Special Orders of the Day. Processing at the Committees may be overlooked if the Senate agrees to include said Resolution immediately in said Calendar. After approved, this measure shall be sent to the House of Representatives, following the same stages in processing as legislative measures, except that it does not require the approval of the Governor.

Section 17.3.—Amendments to the Constitution.—

After introduced, Concurrent Resolutions proposing amendments to the Constitution shall be processed the same as a bill and be referred for their consideration and study to the Standing or Special Committees determined to that effect. Once said Concurrent Resolutions have been approved, they shall be sent to the Governor, even when these do not require his/her approval, as well as to the officials concerned, so that they may execute the corresponding processing established by our Constitution and our body of laws.

Section 17.4.—Approval.—

Pursuant to what is established in the Constitution of Puerto Rico in Article VII, Section 1, Concurrent Resolutions proposing amendments to the Constitution shall be understood to be approved if it obtains the affirmative vote of at least two thirds of the total number of members that compose each

House. In such a case, the amendment shall be submitted to the voters through a special referendum.

However, the Legislature may provide that the referendum be held together with the next general elections, provided the Concurrent Resolution is approved by not less than three fourths of the total number of members of each Body.

All other Concurrent Resolutions shall be understood to be approved if they obtain the affirmative vote of a majority of the members that compose each House.

## **RULE 18**

### ***CH.* SENATE RESOLUTIONS**

#### Section 18.1.—Definition.—

Senate Resolutions are those measures that the Body uses to:

- a) Formulate requests of the Senate;
- b) Consign expressions of the Body not in the nature of legislation;
- c) Provide for the internal government of the Body;
- d) Direct a study or investigation.

#### Section 18.2.—Petition Processed as a Resolution.—

Any Senator may present an oral or written petition before the Body to request information on behalf of the Senate from any of the Branches of Government, its dependencies, subdivisions or offices, as well as the officials or employees thereof.

Should there be an objection in the Body to a petition presented by a Senator, the same shall be put to vote without debate. Should the objection to said petition prevail, the same shall be introduced and processed as a Senate Resolution and the same shall follow the stages of processing corresponding to this kind of measure.

Should there be no objection to a petition, said request shall be processed on behalf of the Senate through the Secretary. The Secretary shall be responsible of keeping and having available a register and to ensure the fulfillment of the request. Should the information required not be delivered within a reasonable period, the Secretary shall send a second request, providing an additional term of three (3) work days. Should said request not be complied with, the Secretary shall notify the Body so that it adopts the corresponding measures to compel to compliance with the petition. To this effect, the Body may even resort to the Court, pursuant to the applicable provisions of law.

Section 18.3.—Processing.—

After introduced, Senate Resolutions shall be referred to the Committee on Rules and Calendar, which shall render its report and file it with the Office of the Secretary, and include it in the Calendar of Special Orders of the Day. The processing relative to the report of the Committee may be overlooked if the Senate agrees to include the Resolution immediately in said Calendar.

However, resolutions to extend congratulations, acknowledgment, condolences or to express joy or grief, or memorial resolutions, shall be introduced through the Office of the Secretary of the Senate and shall be included, not later than 72 hours after its introduction, by numeric order and with its complete title in an account of resolutions of that kind prepared by said Office. This account shall be distributed to the members of the Senate as an attachment to the Order of Business. These shall be addressed in the motions turn of the Order of Business so that if a Senator objects any of the same, he/she may so state before the Body, in which case they shall be included in the Calendar of Special Orders of the Day.

Should there be no objections, the Secretary shall recommend to the Senate the amendments of style necessary, which he/she shall present at any time before the resolutions are put to vote. When a Senator objects any of said amendments and his/her objection can not be resolved in the same

session in which he/she has presented the same, the measure shall be referred to the Committee on Rules and Calendar so that it may undergo processing according to the Rules.

If there are no objections to the amendments recommended by the Secretary, he/she shall include the resolutions that have not been objected with their amendments in the Voting Calendar of the corresponding session.

## **RULE 19**

### **D. BILLS AND RESOLUTIONS BY REQUEST**

#### Section 19.1.—Introduction by Request.—

Senators may introduce legislative measures at the request of any citizen, group or organization with an interest in the matter. Said request shall be consigned in the heading of the bill or resolution, including next to the signature of the Senator the phrase “(By Request).”

#### Section 19.2.—Endorsement of the Measure.—

When a Senator introduces any legislative measure by request, he/she shall not be under the obligation to endorse the same.

#### Section 19.3.—Processing.—

Legislative measures introduced “By Request” shall be processed, as applicable, in the same manner provided for in these Rules for all other bills and resolutions.

**VI – SESSIONS****RULE 20****A. INTRODUCTION OF MEASURES BY THE HOUSE OF REPRESENTATIVES**Section 20.1—Process for Introducing.—

The introduction of a measure of the House of Representatives shall be conducted by handing the communications and their duly certified copies. Said introduction shall be accompanied by an electronic introduction in which the heading of the measure is included.

Section 20.2.—Register of Measures.—

When introducing a measure of the House of Representatives, the same shall be entered into a registry immediately. A copy of the certification with the stamp of the Office of the Secretary shall be returned as receipt to the Processing Official who processed the measure.

**RULE 21****A. KINDS OF SESSIONS**Section 21.1.—Kinds of Sessions.—

Senate Sessions are classified into the following kinds:

- a) Regular Session

- b) Special Session
- c) Called Session
- d) Inquest Called Session
- e) Joint Called Session

Section 21.2.—Regular Sessions.—

Act No. 9 of April 9, 1954, as amended, provides in Section 1 that annual Regular Sessions of the Legislature are the following:

- a) a first Session that shall begin on the second Monday of January and end on June 30;
- b) a second Session that shall begin on the third Monday of August and end the Tuesday preceding the third Thursday of the month of November. In years in which general elections are held, this second Session shall not be held.

These terms may be extended through a Joint Resolution, which shall be approved in the Regular Session for which extension is sought.

Section 21.3.—Special Sessions.—

Special Sessions are those held on any date of a calendar year on which a Regular Session is not being held, according to the provisions of this Rule.

These Sessions may be convoked by the Governor or the President of the Senate, as provided for in the Constitution and these Rules.

a) Special Sessions Convoked by the Governor:

Pursuant to the provisions of the Constitution of the Commonwealth of Puerto Rico, Article III, Section 10 and Article IV, Section 4, the Governor may convoke the Legislature or the Senate, respectively, to a Special Session, which may not extend beyond twenty (20) calendar days.

In said Session, the only business, bills and joint resolutions to be considered shall be those included in the Convocation of the Governor or in a special message from the latter sent during the course of the same. However, the Senate, in exercising its constitutional and inherent functions, may also consider in said Session any expression or internal business of the Body, including those appointments sent by the Governor and pending approval by the Senate, using the procedures provided for in these Rules.

b) Special Sessions Convoked by the President:

The President may convoke the Senate to a Special Session to address urgent matters other than bills and joint

resolutions. No matter is to be considered unless it is expressly included in the convocation.

c) Convocations and Summons

Special Session convocations shall state the date and time on which said Session is to begin, as well as a brief account of the matters to be considered thereon.

It shall be the responsibility of the Sergeant at Arms to immediately process the convocation to summon Senators by facilitating a copy thereof to them through the speediest means possible.

Section 21.4.—Called and Joint Called Sessions.—

Called Sessions are those held at any time during the term of a Legislature, which may be convoked by the President or agreed upon by the Senate to discharge a function that holds importance for the Body or which is vested in public interest, other than the consideration of bills or joint resolutions. In those cases in which the Senate agrees upon holding such a Called Session, the matter to be considered therein shall be recorded in the minutes of the session in which such a decision was made. Furthermore, Joint Called Sessions may be held by the Senate together with the House of

Representatives for the same purposes when convoked by the President of the Senate and the Speaker of the House.

The matter to be addressed shall be specified on the convocation, and the Senate may not reach any agreements or resolutions that are not related to said matter. The convocation shall also state the date and time on which said Session is to begin.

Section 21.5.—Inquest Sessions.—

Inquest Sessions are special sessions held by the Senate which may be convoked by the President or at the request of the majority of the members of the Senate.

These Sessions aim to investigate the operations of Departments, Agencies, Authorities, Administrations, Boards, Commissions, Offices, Dependencies, Services, Bureaus, Companies and Public Corporations of the Government of Puerto Rico. During these sessions, the Heads of said government agencies may be summoned to appear personally for purposes of the investigation. Said summons shall be processed pursuant to the provisions of Section 13.14.

The investigations referred to above aim to obtain information of public interest that contributes to the improvement of the efficient discharge of the obligations conferred by law onto said Commonwealth entities. The

bill or bills arising from the investigation conducted in an Inquest Session may only be considered in a Regular Session or in a Special Session convoked by the Governor which includes such bills.

When the Senate acts thusly, the Body shall be constituted into a Committee of the Whole, which shall be chaired by the President of the Senate, who shall recommend special rules for the procedure to be followed during said sessions. These special rules shall be approved by the Senate without debate.

## **RULE 22**

### **B. DATE AND TIME OF SESSIONS; RECESS AND SUSPENSION OF WORKS**

#### Section 22.1.—Date and Time.—

The Senate, as a Body, shall carry out its legislative endeavor by holding sessions. To fulfill their mission, the Senate convenes every Monday at 1:00 PM and every Thursday at 10:00 AM, unless the Body, by a majority of those present, decides on another time. All other days, sessions shall be held as agreed by a majority of the members present. Any motion to recess or suspend works shall state the exact date and time on which the Body shall reconvene. When a Monday or Thursday is an official holiday, the majority of the members present may agree to convene on another date

with the previous consent of the House of Representatives, as provided further.

