Legislative Council Proposed Amendments to the Joint Rules, Senate Rules, and House Rules

November 13, 2012

Joint Committee on Rules
SENATE
Exhibit No. 2
Date 12/3/12
Bill No. SC 5656

Amendment	Rule Issue Identified	Rules Impacted / Page #	Description	Legislative Council Recommendation	Resolution
1	Revenue Estimating Process Changes	J30-10 - pg 10 J30-70 - pg 13 J40-200 -pg 33	Create Joint Subcommittee on revenue estimation.	Formalize Joint Subcommittee on Revenue Estimating in Rules	Joint Resolution
2	Every House Member should serve on Class I Session Committee, with an escape clause for those individuals that can't or won't serve.	H30-10 - pg 12	Speaker currently has the discretion to appoint committee membership after consultation with minority leader.	Formalize in Rule that the Speaker is required to appoint each House Member to a Class I Committee unless the House Member is unable or unwilling to serve.	House Resolution
3	Update the reference Rule to Mason's Manual to include the 2010 version of Mason's Manual.	JR 60-20 - pg 37	Mason's has been updated	Amend JR 60-20 to substitute the 2010 Mason's Manual for the 2000 Mason's Manual.	Joint Resolution

4	Authorize the House to dispose of a bill without a hearing that is consistent with the Senate Rules.	H30-50 - pg 17	House is required to have a hearing in committee on every introduced bill. In the Senate, at the written request of the sponsor, a committee may finally dispose of a bill without a hearing. However, a bill may not be reported from a committee without a hearing.	Amend H30-50 to make it consistent with S30-70.	House Resolution
5	Clarify further that on a motion to reconsider, the debate on the motion is limited to the motion and not the substance of the bill and possibly specify the number of legislators that can debate the motion.	H50-170 - pg 43	Currently, the Senate Rules state that the debate on a motion to reconsider may not address the substance of the matter for which reconsideration is sought. However, an inquiry may be made concerning the purpose of the motion to reconsider. House Rules limit debate pursuant to H50-80.	Formalize limitations on debate within the House Rules.	House Resolution
6	Eliminate the positive disposition language requirement in the Senate to conform the House Rules.	S50-180 - pg 34	In the Senate, the Rules require that a motion on second reading must be disposed of by a positive vote. This results in motion to indefinitely postpone action on a bill that has been voted down on second reading. In the House, the Rules allows for the obverse if a bill fails on second reading and therefore no motion to indefinitely postpone is needed.	Make the Senate Rules consistent with the House Rules regarding positive disposition.	Senate Resolution

7	Eliminate adverse committee reports.	JR 10-150 - pg 8 S30-70 - pg 17 S50-120 - pg 30 H30-50 - pg 17 H40-100 - pg 24 H50-160 - pg 42	Adverse committee report motions are complex and anti-intuitive. An adverse committee report results from passage in a session standing committee of a "do not pass motion" on a bill which is then reported out of committee to the floor of the Senate or House. Once on the floor, there is an intricate process regarding the adverse committee report motion. For example, in the Senate, the Secretary of the Senate reads the committee report (Mr. President, We have an adverse committee report. Mr. President, we the Committee on Education and Cultural Resources recommend Senate Bill ## do not pass, signed Senator X, Chair. The Committee Chair says: "Mr. President, I move adoption of the adverse committee report." If the adoption of the adverse committee motion passes, the adverse committee report is adopted and the bill does not progress to 2nd reading. If the motion to adopt the adverse committee report on the bill fails, the bill is placed on 2nd reading in the committee of the whole. The motion to adopt a committee report is not debatable, but Senate Sponsor of the bill may respond to motion to adopt the committee report. If the Sponsor wants the bill to be placed on 2nd reading, the Sponsor should explain why the body should vote against adopting the adverse committee report. In the House, if the motion is to reject the adverse committee report, it takes 3/5 vote to approve the motion. If the rejection motion passes, the bill is placed on 2nd reading. Failure to pass a rejection motion constitutes adoption of the adverse committee report.	Eliminate the authorization of adverse committee reports.	Joint Resolution House Resolution Senate Resolution

Technical/non-substantive amendments:

Senate Rules:

Page 12, line 24 - Clarification of actual committee name

Page 17, line 7 - Cross reference correction

House Rules:

Page 13, lines 19 through 21 - Clarification of actual Appropriation subcommittee names