

2005-2006 Regular Session Committee Rules

COMMITTEE MEETINGS

- 1) Committee hearings are regularly scheduled for the 1st and 3rd Tuesday of the month according to the legislative calendar, commencing at 9:00 A.M., in Room 447 of the State Capitol.
- 2) Committee members may not meet privately in a party caucus to discuss bills before the committee if that caucus would constitute a quorum of the committee. Any substantive discussion of how members plan to vote on bills before the committee would raise question as to the purpose of the meeting and, thus may be construed as a violation Assembly Rule 11.3.
- 3) Committee members are expected to be on time to committee meetings. If a Member has a conflict due to legislative business, the Committee Chair should be notified in advance.

SETTING OF BILLS

- 4) The Committee Secretary will forward a worksheet to the authors of bills referred to the committee. The Chair may withhold setting a bill for hearing until the completed worksheet is returned to the committee. (i.e., the worksheet contains requested background information, bill intent, and submission of any future amendments) (Assembly Rule 55)
- 5) Bills referred to the committee will be set by the Chair at the time convenient to the committee. To the extent possible, bills of like subject matter will be grouped and set together on the same hearing date. (Assembly Rule 56)
- 6) A notice of hearing on a bill set by the committee of first reference will be published in the Assembly Daily File for at least four (4) days prior to the hearing, unless such notice is waived by a majority vote of the Assembly. If the committee is of second reference, the notice will be published for at least two (2) days prior to the hearing. (Joint Rule 62a)

- 7) A bill may be set for hearing in committee only three (3) times. A "set" occurs when a notice for hearing has been published in the File for one or more days. If a bill has been set for hearing and the committee, at its own initiative, postpones the hearing or adjourns the hearing while testimony is being taken, such a hearing will not be counted as one of the three sets. (Joint Rule 62a)
- 8) The Chair may pull a bill from a scheduled hearing or refuse to set a bill, if the author fails to return a completed worksheet for the bill at least one week prior to the hearing. Such a set shall be deemed an author's set. (Assembly Rule 55 and Joint Rule 62a)

AMENDMENTS

- 9) Amendments may be made to a bill provided the proposed amendments are submitted to the committee in Legislative Counsel form no less than seven (7) legislative days prior to the committee hearing at which the bill is set.
- 10) If an author offers amendments to a bill, constitutional amendment or resolution later than seven legislative days prior to the committee hearing at which it is set, the measure may be pulled from the hearing and the Chair may put the bill over until the next hearing to allow adequate time for the public to review the bill and for the staff to reanalyze the bill.
- 11) Committee staff are responsible for preparing amendments adopted in committee.
- 12) Amendments which the author intends to present in Committee must be reviewed by the Chair and be deemed appropriate to be considered without a new analysis of the bill. If the amendments are substantive, the Chair may put the bill over until the next hearing to allow adequate time for the public to review the bill and for the staff to reanalyze the bill. This pull will be considered a "set."
- 13) No measure can be amended to add an urgency clause unless the author of the amendment has obtained prior approval of the Rules committee of the house in which the amendment is being proposed. (Joint Rule 58)

COMMITTEE ANALYSIS

- 14) Committee staff analyses of bills scheduled for hearing will be made available to the public at least one (1) working day prior to the day of the

committee hearing. In case of special hearings, the analyses will be made available to the public at the time of the hearing and prior to any testimony being taken on the bill. (Assembly Rule 56.5)

- 15) A copy of committee analyses will be sent to the authors and members of the committee prior to its general distribution to the public. (Assembly Rule 55)

QUORUM

- 16) A majority of the committee (4) constitutes a quorum. Lacking a quorum, a committee may – at the Chair's discretion – act as a subcommittee (for the purpose of taking testimony and recommending action to the full committee) until a quorum is present. (Assembly Rule 55 and 57)
- 17) Whenever a Committee member is disqualified from taking any action on a bill, a quorum shall consist of a majority of the remaining qualified members of the Committee. The member shall advise the Chair of the disqualification, and the Chair shall announce the members so disqualified at the beginning of the hearing. (Joint Rule 44 and Assembly Rule 57)
- 18) Bills set for hearing will be heard in sign-in order. Bills authored by committee members shall be heard last, unless there are no other authors present in the room. Measures may be set for a special time as a "special order of business." (Assembly Rule 55)
- 19) When the Chair finds another order of business would be more expedient, measures may be taken out of order.
- 20) If a bill is to be presented by someone other than the author, a letter of authorization must be submitted to the Chair, and the bill will be taken up at the end of the file after all authors (including those temporarily "passed over") have been accommodated. (Assembly Rule 55).