Section 22.2.—End of the Day of Session.—

Sessions shall end not later than at 6:00 in the evening of that same day, except when by agreement of the majority the discussion of a matter or measure has been initiated before 5:30 in the afternoon and the importance of the matter requires the Session to be extended beyond the regular finishing time. No matter or measure shall be begun to be considered after 5:30 PM. This provision shall be suspended during the last five (5) days of consideration of measures and during the last five (5) days of legislative processing.

Section 22.3.—Recess; Suspension

The terms regarding the duration of a session are defined as follows:

- a) The temporary interruption of works during the same legislative day shall be considered to be a recess. However, the Body, by agreement of the majority present, may decree a recess that extends from one legislative day to another. In such a case, the Minutes and the Journal of Sessions shall be prepared for each legislative day as if they were different sessions.

- b) When the works of a legislative day have been concluded, it shall be understood that the Body has suspended the session for that day.
- c) The final suspension of Senate meetings during any Regular or Special Session shall be known as suspension *sine die*.

The Senate, at its discretion, may suspend or recess its works from one day to another, but such a recess or suspension may not extend beyond three consecutive days without the previous consent of the House of Representatives, as provided for in the Constitution of Puerto Rico in Article III, Section 13. For purposes of these Rules, suspend and adjourn are synonyms.

A motion to adjourn the works of the Senate *sine die* shall not be in order when the day in question is not the last day of regular session or the last day the Senate may convene in a special session unless notice has been given one day in advance to the House of Representatives or said Body has given its consent for the Senate to adjourn *sine die*.

Section 22.4.—Motions to Recess or Suspend Works.—

Motions to decree a recess or to suspend or adjourn a session are privileged motions and shall always be in order, provided a Senator's is not being interrupted while he/she has the floor or when otherwise provided in

these Rules. Such motions may not be debated or amended and shall be approved by the affirmative vote of the majority present.

When the Senate resumes its works after a recess within the same day of session, it shall continue to consider the same matter before the Body when said recess was decreed. In this case, the motion to recess shall state the exact time on which the Body shall reconvene. However, when the recess in question extends from one legislative day to another, the procedure provided for in Rule 23 shall be followed.

When a session is suspended or recessed until the next day, the matter being considered by the Body when said suspension was decreed shall be considered as the first matter in the Order of Business for the day on which the Senate reconvenes, unless the Body agrees otherwise by a majority present.

## **RULE 23**

### **C. ATTENDANCE – QUORUM**

#### Section 23.1.—Duty to Attend.—

It shall be the duty of all Senators to attend to and remain at all sessions of the Senate and the meetings of the Committees to which they belong as members in office.

Section 23.2.—Notification of Absences.—

If a Senator has to be absent, he/she shall state the reasons for such absence immediately to the President. If not possible, he/she shall do so in the next session to which he/she attends or through another Senator, who shall notify so during the course of the session during which the former is absent.

The President of the Senate or the Chairperson of a Committee, concerning a meeting of the latter, may excuse the absence of a Senator when there is a meritorious reason and grant his/her authorization therefor. Nevertheless, he/she shall comply with the provisions of the preceding paragraph. The Senator shall not be entitled to collect per diems.

When the absence extends for more than three days, the Senator must so notify in writing requesting authorization from the Body. If absent without having been granted authorization, the Senator shall be subject to the disciplinary sanctions that the Body determines, except when able to prove immediately during his/her first appearance that there was a situation of extreme emergency which prevented him/her from requesting said authorization.

Section 23.3.—Official Permission or Excuse.—

When a Senator is carrying out a task commissioned by the Senate or the President and for such a reason is unable to attend the sessions of the Body or the meetings of a Committee, shall be excused to such effect and be entitled to collect per diems.

Any Senator attending a meeting of a Committee or in which a matter of his/her authorship is being considered shall be deemed to be officially excused from attending a meeting of another Committee.

Section 23.4.—Definition of Quorum.—

A quorum shall be a majority of the total number of the members who constitute the Senate.

A quorum shall be required for the Senate to make valid agreements on the measures or matters before the Body, as provided for in these Rules.

Section 23.5.—Roll Call.—

It shall be the responsibility of the Secretary to make the roll call at the beginning of the session each day when the Body is summoned or on any other instance as necessary to take a vote or determine the presence of a quorum.

The roll call shall be made by the alphabetical order of surnames, being the President at the last place.

A first roll call shall be made by calling out the names of all Senators. Immediately, the Senators not present during the first roll call shall be called upon a second time. Upon this second roll call, if the number of Senators present does not suffice to constitute a quorum, the majority of the members present may recess the works of the session for that same day with the purpose of compelling the attendance of absent members, in which case the Sergeant at Arms shall proceed pursuant to the provisions of Section 23.7, or recess the works of the session for another day, determining the date and time on which the works shall be resumed.

A Senator who, for a justified cause, arrives after the second roll call shall not be considered to be absent. The Senator shall immediately notify the Secretary of his/her arrival, who shall record his/her attendance in the Minutes.

In those cases in which a session is not held due to an absence of quorum, the attendance of the Senators present shall be counted as if the legislative session had been held.

Section 23.6.—Calling for the Question of Quorum.—

After having determined the presence of a quorum at the beginning of a session through the corresponding roll call, a Senator may call for the question of quorum only when a measure or matter being considered by the

Body is put to vote at the same. The question shall be called for before the voting begins.

The President shall detain the works and direct the Secretary to make a roll call and tell him/her the number of Senators present. The President shall inform the Body of the results of such a tally and declare the presence or absence of quorum. This procedure will not be subject to debate.

The Secretary shall record on the Minutes the calling for the question of quorum and the name of the Senator who called for the question, as well as the Members who were present and absent at that time. The result of such a tally shall also be recorded, as well as any determination made by the Body once said result is known.

Section 23.7.—Presence and Absence of Quorum; Requirement for Absent Senators.—

In the event the question of quorum is called for pursuant to the established in the preceding Section, the President shall provide the following:

- a) If there is a quorum, the works shall continue or be resumed where they were interrupted;
- b) If there is no quorum, the President may:

1. Suspend the works of the session by agreement of the majority of those present;
2. Declare a recess and direct the Sergeant at Arms to require the presence at the session of all Senators absent, except for excused Senators. The Sergeant at Arms shall execute said order immediately and it shall not be subject to debate.

The Sergeant at Arms shall inform the President of the result of his/her efforts so that the Senate may take the action it deems pertinent, including, if believed necessary, to order the arrest of said Senators.

While said order is being executed and until a quorum is obtained, the Senate may not continue its works, except to suspend the same until a specific date.

When a Senator is brought involuntarily before the Senate by the Sergeant at Arms, he/she shall take his/her place and excuse him/herself before the Body, stating his/her reasons. The Body may excuse him/her or impose a fine not greater than the amount of one per diem payment.

**RULE 24****D. ORDER OF BUSINESS AT SESSIONS**Section 24.1.—Beginning of the Session.—

At the beginning of the session of the day, the President shall take the dais and call to order. The Secretary shall make a roll call to determine the presence of quorum.

Should there be quorum, the Body shall be understood to be assembled. The Chaplain shall then make the invocation and then the works shall begin. Should there be no quorum, the procedure provided for in Section 23.5 shall be followed.

Section 24.2.—Initial Turns.—

Upon conclusion of the invocation, the President shall grant a maximum of six (6) initial turns of not more than four (4) minutes duration at the request of the Senators present at the beginning of the works. The Majority Floor Leader shall have the option to use the last turn.

The Senator that has the floor shall conform to the integrity, respect and decorum norms set forth by the parliamentary process. When a Senator has the floor in his/her initial turn, he/she may not be questioned on his/her statements. However, he/she may be interrupted to call for a question of order or personal privilege or of the Body.

Section 24.3.—Minutes.—

After the Senate has been assembled according to Rules, the President shall submit the Minutes of the preceding session for the corresponding action. Any motion to amend, correct or approve said Minutes shall be subject to the provisions of Section 25.2.

The Minutes shall be approved by the majority of the Senators present, as provided for in Section 25.3.

Section 24.4.—Order of Business.—

After the Minutes have been approved, the Secretary shall inform the Senate of the business to be considered and the works of the Body shall be carried out in the following order:

1. Requests for Initial Turns to the President, pursuant to the provisions of Section 24.2 of this Rule;
2. Reports from Standing, Special and Joint Committees, in that order;
3. Reading of the Account of Bills and Resolutions introduced and their remittance to the various Committees;
4. Messages and Communications concerning Legislative Processing;

5. Petitions and Requests for Information to the Body, Notices and other Communications;
6. Motions and Resolutions included in the Order of Business attachment described in Section 18.3 of these Rules;
7. Unfinished Business;
8. Reading of the Special Orders of the Day Calendar;
9. Discussion of Special Orders of the Day;
10. Final Approval Calendar.

Section 24.5.—Change in Order.—

The order of business may not be altered without the consent of the majority of the members present. Likewise, the order of the calendars shall be strictly followed, unless the Senate, by the majority present, declares that the matter for which priority is being requested is privileged business. In such a case, the order of the calendar shall be altered and the business in question shall be immediately discussed.

All motions to change the order of business or of the calendars shall be voted on without debate.

Section 24.6.—Special Calendar.—

When the Senate agrees to declare one or more matters of business as privileged business, the same shall be included into a special calendar that

shall be prepared for those purposes. The business shall be discussed strictly in the exact order as they appear in the calendar. To alter the order of said calendar in order to discuss one matter of business with preference over all others therein, the absolute majority shall be an indispensable requirement.

