

Procedures of the Senate Bipartisan Committee
of Review pursuant to Senate Resolution No. 200 of the Special Session held
on August 22, 2007

The Senate Bipartisan Committee of Review (hereinafter “the Committee”) hereby adopts the following rules and procedures, which shall be applicable to the procedures and process of the review conducted pursuant to Senate Resolution No. 200 of the Special Session held on August 22, 2007:

1) The rules and procedures identified herein shall be referred to as the Rules and Procedures of the Senate Bipartisan Committee of Review. The Committee hereby adopts Mason's Manual of Legislative Procedure to the extent such Manual does not conflict with any provision of the Rules and Procedures of the Senate Bipartisan Committee of Review. The Committee may, with four affirmative votes, promulgate additional rules and procedures or modify existing rules and procedures as it deems necessary for the fair and efficient conduct of its review pursuant to Senate Resolution No. 200 of the Special Session held on August 22, 2007.

2) For purposes of Committee meetings, a quorum shall consist of four members of the Committee, provided that two members from each caucus are present. All Committee decisions shall require four affirmative votes.

3) The Committee shall give public notice of the date, time, place and subject matter of Committee meetings as soon as practicable before the commencement of the meeting. Such notice shall be given to: a) Legislative

Management, b) Senator DeLuca and any counsel he may designate to receive such notice, and c) the clerk of the Committee. The clerk of the Committee shall post such notice.

4) All meetings of the Committee shall be conducted in public. Any portion of the meetings may be covered by television broadcast, radio broadcast, still photography, or by any of such methods of coverage in accord with the Rules and Procedures of the Senate Bipartisan Committee of Review.

5) All requests for information shall be made through the Chairs of the Committee. Documents, materials, or other publicly available information gathered or received by the Committee as part of this review, shall, to the extent allowed by state and federal law, be made available for public inspection at the Office of Legislative Management and, to the extent practicable, posted on the Committee's website. If information is offered to the Committee on a confidential basis, the Committee shall determine whether and how to receive and maintain such information.

6) All Committee meetings shall be transcribed and minutes shall be taken. Transcripts and minutes of each meeting shall be posted on the Committee's website as soon as practicable after each meeting.

7) After reviewing the publicly available information it has gathered, the Committee shall offer Senator DeLuca the opportunity to appear before the Committee to offer a statement and answer questions posed by Committee

members. Senator DeLuca may be represented by counsel at such meeting.

8) Once Senator DeLuca has either: a) complied with, b) declined, or c) failed to respond to the Committee's offer, the Committee shall vote on a recommendation to the Senate. If the recommendation is expulsion, such recommendation shall be designated as either preliminary or final. If the recommendation is a preliminary recommendation of expulsion, then the Committee may request additional resources from the full Senate, including, but not limited to, the power to subpoena witnesses and the production of physical evidence.

9) If the recommendation is a preliminary recommendation of expulsion, and the Committee votes to hear live testimony, then it shall adopt rules and procedures governing the appearance and testimony of any witnesses prior to hearing any testimony.

10) At the conclusion of the Committee's review, the Committee shall make a final recommendation, in the form of a resolution, for approval or rejection by the Senate. The Committee's recommendation shall be one of the following: a) expulsion, b) censure, c) reprimand, or d) no action.

--Adopted on September 6, 2007