

ASSEMBLY ELECTIONS COMMITTEE
2021-2022 Regular Session

Proposed Committee Rules

I. BACKGROUND SHEET

When a bill is referred to the Committee, the committee staff shall immediately forward to the author a worksheet to be completed for the preparation of the committee analysis. The Chair may withhold setting the bill for hearing until the worksheet is completed and returned to the Committee. To allow adequate time for committee staff to analyze the bill, all committee worksheets must be returned to the committee office no later than five legislative days after electronic delivery to the author's office.

II. SETTING OF BILLS

- 1) No bill shall be set nor shall any hearing notice be published by the Committee until it has been referred to the Committee in accordance with the Assembly Rules.
- 2) No bill in the Regular Session may be heard or acted upon until it has been in print for 30 days. This requirement may be suspended concurrently with the suspension of Section 8 (a) of Article IV of the Constitution.
- 3) A bill being heard in the Committee of first reference in the Assembly must be noticed in the file for four days prior to a hearing. This requirement can be waived by a majority vote of the Assembly. The file requirement for other bills is two days notice prior to the hearing.
- 4) A bill may be "set" for a hearing in Committee only three times. A bill is "set" for the purposes of this subsection whenever notice of the hearing has been published in the file for one or more days. If a bill is "set" for hearing and the Committee, on its own initiative and not the author's, postpones the hearing on the bill or adjourns the hearing while testimony is being taken, such hearing shall not be counted as one of the three times a bill may be "set." If the hearing notice in the file specifically indicates that "testimony only" will be taken, such a hearing shall not be counted as one of the three times a bill may be "set."
- 5) Bills referred to the Committee may be set for hearing by the Chair at a time most convenient to the Committee consistent with the schedule of the Assembly Committee meetings.
- 6) To the extent possible and at the pleasure of the Chair, bills relating to the same subject matter shall be set on the same day.

- 7) For a non-substantive bill pending referral which the author anticipates will be referred to this Committee, the author must provide the Committee with author's amendments when they are provided to the Rules Committee. Failure to do so may result in a bill not being set for hearing.

III. COMMITTEE ANALYSES

- 1) The committee staff shall prepare an analysis for all bills, constitutional amendments, and resolutions set for hearing with the Committee.
- 2) A copy of each committee analysis shall be sent to the members of the Committee prior to the distribution of the analysis to the public.
- 3) Committee analyses of bills, constitutional amendments, and resolutions scheduled for hearing shall be made available to the public at least one working day prior to the hearing.
- 4) In the case of special hearings, analyses need not be made available one working day prior to the hearing, but shall be made available to the public at the time of the committee hearing and prior to any testimony being taken on the bill, constitutional amendment, or resolution.
 - (a) For the purposes of this subdivision, a "special hearing" shall be any hearing of a bill for which notice of the hearing was not published in the file at least four days prior to the hearing, or a hearing on a general subject area.

IV. AMENDMENTS

- 1) An author may, subject to the Assembly and Joint Rules, make amendments to a bill, constitutional amendment, or resolution at any time prior to or during a committee hearing.
- 2) Substantive amendments may be made to a bill, constitutional amendment, or resolution provided the proposed amendments are submitted to the Committee in Legislative Counsel form not later than 5:00 PM on the eighth calendar day prior to the committee hearing at which the bill, constitutional amendment, or resolution is set. For example, if the bill is set to be heard on a Wednesday, the amendments must be submitted not later than 5:00 PM on the Tuesday of the week prior to the committee hearing. If the eighth calendar day prior to the committee hearing at which the bill, constitutional amendment, or resolution is set is a weekend or holiday, the amendments must be submitted by the last business day that precedes the eighth calendar day prior to the committee hearing.
 - (a) The Chair, in consultation with Legislative Counsel, has the sole discretion to determine whether or not an amendment is "substantive" within the meaning of

this section.

- (b) If an author offers substantive amendments to a bill, constitutional amendment, or resolution after the committee's amendment deadline, as specified above, the measure may not be heard, unless consented to by the Chair. This may be deemed "an author's set."
 - (c) A member may offer "author's amendments" at the committee hearing. If the amendments are substantive, the bill, constitutional amendment, or resolution may be put over until the next hearing to allow adequate time for the committee staff to reanalyze the bill, constitutional amendment, or resolution.
- 3) Committee staff is responsible for preparing amendments adopted in committee.
 - 4) 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 proposed.
 - 5) Any amendment must relate to the same subject as the original bill, constitutional amendment, or resolution.