## **RULE 25**

### **E. CONTENTS OF THE MINUTES AND THE JOURNAL OF SESSIONS**

#### Section 25.1.—Definition and Contents of the Minutes.—

The Minutes are the constitutional and juridical tool employed by the Senate of Puerto Rico to record a brief account of the facts relative to the processing of legislative measures and the voting thereon. Said document also includes other business that due to their nature hold importance for the Body.

The Minutes of Senate sessions shall include, among other things, the following information:

- a) The time at which the session begins and ends;
- b) The name of the Senators present and absent, stating which of them have requested and obtained permission for their absence;
- c) An account of all reports introduced by the Committees;
- d) The fact that a bill has been printed and read at the Floor;

- e) The name of the author, co-author and all those undersigning, if any, pursuant to Section 15.12 and the title of all measures introduced in the Senate and those received in the House of Representatives;
- f) The Committees to which said measures have been referred;
- g) Include the amendments approved on the measures;
- h) All agreements adopted by the Senate and the result of all votes, indicating in roll call votes the name of the Senators voting for or against the measure under consideration;
- i) The fact that the President has signed the approved measures;
- j) A mention of the messages received in the Senate from the Governor of Puerto Rico, the departments, agencies and dependencies of the Executive Branch, the Judicial Branch, and the House of Representatives;
- k) A brief account of the questions of order raised and the decisions of the President in that respect;
- l) The election of Senate officials, the swearing in and the taking of office;

- m) The Committees appointed and the designation of the Senators who shall be members of said Committees and the position they shall hold therein;
- n) Any other business or information that should be included under provision of law or these Rules;
- o) The objections of the Governor to Senate measures when these are returned without his/her approval, as well as the measures not signed by the Governor or returned by him/her without objections due to the adjournment of the works of the Legislature before ten days (10) of having submitted the measures to the Governor.

Section 25.2.—Approval of the Minutes.—

In each session, after having ascertained the presence of a quorum pursuant to Section 24.3, the President shall ask whether there are amendments to the Minutes of the meeting of the preceding day. If there are no objections, the Minutes shall be considered to be approved. Should an objection be raised, the Senate shall resolve said matter before handling any other business, approving the Minutes in accordance with the determination adopted by the Body in connection with the objection.

All motions to amend, correct or approve the Minutes shall be a privileged question and be voted on without debate.

Section 25.3.—Vote.—

The motions referred to in the preceding Section shall be approved by the majority of the Senators present. The determination made in that respect may not be submitted to reconsideration.

Section 25.4.—Authentication of the Minutes.—

The Minutes of each session of the Senate shall be authenticated by the signature of the President and the Secretary of the Senate.

Section 25.5.—Printing of the Minutes.—

The Secretary shall have the duty to reproduce daily a copy of the Minutes of the meeting of the preceding day. This copy shall be distributed immediately to the Senators at their Floor desks, except during the last ten (10) days of session.

Any mistake or omission on said printed copies shall be notified to the Body by the Secretary so that the corresponding action may be taken.

Section 25.6.—Book of Minutes.—

At the end of each Legislature, the Office of the Secretary shall prepare an official compilation of all the Minutes for the four-year term, which shall be known as the “Book of Minutes of the Senate.”

A copy of this Book shall be sent to the Legislative Library for its conservation, archives and reference, as provided for in Act No. 59 of June 19, 1964, as amended, and it shall also be available on the Internet.

Such a function shall be discharged in coordination with the Public Document Administration Office of the Senate of Puerto Rico.

Section 25.7.—Matters Not Included in the Minutes.—

Unless the Body agrees otherwise, the Minutes shall not include the following:

- a) Speeches of the Senators and invitees of the Body;
- b) Debates;
- c) Explanatory votes;
- d) Newspaper articles or editorials;
- e) Text from messages of the Governor, the other branches of the Government or the House of Representatives.

These matters shall be included verbatim in the Journal of Sessions.

Section 25.8.—Journal of Sessions.—

The Journal of Sessions is the constitutional and juridical tool whereby the Legislature to disclose to the public, verbatim, all proceedings and events that take place during the sessions of both Bodies.

Provisions relative to the Journal of Sessions are included in the Constitution of Puerto Rico, Article III, Section 17, and in Act No. 24 of July 24, 1952, which provides on the contents thereof and the proceedings in that respect. The Secretary of the Senate shall be responsible for preparing all informational material that should be included in said publication, pursuant to our body of laws.

Section 25.9.—Recording Systems.—

The Secretary shall use a recording system that employs magnetic tape or any other modern technology system for the verbatim reproduction of all proceedings and events that take place during each session, which must be included in detail in the Journal of Sessions.

Said tapes, or any other system employed, may not be used for any purpose other than the publication of the Journal of Sessions, unless the absolute majority of the Body so approves.

The recordings made for the Journal of Sessions shall be conserved as historical documents and their conservation and custody shall be subject to the provisions of Act No. 5 of December 8, 1955, as amended, known as the “Puerto Rico Public Document Administration Act.”

**RULE 26****F. ORDER AND CONDUCT – SESSIONS HALL AND GALLERIES**Section 26.1.—Public Session.—

The sessions of the Senate shall be public, pursuant to the provisions of the Constitution of Puerto Rico, Article III, Section 11. Citizens may attend these sessions, for which they shall sit at the High Gallery located on the third floor of the main structure of the Capitol.

The public must observe a conduct of respect toward the acts of the Senate and behave with the order and decorum established in these Rules.

Section 26.2.—Attention During Proceedings.—

While the President of the Senate has the floor, or when a vote is being taken, Senators may not make comments, talk among themselves or leave their desk.

When it is a Senator who has the floor, all other members of the Body shall not make comments among themselves or walk between the speaker and the President's bench.

Section 26.3.—Addressing Persons in the Galleries.—

No Senator may be offensive toward those persons present at the High Gallery or the Hall of Illustrious Women.

Section 26.4.—Desk of the Secretary.—

No person, with the exception of Senators and Senate officials, may approach the desk of the Secretary while the Body is in session.

When a roll call vote is being taken, no person, including Senators, may approach the desk of the Secretary. Exception is made, however, of those Senate officials or employees whose presence at that time is indispensable due to the nature of their functions.

Section 26.5.—Gatherings.—

During the course of a session, no gatherings or conversations may take place in the corridors next to the Sessions Hall. Likewise, the order and decorum that should prevail in the Senate shall be observed at all facilities of said Body.

Section 26.6.—Persons Alien to the Body.—

With the exception of persons allowed in the Sessions Hall and the Hall of Illustrious Women as provided for in the next Section, no person alien to the Legislature may speak with the Senators in said Hall during the course of a session.

Section 26.7.—Admission into to the Sessions Hall and the Hall of  
Illustrious Women.—

When the Senate is in session, only the following persons shall be allowed admission into the Sessions Hall:

- a) The Senators;
- b) The Governor of Puerto Rico and the Secretary of State;
- c) The Resident Commissioner;
- d) The House Representatives;
- e) The Secretary, the Undersecretary, the Parliamentary Advisor and the Sergeant at Arms of the Senate, and the Clerk and the Sergeant at Arms of the House;
- f) The officials and employees of the Sessions Hall of the Senate while discharging their official functions;
- g) The persons invited by agreement of the Senate or by determination of the President;
- h) The executive secretaries and/or the advisors of Senators, when so notified to the Sergeant at Arms.

When the Senate is in Session, only the following persons shall be allowed admission into the Hall of Illustrious Women:

- a) The persons allowed into the Sessions Hall;

- b) The Judges of the Supreme Court;
- c) The Secretaries, Heads of Agencies and Mayors;
- d) Former Governors, former Resident Commissioners and former Government Secretaries;
- e) Former Legislators;
- f) The former Secretary and the former Sergeant at Arms;
- g) The officials and advisors of the Office of Legislative Services while discharging their functions;
- h) The special assistants of the Governor while discharging their functions;
- i) The executive assistants, advisors and employees of the Senators and the Committees while discharging their functions. Each Senator shall notify the Sergeant at Arms of the names of the personnel whom he/she wishes to be admitted;
- j) Duly authorized journalists while in the carrying out their work;
- k) The persons invited to the Hall by agreement of the Senate or by determination of the President.

Section 26.8.—Café Room.—

The Café Room is part of the working area of the Senate. To that effect, admission to the same shall be restricted to the persons allowed into

the Sessions Hall and the Hall of Illustrious Women, as provided for in Section 26.7.

All Senators shall contribute out of their own pocket to defray the expenses of the Café Room as stipulated by Administrative Order.

Section 26.9.—Seats.—

The Sergeant at Arms shall have the duty to provide seats at the Sessions Hall for invitees of the Senate on special occasions, such as the reading of Special Addresses of the Governor. Likewise, he/she shall provide during the Inaugural Session or on any other occasion as determined by the Body or the President, the boxes and special spots in the Sessions Hall, the Hall of Illustrious Women and the High Gallery, for Senate-authorized invitees and visitors.

In no case during the course of a session or act shall any person other than a member of the Body be allowed to occupy a seat designated for the Senators and the President.

Section 26.10.—Box for News Media Representatives.—

The Secretary shall assign and prepare a box in the High Gallery for news media representatives. Journalists thus authorized shall be entitled to occupy the seats they are assigned and to use the facilities of said box.

The President of the Senate may cancel at any time the authorization of a journalist when he/she behaves in contravention of the order and decorum of the Body or when he/she does not comply with the pertinent remaining provisions of these Rules.

