

May 15, 2006

H 2011. REFORM RULES. Filed 5/15/06. *ADOPTING REFORM RULES OF THE HOUSE OF REPRESENTATIVES FOR THE SHORT SESSION OF THE 2005 HOUSE OF REPRESENTATIVES.* To be summarized in tomorrow's *Daily Bulletin*.

Intro. by Blust.

HOUSE RES

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Amends the permanent rules of the House of Representatives, House Resolution 318, to curtail the authority of the Speaker of the House and make additional changes as noted. *Rule 1* – Provides that the actual time will be used to determine the convening and adjournment times of the House, not the time reflected on the clock in the chamber. *Rule 5* – Requires that the order of business set forth in rule be followed unless a change in the order is requested by the Speaker or a member of the House and that request is approved by a majority of the members present (was, Speaker had discretion to modify the order of business). *Rule 7* – Requires (1) that the Speaker recognize any member who seeks recognition unless a call of the question has been sustained pursuant to Rule 19 and (2) that the Speaker accept or entertain any proper motion or other matter if in order. Requires that the Speaker state the reasons for refusing to recognize a member who the speaker determines is out of order. *Rule 9* – Provides that a majority vote of members present and voting will be necessary to sustain any appeal from a ruling of the chair on a point of order (was, two-thirds vote of members required to sustain appeal). *Rule 16* – Deletes provision requiring that a motion to table be decided without debate. *Rule 19* – Adopts new subdivisions (a) (5) and (6) to also authorize the majority and minority leaders and the majority and minority whip to call the previous question. Provides that the previous question may not be called until at least three members have spoken in favor and three members have spoken against the matter (if there are three members on each side who want to speak). *Rule 20* – Requires that votes on all amendments to public bills (was, amendments offered after second reading) be taken on the electronic voting system. *Rule 23 and 24* – Prohibit the Speaker from disregarding a member's timely request for division or a roll call vote.

Rule 26 – Requires that the party caucus of the political party in the majority appoints the chair or cochair of each standing, permanent, and select committee (was, Speaker appointed chairs and cochair). Also requires that the majority and minority party members of permanent subcommittees and standing committees be appointed by the majority and minority caucuses (was, the speaker appointed members) before the end of the tenth legislative day of the first regular session (was, at the beginning of the session). Establishes procedure for determining the size and party representation of each committee and permanent subcommittee and for removal of members from a committee. Deletes the provision authorizing Speaker to designate four members as ex officio members of each standing committee and permanent subcommittee and the requirement that Rule 26 be subject to House Resolution 1 (authorizing Speaker Pro Tempore Morgan to appoint committee members as designated by the Speaker). Requires that each member of the House (except the Speaker and Speaker Pro Tempore) be assigned to either the Appropriations Committee or the Finance Committee and at least one subcommittee of those Committees). *Rule 28* – Prohibits the presiding officer of a committee from disregarding a timely request for a roll call vote or for division.

Rule 28.1 – Authorizes the Standing Committee on Ethics to inquire into members' alleged violation of any rule, standard of conduct, or law applicable to the conduct of House members (was, Committee authorized to investigate only alleged violations of the Open Meeting Law). Also requires that the Committee consider complaints against any presiding officer for rules violations. *Rule 31* – Deletes limitation that captions of public bills may be amended only by the standing committee to which the bill was referred. *Rule 32* – Requires that bills be referred to the standing committee or permanent subcommittee whose usual jurisdiction relates to the subject matter of the bill (was, as the Speaker deems appropriate). *Rule 36* – Requires that House bills and resolutions with 10 or more cosponsors (was, all bills and resolutions) be reported out of the standing committee or subcommittee to which the bill was referred. Deletes the power of the

Rules Chair to determine when bills reported out of committee are placed on the calendar and instead requires that a bill be calendared on the second legislative day following a committee's favorable report. Amends exceptions to general bill referral requirements to allow the Speaker to rerefer a bill to another committee only if approved by a majority vote of the House and to authorize the bill sponsor to delay the calendaring of the bill for up to two legislative days. Provides that no committee substitute may be considered by a committee unless it was sent by electronic mail to each committee member at least one legislative day prior to its consideration, unless consideration is authorized by a two-thirds vote of the committee

Adopts new Rule 36.4 (Content of appropriation bills) to prohibit the inclusion of a provision or an amendment changing existing law in the Current Operations Appropriations bill, the Capital Improvement Appropriations bill, or any bill generally revising appropriations for the second fiscal year of a biennium, except provisions that alter expenditures or salaries, change the scope of a program because of a change in funding or in federal law, or transfer funds between State departments, but only after the Appropriations Committee recommends the change in a written report or the sponsor of the amendment provides an explanation before the amendment is offered. Also requires that each individual expenditure or special provision included in the budget be accompanied by the name of the house member who requested the expenditure and be included in a separately filed bill.

Adopts new Rule 38.1 (Special rules relating to the Budget) to require that all proposed allocations of availability among appropriations subcommittees be submitted for approval at least two legislative days prior to a vote on the Current Operation Appropriations bill, that no vote be taken on either second or third reading until after at least ten hours of debate (unless no member seeks further debate), and to require that any other rule governing consideration of the Appropriations Act be supported by a majority of the members present and voting.

Rule 39 – Provides that a majority (was, three-fifths) of the members of the House may recall a bill from a standing committee and that the rereferral of a bill does not restart the 10-day period after a notice has been given by the bill sponsor. Enacts new Rule 39.3 to establish a procedure for discharging a committee from consideration of a bill or resolution. *Rule 40* – Prohibits the Speaker from varying from the order of business as listed on the daily calendar unless authorized by a majority of those members present. *Rule 44* – Requires that no vote be taken on the adoption of a conference report until the third legislative day after the report is distributed to each member of the House and that the Current Operations Appropriations bill and the Conference Report on a bill revising that act may not be placed on the calendar for action earlier than the third legislative day after the Conference Report is distributed to the office of all House members. *Rule 45* – Requires that the election of the Speaker be by roll call and provides that the election may not be by resolution or be combined with any other matter. *Rule 58* – Requires a majority vote to rescind or amend the House Rules (was, a two-thirds vote). *Rule 61* – Requires that seat assignments be made within each party caucus in order of seniority, with Democratic members seated to the Speaker's left, and Republican members to the Speaker's right. *Rule 61.1* – Requires that office assignments be made on the basis of seniority. Makes conforming changes to Rule 6, Rule 9, Rule 19, and Rule 32

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