V. QUORUM

- 1) Pursuant to Assembly Rule 57, a majority of the Committee shall constitute a quorum.
- 2) Pursuant to Assembly Rule 55, the Committee shall not convene a hearing for the purpose of transacting business without a quorum present. However, once a hearing has begun the members may continue to take testimony even in the absence of a quorum.
- 3) Pursuant to Assembly Rule 55 and notwithstanding subsection 2 of this section, the Chair is authorized to begin a hearing at the Committee's prescribed hearing time. However, in the absence of a quorum the Committee must operate as a subcommittee.
 - (a) The subcommittee may receive testimony and recommend action on a measure to the full Committee, however, no votes may be taken as a subcommittee.
- 4) Whenever one or more committee members is prohibited from taking any action on a bill, constitutional amendment, or resolution pursuant to the Joint Rules due to a conflict of interest, the number needed for a quorum shall remain the same and shall not reduce the votes required to take action on the measure.
 - (a) Any member who has a conflict of interest on a measure shall advise the Chair of the conflict at the beginning of the hearing. The Chair shall announce any and all

members with conflicts at the commencement of the hearing of each measure for which the member(s) has (have) a conflict.

VI. HEARINGS

- 1) The Committee shall meet in regular session at the day and hour designated by the Speaker of the Assembly. Special hearings shall be held upon the call of the Chair.
- 2) Any Member having to leave the Committee shall advise the Chair where the Member can be reached.
- 3) The Chair, with the approval of the Speaker of the Assembly, may call special hearings. Reasonable notice shall be provided to all members of the Committee prior to a special hearing, either in writing, electronically, by telephone, or by announcement on the Assembly floor during Assembly session.
- 4) No action shall be taken on any measure outside of a duly constituted committee meeting.
- 5) If the author is unable to present a measure, a member of the Legislature, or a member of the author's staff, under a prior arrangement with the Chair and with submission of written authorization from the author, may present the measure for the author.
 - (a) The representative of the author must be a member of the author's staff or of an Assembly or Senate committee. No lobbyist, sponsor, or supporter of the measure may present the measure before the Committee under any circumstances.
 - (b) Any measure presented by a staff member will be presented at the end of the hearing, or at such time when no other authors are present.
- 6) The Chair shall set the hearings of measures and arrange the calendar for committee hearings. The committee staff shall notify the author and all other persons requiring notice when a measure is set for hearing.
- 7) The Chair shall preside at all meetings when present, except when the Committee is considering a measure of which the Chair is the author. In the absence of the Chair, or if the Chair is the author of the measure before the Committee, the Vice Chair shall preside over the Committee. If at that time the Vice Chair is absent, the Chair shall designate a member of the Committee to preside.
- 8) The committee staff shall keep a complete record of the meetings and all actions taken by the Committee. Measures acted upon shall be reported to the Assembly as expeditiously as possible.

VII. AGENDA

- 1) Bills, resolutions, and constitutional amendments shall be heard in the order of author sign in. Committee members' measures will be heard after non-committee members' measures.
- 2) When the Chair finds another order of business to be more expedient, measures may be taken up out of order or set as a special order of business.

VIII. CONSENT CALENDAR

- 1) The Committee Chair may, prior to a hearing, recommend measures for placement on the consent calendar.
- 2) Any member of the Committee may request that a measure be removed from the consent calendar. Upon such a request, the Chair shall remove the measure from the consent calendar and place it on the regular calendar.
- 3) The consent calendar may be taken up as determined by the Chair.

IX. TESTIMONY

- 1) The Chair shall direct the order of presentation of the arguments for and against matters for consideration by the Committee, and shall permit questions to be asked by the members of the Committee in an orderly fashion and in keeping with proper decorum.
- 2) A Member who desires to address the Committee or ask questions of a witness shall raise the Member's microphone and respectfully address the Chair. Upon being recognized by the Chair the Member may speak, confining any remarks or questions to the merits of the matter under consideration by the Committee.
- 3) When it is necessary, due to the number or complexity of the bills on the agenda at a hearing, to limit testimony on one or more of the bills in order to ensure that all of the bills on the agenda have a fair and reasonable opportunity to be presented by the author and heard and discussed by the Committee, the Chair, at the Chair's discretion, may: 1) limit duplicative testimony; 2) limit the number of witnesses appearing in support or opposition to a bill; or 3) limit the time allotted to the presentation of testimony on a bill provided that both support and opposition receive equitable time for their presentation.

X. VOTING

- 1) Except as otherwise provided in this section, committee voting will follow the provisions of the Standing Rules of the Assembly.