Section 26.11.—Box for Senators' Relatives.—

The Secretary may assign and prepare a box in the High Gallery for the use of Senators' relatives, as well as allow them preferential access to the High Gallery.

Section 26.12.—Smoking, Prohibited.—

Smoking is prohibited, with no exceptions whatsoever, in the Sessions Hall, the Café Room, the Hall of Illustrious Women, the High Gallery and the vicinities of the Sessions Hall, as established by Act No. 40 of August 3, 1993.

Section 26.13.—Dress Code.—

During the hours of session or at Committee meetings, Senators as well as Senate officials and employees who carry out works at the Sessions Hall, the Galleries, the Café Room or the Hearings Rooms or elevators, shall be properly and suitably dressed, this provision including, concerning men, the use of suits. Sneakers, men's shoes without socks, jeans, shorts, sleeveless shirts, short blouses, décolleté or bareback garments, and short or

tight skirts and dresses, among others, shall be considered to be inappropriate and unsuitable attire. The President shall determine the dress code for the employees of the Senate to discharge their functions at the Floor and the Committees.

Section 26.14.—Political Propaganda.—

The placement or installation of signs, posters, photos or any other political or proselytizing material is hereby prohibited in any office, dependency or property of the Senate or on any of its official vehicles.

This prohibition does not apply to signs, photos, posters, plaques or any other analogous object received as a gift or acquired by a Senator, nor to objects that might be considered to be collector's items if the same are placed on the inside of the offices, provided these cannot be seen from the outside.

**VII – PROCESSING AND PARLIAMENTARY PROCEDURE****WHILE IN SESSION****RULE 27****A. MOTIONS IN GENERAL**Section 27.1.—Definition—

A motion is any request brought before the Body by a Senator which entails some sort of action or determination by the Senate, except for bills and resolutions.

Section 27.2.—General Rule.—

Motions may only be presented at the corresponding turn of the Order of the Day, except for what is provided in Rule 28 on Privileged Motions.

When a motion is presented, the President shall immediately submit it for the consideration of the Body. The President, on his/her own initiative or at the request of any Senator, may provide that, through the Office of the Secretary, a written copy of the motion be handed to Senators before submitting it for the consideration of the Body.

This provision on written motions shall not apply to privileged, personal privilege or Senate motions, nor to incidental, subsidiary or parliamentary routine motions.

Section 27.3.—Presentation of Motions.—

No motion may be presented under the following circumstances:

- 1) During roll call;
- 2) While voting, until the result of the vote is known;
- 3) When the previous question has been called for;
- 4) When a Senator has the floor, except for the provisions of Section 38.7.

Section 27.4.—Separation of Motions.—

When a motion addresses different issues that should be considered separately, the President, at his/her discretion or at the request of a Senator, shall separate the issues to submit them for the consideration of the Senate.

Section 27.5.—Expressions of the Senate.—

Motions to extend congratulations, acknowledgment, or condolences or to express joy or grief shall be introduced as written motions with the Office of the Secretary of the Senate not later than one (1) hour before the beginning of each Session; the Office of the Secretary shall prepare an account thereof, to be distributed to the members of the Senate as an attachment to the Order of Business. These shall be addressed in the turn of motions of the Order of Business, so that if any Senator objects, he/she may so state before the Body, in which case the motion shall be withdrawn. The

proponent of the motion shall have the option to introduce the same as a Resolution of the Senate.

Should there be no objections to a motion of the kind described above, the Secretary shall process the same without submitting it to a vote.

The Senate shall not consider any motion to extend congratulations, acknowledgment, or condolences or to express joy or grief that deviates from the provisions herein, except when there is unanimous consent.

Section 27.6.—Resolution in Lieu of Motion.—

When business is submitted to the Body in the form of a motion when in truth it is a resolution pursuant to the provisions of these Rules, the President, on his/her own initiative or at the request of a Senator, may disallow the consideration of such business. Instead, the President shall direct that said motion be processed as a resolution according to the rules.

When presenting a motion to consign an expression of the Body concerning a person or event, the provisions of Section 18.3 shall apply.

Section 27.7.—Withdrawal.—

The author or all of the authors of a motion may withdraw it at any time before the motion proper or an amendment thereto is approved.

**RULE 28****B. PRIVILEGED MOTIONS**Section 28.1.—Kinds of Privileges Motions.—

The President may not accept any motion while a matter is being debated by the Body, with the exception of the following privileged motions:

- a) To adjourn a session;
- b) To declare a recess;
- c) For the matter being considered to remain on the table;
- d) To call for the previous question;
- e) To propose that a Committee be relieved from considering a matter so that it be taken to the Committee as a Whole or placed in the Calendar of Special Orders of the Day;
- f) To postpone the matter until a specific date;
- g) To postpone the matter indefinitely;
- h) To amend;
- i) To propose that a matter be taken to a Committee.

Said motions shall not be presented while a Senator has the floor.

Section 28.2.—Preference; Vote.—

The motions indicated in the preceding Section shall have preference according to the order in which they have been listed. From among these, the first five (5) shall be voted on without debate.

**RULE 29****C. READING OF DOCUMENTS**Section 29.1.—Request for Reading.—

In the course of a session, any Senator may request the reading of a document of public interest, provided that a debate is not taking place or a preferential matter has not been brought before the Body pursuant to the provisions of these Rules.

Section 29.2.—Objection.—

Should there be an objection to the reading of a document, the request shall be put to vote without debate and the affirmative vote of four fifths (4/5) of the members present shall be necessary for the same to be approved.

Section 29.3.—Reading.—

In the event there is no objection to the request for reading, or after the Senate has ordered the same through a vote, the President of the Senate shall instruct the Secretary to read the document.

**RULE 30****CH. PETITIONS TO THE SENATE**Section 30.1.—Petitions to the Senate.—

Any citizen may present a petition to the Senate in connection to any matter of his/her interest.

Upon receiving a formal petition to the Body, the same shall be remitted to the Secretary, in order for said petition to be registered and be processed accordingly.

**RULE 31****D. MESSAGES AND COMMUNICATIONS**Section 31.1.—Reports to the Senate.—

The Secretary shall receive all messages and communications from the Governor, the House of Representatives and the Executive and Judicial Branches addressed to the Senate. The Secretary shall inform the Senate of such a receipt in the most immediate session, giving an account of said notice at the appropriate time within the order of business, as provided for in Section 24.5.

In those cases in which the messages and communications are considered to hold special importance, these may be notified to the Senate at any time within the session with the consent of the majority present.

Should the Senate be informed verbally of a message or communication, the Secretary shall inform the matter by means of a written communication to all Senators not later than the next work day.

## **RULE 32**

### **E. COMMITTEE REPORTS**

#### Section 32.1.—Assignment of Measures and Matters to Various Committees; Joint Reports.—

The President of the Senate shall refer to the Committees the measures and matters they are to consider, which may not be assigned to more than three (3) Committees. However, under exceptional circumstances, the President may, at his/her discretion, remit such measures and matters to the Committees he/she deems convenient.

The Committee which is primarily assigned the consideration of a measure or matter shall have the primary responsibility of rendering the corresponding report. The Committee shall coordinate with all other designated committees to render a joint report, which task shall be carried out through written communication. The Committees may accept or decline to render a joint report as they deem convenient or necessary.

In the event any of the Committees to which a measure has been referred renders a report, the Committee on Rules and Calendar shall notify

all other Committees of the receipt of said report and send them a copy thereof. If within the term of three (3) work days said Committees do not render their reports or request an extension to the Senate, this/these committee(s) shall be relieved automatically through a motion to the Senate. The Committee on Rules and Calendar shall then include the measure or matter in the Calendar of Special Orders of the Day if deemed convenient.

Should differences arise between Committees concerning a measure or matter, the Senate shall consider in the first place the report filed by the Committee with primary jurisdiction. This provision shall not apply to measures that provide for an appropriation of funds.

Section 32.2.—Term to Render Reports.—

The Committees shall render their report recommending the approval or defeat of a measure within ninety (90) calendar days following the date on which the measure or matter under its consideration was assigned. This norm shall not apply to the Committee on Ways and Means when considering the general expenses budget and appropriation measures related to the budget of the Government of Puerto Rico. The Chairperson of the Committee on Rules and Calendar shall monitor the Committees' agendas in order to enforce this provision. In case of delay in the filing of reports, the Chairperson shall ascertain the reasons of the Committee and make

recommendations to the Body on pertinent measures to enforce this provision.

Section 32.3.—Motion to Discharge.—

Any Senator may present a motion to discharge for a Committee to be relieved from considering or reporting on a particular item a business referred to said Committee. The approval of said motion shall require the written approval of the Chairperson of the Committee in First Instance. This requirement shall not apply to the discharge of Senate Resolutions.

Through said discharge, should it be approved, it may be provided:

- 1) That the measure or business be included in the Calendar of Special Orders of the Day, to be immediately considered by the Body; or
- 2) That said measure or business be referred to another Committee.

This motion shall be considered without debate and decided by a majority of the total number of Members of the Body. However, the President may allow, for informative purposes, the Chairperson of the Committee to which the bill was referred and the proponent of said motion to present their points of view before the Body, as well as a Senator opposing the motion.

Section 32.4.—Reports from Minorities.—

The minorities of a Committee may file their reports at the Office of the Secretary of the Senate and these shall circulate along with the report of the Committee. The Senate may vote on said minority reports only in those cases in which the dictum of the majority has been defeated. Any Senator may refer to a minority report while the majority report is being debated or considered.

In the event the majority report is defeated and there is more than one minority report, these shall be considered, giving priority to those who have been undersigned by the greatest number of Senators. If said reports were undersigned by an equal number, priority shall be determined based on the date of filing.

