



NEW YORK STATE SENATE

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BIPARTISAN OPERATING AGREEMENT: U.S. SENATE

FOR TIED LEGISLATURES IN OTHER STATES

AND THE U.S. SENATE

JUNE 17, 2009



BIPARTISAN OPERATING AGREEMENTS U.S. SENATE

SUMMARY OF SENATE ORGANIZATION AGREEMENT

Duration of Agreement

The agreement is in effect only as long as the Senate remains divided 50-50. If either party attains 51 or more seats at any time during the 107th Congress, the Senate would reorganize.

Committees

50-50 ratios on all committees.

Republicans chair committees after January 20.

Equal budget, staff and office space.

In case of a tie vote on bill or nomination, either Leader may make a motion on the floor to discharge the committee. After four hours of floor debate equally divided, the Senate would proceed to a vote, and if a majority of the Senate votes to discharge, the bill or nomination would be placed on the calendar.

Consideration of Legislation on the Senate Floor

Cloture may be filed only for purposes of ending debate, and may not be filed before the expiration of 12 hours of floor debate.

Both Leaders agree not to offer consecutive amendments (i.e., "fill the amendment tree") so as to deprive any Senator of the right to offer an amendment.

In scheduling and debating all legislative and executive business on the Senate floor, the two Leaders shall seek to attain an equal balance of the interests of the two parties.

Institutional Issues

Both parties will have equal access to common space in the Capitol complex for purposes of holding meetings, press conferences, etc.

The duties of presiding officer will be shared in part by the minority party.

The Secretary of the Senate and the Sergeant-at-Arms will remain in place for the duration of the 107th Congress.

107th Congress

1st Session

S. RES. 8

IN THE SENATE OF THE UNITED STATES

Mr. _____

submitted the following resolution; which was _____

RESOLUTION

Relative to Senate procedure in the 107th Congress.

Resolved, That, notwithstanding the provisions of Rule XXV, or any other provision of the Standing Rules or Standing Orders of the Senate, the committees of the Senate, including Joint and Special Committees, for the 107th Congress shall be composed equally of members of both parties, to be appointed at a later time by the two Leaders; that the budgets and office space for such committees, and all other subgroups, shall likewise be equal, with up to an additional 10% to be allocated for administrative expenses to be determined by the Rules Committee, with the total administrative expenses allocation for all

committees not to exceed historic levels; and that the Chairman of a full committee may discharge a subcommittee of any Legislative or Executive Calendar item which has not been reported because of a tie vote and place it on the full committee's agenda.

Sec. 2. Provided, That such committee ratios shall remain in effect for the remainder of the 107th Congress, except that if at any time during the 107th Congress either party attains a majority of the whole number of Senators, then each committee ratio shall be adjusted to reflect the ratio of the parties in the Senate, and the provisions of this resolution shall have no further effect, except that the members appointed by the two Leaders, pursuant to this resolution, shall no longer be members of the committees, and the committee chairmanships shall be held by the party which has attained a majority of the whole number of Senators.

Sec. 3. Pursuant to the provisions and exceptions listed above, the following additional Standing Orders shall be in effect for the 107th Congress:

1) If a committee has not reported out a legislative item or nomination because of a tie vote, then, after notice of such tie vote has been transmitted to the Senate by that committee and printed in the Record, the Majority Leader or the Minority Leader may, only after consultation with the Chairman and Ranking Member

of the committee, make a motion to discharge such legislative item or nomination, and time for debate on such motion shall be limited to 4 hours, to be equally divided between the two Leaders, with no other motions, points of order, or amendments in order: Provided, That following the use or yielding back of time, a vote occur on the motion to discharge, without any intervening action, motion, or debate, and if agreed to it be placed immediately on the Calendar of Business (in the case of legislation) or the Executive Calendar (in the case of a nomination).

2) Notwithstanding the provisions of Rule XXII, to insure that any cloture motion shall be offered for the purpose of bringing to a close debate, in no case shall it be in order for any cloture motion to be made on an amendable item during its first 12 hours of Senate debate: Provided, That all other provisions of Rule XXII remain in status quo.

3) Both Leaders shall seek to attain an equal balance of the interests of the two parties when scheduling and debating legislative and executive business generally, and in keeping with the present Senate precedents, a motion to proceed to any Legislative or Executive Calendar item shall continue to be considered the prerogative of the Majority Leader, although the Senate Rules do not prohibit the right of the Democratic Leader, or any other Senator, to move to proceed to any item.