- 2) A majority vote of the committee membership is required to pass a bill, resolution, or constitutional amendment.
- 3) Except as provided in subsection 4 of this section, a vote on passage of any bill, resolution, or constitutional amendment shall be taken only when the measure being considered by the Committee is in print.
- 4) A vote on passage of an amended bill, resolution, or constitutional amendment, when the amended form of the item is not in print, shall only be taken if the Chair determines that the amendment can be readily understood by all of the members of the Committee. The Chair may require the amendment to be in writing at the time of its adoption.
- 5) Provided a quorum is present, a simple majority of those present and voting is sufficient to adopt committee amendments.
- 6) A recorded roll call vote shall be taken on all of the following actions of the Committee:
 - a) On any action which constitutes the Committee's final action on a measure.
 - b) On committee amendments taken up in committee whether adopted or not.
 - c) On motions to reconsider committee actions.
 - d) On amendments which add an urgency clause.
- 7) A roll call vote on a previous measure may be substituted by unanimous consent, provided the members whose votes are substituted are present at the time of substitution.
- 8) A recorded roll call vote is **not** required on the following actions by the Committee:
 - a) A motion to take the measure "under submission" or "hold in committee" or other procedural motions which do not have the effect of finally disposing of the measure.
 - b) Requests by the author to withdraw a measure from the Committee calendar.
 - c) The removal of a measure from the consent calendar.
 - d) The return of a measure to the House in cases where it has not been voted upon by the Committee.
 - e) Adoption of pre-committee author's amendments to a measure.

- 9) A Member who desires to make a motion shall first obtain recognition by the Chair. The Member shall then open by stating the Member's motion, and may not speak to the merits of the motion at that time, but shall confine any remarks to those necessary to explain the motion. If the motion is in order and is seconded, the Chair shall state it to the Committee. If the motion is debated the Member who made the motion shall be recognized to open debate on the motion.
- 10) If no member of the committee objects, a second is not required when the Chair makes a motion that begins with "without objection."
- 11) Prior to the announcement of the vote, upon request of the author or any member of the Committee, the Chair may place the measure on call. Absent extraordinary circumstances, a vote on a measure that is on call shall not be permitted while testimony is being taken on a subsequent measure. The Chair shall announce the time or times when the call is to be lifted and the roll opened. After a call is lifted, at the conclusion of the roll call, the committee staff shall announce the vote total unless a member of the Committee or the author of the measure requests that the call be replaced. A motion to adjourn the Committee is not in order while any measure is still on call. If a motion to adjourn is made, it shall not be in order until all calls are lifted and measures dispensed with and votes announced.
- 12) A member of the committee, prior to adjournment of the committee, may add the member's vote to the roll call or change the member's vote on any previously announced vote, so long as the outcome of the vote is not thereby changed. Vote changes and add-ons shall be processed at the end of the hearing, or at such time that the Chair deems appropriate to facilitate the business of the committee. A member desiring to add-on to a roll call or to change the member's vote shall wait to be recognized, and shall announce the add-on or vote change so that it may be recorded by the committee staff.

XI. RECONSIDERATION

- 1) After a measure has been voted upon and the vote announced, the author of the measure may ask for reconsideration. Reconsideration may be granted only once. A majority of the full committee membership is required to grant reconsideration.
- 2) Reconsideration may be granted within 15 legislative days of the Committee's vote on a measure or prior to the interim joint recess, whichever occurs first.
- 3) A vote on reconsideration cannot be taken without the same notice required to set a measure. However, a vote on reconsideration of a measure is permitted without notice if it is taken at the same meeting at which the vote to be reconsidered was taken and the author is present.

- 4) An author not requesting reconsideration at the hearing where the vote is announced must notify the committee staff in writing of the intention to seek reconsideration in order that the required file notice may be published in the Assembly Daily File.
- 5) If reconsideration is granted at the same hearing at which the measure was originally heard, the Committee may vote on the measure immediately or may postpone the vote until a future hearing.
- 6) In the case of a defeated measure, if the motion for reconsideration or the vote on the measure after the granting of reconsideration fails, the measure shall be immediately returned to the Chief Clerk.
- 7) Unless specifically authorized by the Chair, no additional testimony may be permitted on a measure that has been granted reconsideration.

XII. COMMITTEE BILLS

- 1) The Committee may introduce a bill germane to any subject within the proper consideration of the Committee in the same manner as any member. A committee bill must contain the signature of a majority of all the members of the Committee, including the Chair.
- 2) If all members of the Committee sign a bill, at the option of the Committee Chair, the committee members' name need not appear as authors in the heading of the printed bill.
- 3) The Committee, at the discretion of the Chair, will seek to consolidate related subject matter into a single legislative proposal whenever appropriate.
- 4) Committee bills shall not be counted against a member's bill introduction limit as specified in Assembly Rule 49.

XIII. MASON'S MANUAL

In all cases not provided for by these rules, the Assembly Rules, the Joint Rules, statute, or the Constitution, the authority shall be the most recent edition of Mason's Manual.