Section 32.5.—Filing and Contents.—

Committees shall file their reports with the Office of the Secretary of the Senate in one original and four (4) copies. The original report shall be signed by the Chairperson.

When a Committee proposes amendments to a legislative measure it shall do so by preparing an engrossed bill which shall become a part of the Report and substitute the original version. In the event the Committee does

not recommend amendments, then the printed version of the legislative measure shall be attached to the report.

Said reports shall include, in the following order: the heading identifying the report, an introduction, a statement of the scope of the report, the recommendations of the Committee and a statement of the scope of the measure.

All reports and their corresponding engrossed bills shall be filed with the Office of the Secretary so that the same may be processed pursuant to the Rules.

In a negative report, which is a report recommending the defeat of a measure, the Committee shall state the reasons for rejecting the measure.

All reports recommending the approval of a bill or joint resolution must comply with the provisions of Act No. 81 of August 30, 1991, as amended.

Section 32.6.—Copies of Reports.—

Upon receipt of a Committee report, the Secretary of the Senate shall remit a copy thereof to the Committee on Rules and Calendar, the press box, and the Archive. A copy shall be delivered through electronic means to the Majority and Minority Floor Leaders, as well as disclosed through the

Internet. A copy of the same shall be handed to the journalists at their request.

Upon receipt of the reproduced copies of the report, the Secretary shall send ten (10) copies thereof to the Committee on Rules and Calendar immediately, so that it may determine whether the report deserves to be included and the turn it would have within the Calendar of Special Orders of the Day.

Section 32.7.—Special Rules Reports.—

The reports of the Committee on Rules and Calendar on special debate rules shall be submitted for the approval of the Body without discussion.

Section 32.8.—Appropriation of Funds.—

All bills or resolutions that provide for an appropriation of funds shall be referred to the Committee or Committees with primary substantive jurisdiction, as well as to the Committee on Ways and Means. The Committee with primary jurisdiction shall evaluate the substantive and fiscal aspects, but in this last case, it shall follow the directives of the Committee on Ways and Means. The report of the measure shall be made jointly with the Committee on Ways and Means in order to be considered by the Body.

Section 32.9.—Reports With Amendments.—

In those cases in which a Committee report proposes the approval of amendments for a bill or resolution, said amendments shall be discussed and voted on with preference over any other matters.

In the engrossed bill, the proposed amendments that involve additional text shall appear in simple underlined writing (underlined) and the amendments that involve the elimination of text shall appear stricken through (~~strikethrough~~).

The approval of the amendments contained in a report shall equal the approval of the report.

Section 32.10.—Reconsideration of Negative Reports.—

When negative reports are submitted without explanation, the authors of the measures thus rejected may, within two (2) work days following notice from the Office of the Secretary, request in writing a reconsideration of the decision to the Chairperson of the corresponding Committee. The Committee shall have a maximum term of three (3) work days as of the date of filing this request to address the same. If said term elapses and the

Committee has not acted, it shall be understood that the request has been denied.

If reconsideration is granted, the Committee shall inform the Senate on the next work day of its decision through the Office of the Secretary and as of that date, it shall have a term not to exceed fifteen (15) days to submit its final report.

Section 32.11.— Reports on Senate Resolutions.—

When the report is on a Senate Resolution directing a study or investigation, the same shall be identified as: Partial Report, which means that there will be more reports, or Final Report, which means that the Committee has completed the work assigned when it files the same.

**RULE 33**

**F. SUBSTITUTE MEASURES**

Section 33.1.—Definition.—

A substitute measure is a bill or resolution that, after having been considered by the Committee to which it was referred, is drafted and introduced with entirely new text instead of specific amendments, as an unusual mechanism of procedural economy.

Section 33.2.—Amendments.—

A substitute measure is an amendment to the original measure, and therefore, the same shall be subject to all constitutional, statutory and regulatory provisions on amendments.

## **RULE 34**

### **G. CONFERENCE COMMITTEE**

#### Section 34.1.—When In Order.—

The designation of a Conference Committee may be requested in the following cases:

- a) When the Senate does not concur with the amendments introduced by the House of Representatives to a Bill or a Joint or Concurrent Resolution originated in the Senate;
- b) When the House of Representatives does not concur with the amendments introduced by the Senate to a Bill or a Joint or Concurrent Resolution originated in the House of Representatives.

#### Section 34.2.—Procedure.—

When the Senate does not agree with the amendments adopted by the House of Representatives concerning a measure originated in the Senate, the Senate may request the House to have a Committee appointed to discuss said amendments.

Likewise, when the House of Representatives is the one requesting said Conference Committee for the discussion of the amendments with which it does not concur, the Senate shall immediately approve said request.

The President shall designate the members of the Body who shall compose the Senate Committee within a Conference Committee. The Secretary shall notify the House of said designation.

Section 34.3.—Committee Composition and Work Plan.—

The Conference Committee shall be composed of a Senate Committee and a House Committee. Each Committee shall have its Chairperson, who shall meet as soon as they are designated to define and establish the work plan that shall govern the Conference Committee.

Section 34.4.—Absence of Agreement.—

In the event an agreement is not reached by the Bodies during the first stage of the conference, the Senate may accept, at its discretion, a petition from the House for new conferences or request the same itself as deemed convenient or necessary.

Section 34.5.—Conference Committee Reports.—

The reports rendered by the Conference Committee shall be distributed and considered at the time they are submitted to the Body. Said reports shall not amend any matter not in controversy; recommendations

may be made only on those matters on which the Bodies have been unable to reach an agreement. These reports shall be accompanied by an engrossed bill.

Committee members may not insert or eliminate text if contravening the mandate received by the Bodies or their previous agreements.

This provision shall not apply to reports on the general budget resolution or on special budgets.

## **RULE 35**

### **H. COMMITTEE OF THE WHOLE**

#### Section 35.1.—Purpose.—

The Committee of the Whole is a procedure of a parliamentary nature whereby the Body as a whole is constituted into a Committee with the purpose of eliciting, when considering a matter, a freer and more informal discussion than customary for a deliberative body operating under its regular rules of procedure.

#### Section 35.2.—Constitution.—

On the initiative of the President of the Senate or upon a motion of a Senator, the Senate may at any time be constituted into a Committee of the Whole to consider a matter that merits such action. Such a determination shall be approved by the Body without debate.

Section 35.3.—Chair.—

The President of the Senate shall exercise the functions of the Chairperson of the Committee of the Whole.

Section 35.4.—Applicable Rules.—

In consideration of the broad extent of the discussion and the debate that the Committee of the Whole involves, pursuant to the stated in Section 35.1, the Rules of the Senate shall govern the procedures of said Committee only in those cases in which they are clearly applicable and they do not corrupt the purposes of the same.

Section 35.5.—Turns.—

The President shall fix the turns to argue for and against a measure for the debate, as well as the time each Senator is to use for these purposes.

Section 35.6.—Motions.—

The only admissible motion in the Committee of the Whole is a motion to submit amendments.

Section 35.7.—Consideration of Legislative Measures.—

Bills and resolutions before the consideration of the Committee of the Whole shall be read in their entirety before they are discussed. This requirement may be overlooked when there is the affirmative vote of the majority of the members of the Body. Should this be the case, then the

reading and discussion of the measure shall be in order, taking each section or article of the same separately.

The measures before the Committee of the Whole may not be stricken through or interlined. Amendments shall be made note of stating the page and line as they are approved, in order for the Senate to follow with the corresponding action based on said recommendations.

Section 35.8.—Consideration of Business.—

When the Committee of the Whole is considering business other than a legislative measure, the provisions of this Rule shall also apply. The Committee report shall be submitted to the Senate for it to follow with the corresponding action.

Section 35.9.—Vote.—

Roll call vote shall not be used in the Committee of the Whole.

Section 35.10.—Procedure to Adjourn the Committee of the Whole.—

The President, on his/her own initiative or at the request of any Senator, may adjourn the Committee of the Whole, but such a determination shall arise from the agreement of the Body without debate.

Section 35.11.—Special Committee of the Whole.—

The Special Committee of the Whole is a parliamentary resource to open a specific matter before the consideration of the Senate to discussion

by the people, by holding public hearings with the participation of all members of the Body, taking the Senate throughout the towns of the Island to discuss a specific matter, and thus the people will be able to attend and directly participate within their own community, municipality or region.

To that effect, the President, on his/her own initiative or at the motion of a Senator, shall constitute the Senate into a Special Committee of the Whole and shall convoke to hearings at the place, date and time he/she determines, specifying the matter to be discussed.

The President of the Senate shall act as the Chairperson of the Special Committee of the Whole, and once the public hearings cycle has been concluded, he/she shall render a special report to the Committee to which the matter discussed in the Special Committee of the Whole had been assigned in the first instance; the Committee shall take it into consideration and incorporate it into the Committee Report.

## **RULE 36**

### **I. CALENDAR OF SPECIAL ORDERS OF THE DAY**

#### Section 36.1.—Definition.—

The Calendar of Special Orders is a document prepared by the Committee on Rules and Calendar which includes all the measures or matters reported on by or discharged from a Committee, which shall be

considered on a specific legislative day, according to the order in which they were included in said Calendar.

No measure or matter not included in the Calendar may be considered, except those corresponding to Unfinished Business, pursuant to the provisions of Section 24.4 or when a Special Calendar is prepared under Section 24.6.

Section 36.2.—Remittance of Calendar.—

The Calendar of Special Orders of the Day shall be sent to Senators with not less than one calendar day in advance of the date on which it is to be considered. This provision shall be suspended during the last five (5) days of measure consideration and the last five (5) days of legislative processing of Regular Sessions. In the case of Special Sessions, this provision shall not apply.