CONSENT CALENDAR

- 21) Bills with no apparent opposition may be placed on a committee "consent calendar" at the beginning of the hearing. This consent calendar list must be made available to the public at the same time as committee analyses are made available. If a committee member objects to a bill being placed on the consent calendar, that bill will be removed and heard as a regular agenda item. (Assembly Rules 56.5 and 56.7)

- 22) The Chair may limit: a) duplication of testimony on a bill; b) the number of witnesses appearing on behalf of or in opposition to the bill; and/or c) the time allotted to authors and witnesses testifying on behalf of or in opposition to the bill. (Assembly Rule 55)

VOTING

- 23) A vote on a bill may be taken only after the author and support/opposition witnesses have been granted the opportunity to be heard if present, subject to limitation in Rule 19, above.
- 24) A majority of the full committee membership is required to pass a bill from the committee. A majority of those present and voting is sufficient to adopt committee amendments, provided that a quorum is present. (Assembly Rule 57)
- 25) A recorded roll call vote must be taken on all of the following actions of the committee or subcommittee:
- (a) An action that constitutes the committee's final action on a bill, constitutional amendment or resolution.
 - (b) On committee amendments taken up in committee, whether adopted or not.
 - (c) On motions to reconsider committee actions, including substitute motions proposing to amend an earlier motion.
 - (d) On recommendations to the Assembly Floor relating to Executive Reorganization plans. (Assembly Rule 58.5)
- 26) A roll call vote on a bill taken up previously may be submitted by unanimous consent, provided the members whose votes are submitted are present at the time of substitution. (Joint Rule 62c)
- 27) At the request of the author of a bill or any committee member, and prior to announcement of the above vote, the Chair may announce that the roll will be held open until adjournment of the meeting to permit absent Committee members to vote. Upon motion to adjourn, all calls must be lifted and the votes announced. (Assembly Rule 58.5)

- 28) A motion to "hold in committee" or to "table" requires a second, shall be put to the committee without discussion, and requires an affirmative vote by a majority of the committee membership. (Assembly Rule 86)
- 29) The Chair may order a call of the committee at any time. At the request of the author or any committee member, the Chair must order a call of the committee when a bill is on call, a member may vote on the bill only when the call is lifted. However when a bill has already received a majority vote of the committee membership, or has failed passage, a member shall be allowed to add his or her vote to the roll, provided that his or her vote will not affect the passage or failure of the bill. Under no circumstances shall a member be allowed to add his or her vote to any bill after the committee has been officially adjourned. (Joint Rule 62c, 62d and 64)
- 30) The Chair may require, as a condition for passage of a bill from the committee, a commitment by the author to return the bill to the committee if it is amended after it leaves the committee.
- 31) A recorded roll call vote is not required on the following actions by the committee:
 - (a) A motion to take a bill "under submission" or "hold in committee" or other procedural motions which do not have the effect of finally disposing of the bill.
 - (b) An author's request to withdraw a bill from the committee's calendar.
- 32) In all other respects, committee voting will be governed by the provisions of (Assembly Rule 58.5 and Joint Rule 62)
- 33) After a bill has been voted on, reconsideration may be granted only once. A motion to reconsider a bill that has passed or failed must be made at the same committee meeting at the time the bill was acted upon, upon discretion of the Chair. The Chair may request reconsideration of a bill without the same notice required to set a bill, unless such a vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present. (Joint Rule 62a)
- 34) If the author wishes to ask for reconsideration within fifteen (15) days after the bill was heard, the author must notify the committee secretary within ten (10) legislative days of the original vote so that notice of reconsideration may be published in the File. (Assembly Rule 55 and Joint Rules 21 and 62a)

- 35) If reconsideration is granted, the committee may vote on the bill immediately or may postpone the vote until the next regular hearing. If the motion for reconsideration fails the bill must be immediately returned to the Chief Clerk. (Joint Rule 62a)
- 36) A vote on a motion to reconsider must take place within fifteen (15) legislative days of the defeat of the bill or prior to the interim joint recess, whichever comes first. (Joint Rule 62a)

SUBCOMMITTEES

- 37) The Chair may request the Speaker and the Speaker may create for the in-depth study of a particular bill or subject matter. Bills may be assigned to the subcommittees as deemed proper by the Chair. (Assembly Rules 26a and 55)
- 38) Subcommittees will operate under the same rules as the full committee subject to approval of the full committee. All actions for the subcommittee are advisory to the full committee. (Assembly Rule 58.5)

LETTERS OF SUPPORT AND OPPOSITION

- 39) Letters of support and opposition must be received in the committee office by 5:00 P.M. on Tuesday preceding the next hearing in order for the letter to be listed within the analysis.
- 40) Letters of support and opposition must be received on letterhead that includes the name, mailing address, and telephone number identifying the organization or individual expressing support or opposition.
- 41) Only organizations and elected officials will be individually listed on an analysis. Other individuals will be listed by a the number of people who provided letters.

INTERIM STUDY RECOMMENDATION

- 42) The committee may refer the subject matter of any bill not given a do pass recommendation to the Rules Committee for interim study. The committee may, however, subsequently reconsider and act on the bill. (Assembly Rule 59)