Section 36.3.—Reading.—

When the matters included in the Calendar of Special Orders of the Day are being considered, the bills and resolutions shall be read in order for amendments to be introduced, discussed and approved.

In the event said measures have been read in the Committee of the Whole, only the amendments or recommendations for pertinent action from the Senate shall be read.

Section 36.4.—Mark-Up.—

The Senate may, by agreement of the absolute majority, determine that any bill or resolution be referred again to the Committee for further consideration or for the correction of any error of form or style that should be remedied prior to taking a vote.

**RULE 37**

**J. AMENDMENTS**

Section 37.1.—Preference.—

All bills and resolutions will be subject to amendments, which shall be germane to the matter under consideration. Written amendments shall have preference over oral amendments.

Section 37.2.—Amendments Not to be Considered.—

The following amendments may not be taken in consideration:

- a) Amendments which are counter to the matter referred to in the bill or resolution;
- b) Amendments which change the purpose of the measure;
- c) Amendments not directly related to the matter in question.

Section 37.3.—Requirement to Formulate Amendments.—

Amendments formulated for bills and resolutions shall indicate expressly the page and line into which these are to be incorporated.

Section 37.4.—Order of Discussion of Amendments.—

When a matter is being discussed by the Body, an amendment may be proposed, as well as an amendment to that first amendment. In such a case, the second amendment shall be discussed and put to vote before the first one. Once an agreement has been reached on said second amendment, the first amendment shall be discussed. Amendments shall be addressed before the matter proper.

When amendments are formulated in writing, these shall be addressed in the exact order they were formulated. By agreement of the majority present, all amendments may be read and put to debate as a whole, but this shall not apply to Committee reports, which are governed by the provisions of Section 32.9.

Section 37.5.—New Amendments.—

No new amendments may be presented while an amendment, a measure or a matter is being discussed.

Section 37.6.—Withdrawal of Amendments.—

The author of an amendment may withdraw the same before it is put to vote.

Section 37.7.—Postponement of Amendments.—

An amendment to a bill or resolution may be indefinitely postponed, but this will not entail the postponement of the consideration of the measure.

Section 37.8.—Enacting or Resolving Clause.—

A motion to eliminate the enacting or resolving clause from a bill or resolution shall be considered to be an amendment. This motion shall have preference over any other pending amendments.

In the discussion of this kind of amendment, the merits of the measure may be put to debate.

In the event said motion is approved, the bill or resolution shall be defeated. Should it not be approved, the same may not be presented again.

Section 37.9.—Amendments to the Title.—

Amendments to the title of a bill or resolution shall only be introduced, considered and approved after said measure has been approved within the Calendar of Special Orders of the Day.

Section 37.10.—Approval of Amendments.—

Amendments shall be approved by a majority of the Senators present, except in those cases where it is expressly otherwise provided in these Rules.

**RULE 38****K. DEBATES**Section 38.1.—Claiming the Floor.—

When a Senator seeks the floor to intervene in the discussion of any matter before the Body, he/she shall rise and address the President as follows:

“Mr. President” or “Madam President.”

The President shall reply:

“Mr. Senator” or “Madam Senator,” identifying him/her by his/her two surnames.

The Senator, after having been recognized, may address the Senate from his/her desk or from the podium.

Section 38.2.—Turn Assignment and Order.—

The President shall recognize the Senators who shall participate in a debate, granting the floor in the order it was claimed. When two or more Senators claim the floor, the President shall decide the turn order, giving preference to the member who has not yet spoken, if this were the case.

When two or more Senators of the same delegation claim the floor at the same time, the President shall give preference to the Floor Leader or Alternate Floor Leader when among the Senators claiming the floor.

Section 38.8.—Right to Open and Close a Debate.—

The Chairperson of the Committee reporting on a measure or matter shall be entitled to open and close the debate thereon. When there is more than one Committee reporting, the debate shall be closed by the same Senator who opened the same.

The author of a measure or matter not being reported on by a Committee, or a member presenting a debatable motion, shall also be entitled.

The approval of the previous question shall not impair the exercise of the right to close a debate, as established in this Section. In the event such a motion were approved, the turn corresponding to the closing of the debate shall be granted without delay. Then a vote shall be taken on the immediate matter that was being discussed at the time the previous question was raised and approved.

Section 38.4.—Turns, Statement and Rectification.—

No Senator shall speak more than twice on the same matter in the course of a debate. The first shall be the statement turn, which shall have a

duration of fifteen minutes, and the second shall be the rectification turn, which shall be five minutes long. However, other Senators who have not spoken may yield the floor to another Senator, but he/she may not speak for over forty-five (45) minutes in using the statement turn or for over fifteen (15) minutes in using the rectification turn. Only Senators who participated in the statement turn may yield their rectification turns.

Any Senator may request time in addition to the time he/she has been authorized or yielded for his/her statement and rectification turns, which can be granted by the majority of the members present.

The rectification turn may not be used until all the Senators who requested and obtained a statement turn have participated in the debate. Before recognizing a Senator for the first rectification turn, the President shall apprise all Senators present verbally that the opportunity to use statement turns is about to close. After the rectification round has begun, no Senator may claim the floor for the first time in a debate.

The President shall keep track of the time corresponding to each turn.

When a Senator is notified that his/her time is up, he/she shall stop talking and resume his/her seat.

Section 38.5.—Business Alien to the Debate.—

Senators who have the floor shall circumscribe to the business under discussion. They shall not be allowed to make expressions on matters that are personal, or alien or irrelevant to the debate.

In the event that a Senator who has the floor does not comply with the stated above or with any of the provisions of these Rules, the President, on his/her own initiative or at the request of another Senator, may call him/her to order. Said Senator shall not continue to have the floor and shall resume his/her seat, unless he/she requests an authorization from the President to explain him/herself. In the event that the President concedes to hear his/her explanation and to accept it, he/she may allow the Senator to continue with his/her intervention, but he/she must adhere to the regulatory rules of the Body.

Section 38.6.—Call to Order.—

The President, on his/her own initiative or at the request of a Senator, may call a Member of the Body to order at any time when he/she has incurred a fault or a violation of the provisions of these Rules. The call to order shall be made at the immediate time the Senator has incurred the fault or violation.

In the event of a determination of this nature, the Senator affected shall respect the dictum of the President, but he/she may appeal such a

decision before the Body. The appeal shall be immediately processed and resolved without debate by the vote of the majority of the Senators present. If the appeal yields a favorable result for the Senator, he/she shall continue to have the floor.

Section 38.7.—Interruption While Having the Floor.—

When a Senator has the floor, he/she may not be interrupted except in the following cases:

- a) When a question of order, personal privilege or of the Body which requires an immediate determination is raised ;
- b) When a question is addressed to the Senator who has the floor, provided he/she assents. Should this situation arise, the Senator who wishes to make the question shall address the President and inform his/her intention. The President shall ask the speaker whether he/she wishes to hear the question. He/she may hear the question but shall not be under the obligation to answer. Should he/she answer, the first two (2) minutes he/she employs in answering the question shall be deducted from the time of the Senator who made the question.

**RULE 39****L. CALENDAR OF FINAL APPROVAL**Section 39.1.—Preparation and Consideration.—

When consideration of the Calendar of Special Orders of the Day has been completed, the bills and resolutions that the Body determines shall be placed on the Calendar of Final Approval. This calendar shall be considered immediately or on the date and at the time that the Committee on Rules and Calendar determines.

Section 39.2.—Mark-Up Before Final Approval.—

When a legislative measure is being considered by the Senate in the Calendar of Final Approval, no amendments thereto or debate thereon shall be allowed. However, the Senate may consider during this process any amendments necessary to correct mistakes or to conform its wording to the text of statutes in effect. These amendments shall be voted on without debate.

Section 39.3.—Vote.—

The final vote of a legislative measure shall be conducted by roll call. The results of the vote shall be included in the Minutes of the corresponding session.

No bill or resolution shall be considered to be approved unless a majority of the members of the Body votes in its favor.

## **RULE 40**

### **M. VOTES**

#### Section 40.1.—Participation in Vote.—

The Senators present at the time of conducting a vote shall be under the obligation to participate by casting their vote, save for the following exceptions:

- a) Senators shall abstain from voting when they have a direct personal interest in the matter submitted;
- b) Senators may abstain from voting with the consent of the majority present in the following cases:
  - 1) When for highly transcendental moral reasons;
  - 2) When not prepared to cast their vote because of a lack of knowledge on the matter being put to vote; or
  - 3) When a Senator, for any reason he/she deems meritorious, so requests and the Body so authorizes.

In all those cases in which a Senator requests to be allowed to abstain from voting, the matter shall be resolved without debate. If the decision of the Body is to disallow, the Senator who requested abstention shall be under the obligation to cast his/her vote.

Section 40.2.—Absent Senators.—

Any Senator may request to have the Senators who are outside the Floor but in the premises of the Capitol sent for before beginning to take a vote.

Likewise, a majority of the Senators present may agree on the suspension of a vote for a term of 24 hours, in order to compel absent members not on capitol premises but in Puerto Rico to attend on the date and at the time provided for to that effect.

The Sergeant at Arms shall be responsible for enforcing the provisions of these Rules to that effect.

Section 40.3.—Entering the Sessions Hall.—

When an absent Senator enters the Sessions Hall, the President shall briefly explain the matter being put to vote before the Senate.

Section 40.4.—Voice Vote and Division of the Body.—

In those cases in which the business under consideration does not require a roll call vote, the President shall submit it to the Body on the following terms:

“Senators in favor say yea.” He/she shall then indicate, “All those opposed say nay.”

When uncertain about the results of a vote, the President, be it on his/her own initiative or at the request of a Senator, shall direct the members of the Body to rise. First, all those in favor shall rise and after they resume their seats, all those opposed shall rise.

The Secretary shall make the required counting in both cases and inform the results to the President, who shall then express which has been the action decided on by the Senate through said vote.

Section 40.5.—Roll Call Vote.—

When a roll call vote is being taken, the Secretary shall call out the names of all the members of the Body so that they may cast their vote.

The Secretary shall call again those Senators who had not voted on the first call.

When electronic means are being used, those Senators who wish to cast their vote orally shall do so after the first roll call of all Senators.

The President shall not allow the consignment of any vote after the result of the vote has been announced.

Section 40.6.—Explanatory Vote.—

Upon conclusion of the voting process, any Senator may introduce an explanatory vote in relation to the determination issued at the time of said vote.

The explanatory vote shall be included in the Journal of Sessions on the day the Secretary informs the Body of the introduction of said vote. The vote shall be in the Journal at the end of the session being held on that day.

**RULE 41**

**N. FINAL PROCESSING OF BILLS AND RESOLUTIONS**

Section 41.1.—Processing Deadline.—

No processing shall be conducted regarding any bill or resolution after June 25 when the First Annual Regular Session is being held, or after the second Thursday of the month of November when the second session is being held, unless the measure has been approved in final vote by both Bodies.

These terms may be varied through a Joint Resolution, as provided for in Act No. 9 of April 9, 1954, as amended.

Section 41.2.—Printing and Remittance.—

All bills and resolutions approved by the Senate shall be printed in uniform type. The Secretary shall remit three (3) certified copies thereof to the House of Representatives and forward it via e-mail for its consideration.

**RULE 42**

**Ñ. RECONSIDERATION OF BUSINESS**

Section 42.1.—Request.—

Any Senator may request the reconsideration of a matter resolved by the Body. The Senate may agree to said reconsideration provided that the request is made during the course of the same session in which the matter was considered or on the next day of session.

Section 42.2.—Reconsideration of Roll Call Vote.—

When a vote had been taken by roll call, a request for the reconsideration of the decision made by the Body on the measure or matter

voted on may be made only by the Senator who through his/her vote forms a part of the majority in said vote.

Section 42.3.—Seconded Motion.—

Any motion brought to reconsider business must be seconded.

Section 42.4.—Reconsideration and Return of Measures Approved by the Senate.—

The Senate, by absolute majority, may determine to reconsider Senate bills and resolutions approved by the Senate and sent to the House for its consideration or Senate measures approved by both Bodies and sent to the Governor for his/her consideration. Should the Body so determine, it shall request the House or the Governor, as the case may be, to return the measure.

Section 42.5.—Reconsideration of Vetoed Measures.—

When the Senate receives a communication from the Governor returning a Senate bill or joint resolution with his/her objections, or the House of Representatives remits a House bill or joint resolution that has been returned by the Governor with his/her objections and duly approved in reconsideration, a copy of the enrolled text of the measure together with the

communication from the Governor shall be circulated to all Senators for their information and the measure shall be automatically included in the Final Approval Calendar through a Motion approved by an absolute majority.

### **RULE 43**

#### **O. CONSIDERATION OF BILLS AND RESOLUTIONS PENDING APPROVAL**

##### Section 43.1.—Consideration in Upcoming Sessions.—

The Senate may consider again, within the term of a same Legislature, any bill or resolution that has not been defeated or approved in final vote at a specific session.

The consideration of said bill or resolution shall be conducted during any subsequent Regular Session or during a Special Session if the matter has been included in the Convocation of the Governor. To that effect, the stage of processing where the measure was left at the preceding session shall be the starting point for the processing thereof.

##### Section 43.2.—Assignment of Turns.—

At the end of a Regular Session or a Special Session of a same Legislature, all business left unfinished in the various Calendars of Special Orders of the Day or Final Approval Calendars shall be automatically referred to the Committee on Rules and Calendar. The Committee shall be responsible for the further processing of said measure or business, pursuant to the provisions of these Rules.

## **RULE 44**

### **P. QUESTION OF ORDER**

#### Section 44.1.—Definition.—

A question of order is a motion presented by a Senator whereby a point is raised concerning the application, compliance or interpretation of the Rules.

#### Section 44.2.—Raising the Question.—

The question of order shall be submitted to the President of the Senate, who shall resolve it immediately. However, if deemed necessary, the President may reserve his/her decision on said question of order, but he/she shall issue the same within the term of two work days from the submitting of the question. This term may be extended by the majority of the members present at the request of the President.

Section 44.3.—Debate.—

When a question of order is raised, the President shall not allow any debate thereon. However, if deemed necessary for informative purposes, the President may grant the floor to any Senator to state whether he/she is in favor of or against the merits of the question of order raised.

The turn stage shall end at the discretion of the President and each individual turn may not exceed five (5) minutes.

Section 44.4.—Appeal to the Body.—

The decision of the President concerning a question of order may be appealed before the Body. The appeal shall be requested by the senator who raised the question of order, who shall submit it as soon as said decision is known.

When requesting an appeal, unless the Senate decides otherwise, the President may grant one turn in favor and one turn against, of five (5) minutes each, for the Senators to state their views on the merits of the same. The appeal shall be resolved by the majority of the Senators present.

**RULE 45****Q. QUESTION OF PRIVILEGE**Section 45.1.—Types of Privilege.—

There are two types of questions of privilege, which are defined as follows:

a) Privilege of the Body;

Questions raised before the Body concerning facts or statements that compromise the rights, dignity, decorum, safety and austerity of the Senate, as well as the integrity of its proceedings.

b) Privilege of Senators:

Questions raised before the Body concerning facts or statements that compromise the rights, the reputation or the official conduct of Senators individually, in their representative capacity or as a member of the Body.

Section 45.2.—Raising the Question.—

A Senator may raise a question of personal privilege or of privilege of the Body at any time. He/she shall firstly deliver a brief statement indicating the point of privilege. Should the President so allow, the Senator shall then explain the question in detail within a period not to exceed ten minutes, unless the Senate, by a majority of those present, agrees to extend said term.

The President may resolve, after the brief statement or upon conclusion of the detailed explanation of the question, that said question does not constitute a question of personal privilege or of privilege of the Body.

This decision may be appealed before the Body, but the appeal shall be voted on without debate and must be resolved by a majority of the members present.

In those cases in which the President or the Body determines that the question involves a point of privilege, the measures or remedies necessary to correct or to forestall said situation from persisting in its effects or to prevent a repetition thereof.

Section 45.3.—Preference.—

The questions of personal privilege or of privilege of the Body shall have preference over all other matters, except:

- 1) During roll call;
- 2) When the Minutes of the preceding session are being considered;
- 3) When the Secretary is discharging his/her functions of reading documents and calendars.

- 4) When a motion to recess or to adjourn the session has been presented;
- 5) When a vote is being taken, until the result of said vote is known;
- 6) When the previous question has been raised.

## **RULE 46**

### **R. PREVIOUS QUESTION**

#### Section 46.1.—Definition.—

The previous question is a motion used to close a debate in the Body and to bring without delay before the Body the immediate matter that was being debated, so that it may be finally put to vote without further discussion.

#### Section 46.2.—Raising the Previous Question.—

The previous question may be raised at any time during the course of a debate, pursuant to the provisions of Rule 28 on Privileged Motions. This motion must be seconded by three Senators.

The previous question may not be raised when the Senate is constituted into the Committee of the Whole.

#### Section 46.3.—Vote on the Previous Question.—

When the previous question is raised, the President shall put it to vote without any debate. If the determination of the Senate is affirmative, any debate on the matter being discussed shall cease and the matter shall be immediately put to vote. In such a case, a cloture shall be in order, pursuant to the provisions of Section 38.3.

If the determination of the Senate is negative in terms of the approval of the previous question, the same may not be raised again in relation to the same matter, until at least half an hour has elapsed from the first time the question was raised.

## **RULE 47**

### **S. APPOINTMENTS**

#### Section 47.1.—Procedure.—

When the Governor sends an appointment to the Senate for its advice and consent, the President shall receive the same and hand it to the Secretary so that it may be recorded into the Appointment Register. The appointment shall be immediately referred to the Committee or Committees with jurisdiction, which shall notify the same to the Appointment Technical Evaluation Office.

The Secretary shall inform the Body of the appointment proposed during the first session held after the receipt thereof.

In appointments for judges whose nomination falls on judges in office or who have been in office at any time from December 5, 1991, the Chairperson of the Committee shall notify the Chief Justice of the Supreme Court of Puerto Rico of said nomination with a request that he/she remit to the Committee, within the term of ten (10) days, a report of the evaluation of said nominee conducted by the Judicial Evaluation Commission attached to his/her Office, which shall be confidential pursuant to Section 21 of Act No. 91 of December 5, 1991, as amended, known as the “Judge and Judge Candidate Evaluation System Act.”

The Committee with jurisdiction shall proceed to consider the appointment and submit a report.

The examination and consideration of the appointments proposed by the Governor, as well as the analysis of the report submitted to the Body, shall be brought observing the greatest decorum and respect toward the dignity and integrity of the persons thus nominated.

Section 47.2.—Appointment Technical Evaluation Office.—

The Appointment Technical Evaluation Office is hereby created, to be directed by an Investigating Officer appointed by the President of the

Senate. The Floor Leader of each Minority Delegation in the Senate shall be entitled to appoint an advisor who shall share with the Director of the Office the responsibility of conducting technical evaluations, the results of which shall be remitted to the Committees with jurisdiction over the appointments sent to the Senate for its advice and consent.

All evaluations by the Appointment Technical Evaluation Office shall be conducted respecting the rights of the nominees, as well as the rights to access information of minority Senators.

Section 47.3.—Term of Duration of Proposed Appointments.—

Appointments sent by the Governor for the advice and consent of the Senate shall be effective pursuant to the following rules:

- a) Appointment sent during a Regular Session: When an appointment is sent during the course of a Regular Session and the Senate does not take definitive action thereon by approving or not approving said appointment before said Session is concluded, the appointment shall expire when the Session ends.
- b) Recess appointment: The general rule is that the term for its consideration shall be extended until the conclusion of the Regular Session following the date of the appointment. However, should one or more Special Sessions convoked by the

Governor or by the President of the Senate during said recess be held, the Senate, at its discretion, may in the course of any of these Sessions consider and report on the appointment and take definitive action thereon.

- c) Appointment included in the convocation for a Special Session: The Senate, at its discretion, may consider, report and take action on said appointment. If definitive action in relation thereto is not taken, or if processing is not finished for any reason, the appointment shall remain in effect until the conclusion of the next Regular Session, unless the Senate decides to act on the appointment in another Special Session convoked by the Governor or the President.

Section 47.4.—Appointments Not Sent to the Governor.—

In the event that the Governor designates a person for an office that requires the advice and consent of the Senate, the Body, even when the Governor has not submitted said nomination, may consider said appointment when apprised of the same and the person designated is holding the office in question.

Section 47.5.—Filing Reports.—

No report on an appointment proposed by the Governor may be filed until five (5) days have elapsed after having received the same in the Senate, unless the Body by an absolute majority reaches another agreement on the matter.

Section 47.6.—Inclusion in the Calendar.—

As soon as a report on an appointment is received at the Office of the Secretary, the same shall be referred to the Committee on Rules and Calendar, which may direct its inclusion in the Calendar of Special Orders of the Day.

Section 47.7.—Contents of the Report.—

The filing of a report including recommendations on various appointments shall not be allowed. Each report shall describe the position for which a nominee has been designated, as well as the nominee's education and experience, the proceedings conducted by the Appointment Technical Evaluation Office and the Committee or Committees and any other information relevant to the consideration of the recommendations of the Committee or Committees issuing the report.

Section 47.8.—Vote.—

Appointments shall be approved by the majority of the members present in the session, provided there is a quorum at the time of voting.

Section 47.9.—Notice to the Governor.—

The Secretary of the Senate shall notify the Governor of Puerto Rico of the determinations of the Body in relation to appointments as soon as these are agreed on. However, notice shall not be given to the Governor until the term during which reconsideration of a matter may be requested has expired, as provided for in these Rules.

**RULE 48**

**T. BUDGET**

Section 48.1.—Public Nature of the Budget of the Senate.—

The Budget of the Senate shall be, like its payrolls, a public document that shall be available for public inspection and reproduction at the Office of the Secretary of the Senate. The public may obtain a certified copy of this document at the Office of the Secretary of the Senate by canceling a three dollar (\$3.00) internal revenue stamp and at a cost of five (5) cents per page copied. If the copies requested are not certified, only the cost of

reproduction shall be charged. Senators and the accredited press may obtain a copy free of cost. The budget of all Senators of the Standing and the Special Committees, of all administrative offices or of bodies attached to the Senate of Puerto Rico shall be available free of cost over the Internet.

Section 48.2.—Public Nature of Budget Session Minutes.—

The minutes of the sessions in which the Committee on Ways and Means receives and considers the Budget of the Senate shall also be public documents subject to the provided above. The budget document shall include the specific fund appropriations for the offices of Senators, the additional appropriation of funds for the delegation of each political party represented in the Senate and the appropriation of funds for the operation of Standing and Special Committees. The President of the Senate and the Minority Floor Leaders shall conduct the distribution of the additional budget of their respective delegations, paying attention to criteria such as the need, propriety and equity in the exercise of legislative functions and the representative rights of constituents. The distribution of additional budget shall respect the freedom of conscience and action that Senators need to act. For such considerations, funds may not be denied, reduced, decreased or used as a reprisal mechanism, or to discipline or penalize members of the different delegations.

Section 48.3.—Approval of the Budget of the Senate.—

The budget of the Senate shall not become effective until it is approved by a majority of all members of the Committee on Ways and Means.

The budget document shall include specific fund appropriations for the offices of Senators, the additional appropriation of funds for the delegation of each political party represented in the Senate, and the appropriation of funds for the operation of the Standing and Special Committees. The President of the Senate and the Minority Floor Leaders shall conduct the distribution of the additional budget of their respective delegations, paying attention to criteria such as the need, propriety and equity in the exercise of legislative functions and the representative rights of constituents. The distribution of additional budget shall respect the freedom of conscience and action that Senators need to act. For such considerations, funds may not be denied, reduced, decreased or used as a reprisal mechanism, or to discipline or penalize members of the different delegations.

**VIII – TRAVELING OUTSIDE OF PUERTO RICO**

**RULE 49**

**A. AUTHORIZATION**

Section 49.1.—General Rule.—

Senators, employees and officials shall be authorized to travel outside of Puerto Rico when in the performance of their official duties, chargeable to public funds, to participate in activities and meetings that are of legitimate assistance in the discharge of their functions.

Section 49.2.—Domestic Travels.—

Domestic travels shall be those made within the nation, in relation to official functions of the Federal government or to national or regional organizations of which the Senate or the Government of Puerto Rico is a member.

Request shall be made through a communication addressed to the President for his/her authorization and shall be processed subject to the Rules and applicable Norms of the Finances Office.

Section 49.3.—International Travels.—

International travels are those made outside the jurisdiction of the nation.

Request shall be made by introducing a Senate Resolution, which shall contain precise and detailed information on the activities to be conducted. The same shall be considered through the regular course.

Once approved, the request for travel shall be processed subject to the Rules and the applicable Norms of the Finances Office.

Section 49.4.—Travel Reports.—

Senators, officials or employees who use public resources to travel outside of Puerto Rico shall render at the Office of the Secretary of the Senate a detailed report of the travel, including related costs. This report shall be filed during the next ten (10) work days. Said report shall be available over the Internet.

Section 49.5.—Payment of Expenses.—

All expenses related to travels outside of Puerto Rico shall be chargeable to the budget of each Senator or to the surplus thereof. In the case of administrative officials and employees, these shall be chargeable to the fund of the office to which the officials or employees in question are attached.

## **IX – GENERAL PROVISIONS**

### **RULE 50**

#### **A. GENERAL PROVISIONS**

Section 50.1.—Public Ethics

No Senator shall pick up, receive or hand over checks for the disbursement of legislative funds.

Section 50.2.—Judicial or Administrative Summons.—

All Senators shall be required to notify the Body of any judicial or administrative summons and of any judicial case in which it he/she is a party or witness as soon as he learns of the same. This notice shall be filed at the Office of the Secretary of the Senate.

Section 50.3.—Special Events and Sessions.—

Special events and sessions shall be the exception and not the rule. The same shall be reduced to a minimum.

Section 50.4.—Sponsorships.—

Providing sponsorships or payments for private activities is strictly prohibited.

Section 50.5.—Town Meetings.—

Each District Senator shall hold a minimum of two (2) town meetings a year at different municipalities within his/her District. These meetings shall be held in accessible locations and shall be open to the public and announced with not less than two (2) days in advance, in order to hear the citizens of his/her district and keep direct and periodical contact with the People.

**X – CODE OF ETHICS****RULE 51**

**A. CODE OF ETHICS**Section 51.1.—Senate Resolution.—

The Code of Ethics shall be provided for in a Senate Resolution adopted to that effect. Until the same is approved, the Senate Code of Ethics corresponding to the preceding Legislature shall remain in effect.

**XI – RESIGNATION OF A SENATOR****RULE 52****A. RESIGNATION**Section 52.1.—Resignation.—

Whether the Senate is in Session or not, resignations tendered by Senators shall be addressed to the President of the Senate through the Office of the Secretary. Regardless of the date of effectiveness of the resignation, the same shall become final and binding when fifteen (15) days have elapsed from the date the same has been tendered and not withdrawn. Once said fifteen (15) days have elapsed, the vacancy shall be filled as provided for in Article III, Section 8 of the Constitution of Puerto Rico and in Section 5.006 of the Puerto Rico Electoral Act, as amended. Furthermore, the central directive body of the political party entitled to fill the vacancy shall be notified; said body, after having conducted the proceedings provided for that effect by the Constitution of Puerto Rico and the Electoral Act, shall notify

the President of the Senate of the selection of a substitute. Said term shall be unavoidable and unpostponable, for which reason, if the last day falls on a legal holiday, the term shall not be extended over to the next work day. To that effect, the Senate of Puerto Rico must make the necessary provisions to guarantee the full fifteen (15)-day term for the Senator who has tendered a letter of resignation to withdraw the same, as provided for in Section 207 of the Political Code, as amended by Act No. 287 of September 15, 2004.

## **XII – EFFECTIVENESS OF THE RULES**

### **RULE 53**

#### **A. EFFECTIVENESS**

##### Section 53.1.—Effectiveness.—

These Rules shall take effect at the time of their approval and shall be effective pursuant to what is established in Section 5.4.

##### Section 53.2.—

This Resolution shall take effect immediately after its approval and repeals any other Resolution previously approved concerning this matter.

