

December 16, 2009

TO: Rules Subcommittee

FROM: Greg Petesch

RE: Proposed Rule Revisions

I am sending a new version of proposed changes to the Legislative Rules to reflect the discussion that occurred at the Subcommittee meeting on December 14. The changes to the rules can be summarized as follows:

1. Rule captions have been rewritten to be more explicit concerning rule content.
2. Internal references to other rules have been inserted.
3. A new joint rule 20-10 is proposed to provide a procedure for consent to adjournment or recess by the other house for more than 3 days.
4. Restrictions on the number of bill requests are imposed in Joint Rule 40-40. The limit of 7 requests prior to the session rather than 10 was requested by Rep. Phillips.
5. Joint Rule 40-110 concerning sponsor's fiscal note rebuttal is revised to reflect the enactment of SB 18 as Chapter 392, Laws of 2009.
6. Joint Rule 40-200 has clarification language added for what constitutes a revenue bill and what does not constitute an appropriation.
7. S30-10 and H30-10 are amended to require that every member with the exception of leadership and members of the House Appropriations Committee are appointed to a class 1 committee and a class 2 or class 3 committee.
8. In S50-60 changing a vote is substituted for dividing a question as a nondebatable motion to reflect that dividing a question is not a motion.
9. S50-90 concerning reconsideration is revised to provide that a reconsideration motion is in order for 2 legislative days if the Senate has adjourned for more than 2 days.
10. S50-100 and H50-140 are revised to clarify that the chair may ruled a question is nondivisible and specifies the procedure for challenging the ruling of the chair.
11. In S50-150 and H40-150 language is inserted to clarify that all committee of the whole amendments must be prepared by LSD.
12. In S50-160 and H40-160 motions in committee of the whole are reorganized to reflect priority and that priority is specifically stated in the rule.

13. S70-30 clarifies the process for confirming a single nominee as opposed to a group of nominees.
14. In H10-90 language to reflect hirings prior to determination of the majority party last session is deleted.
15. In H30-10 language reflecting equal party division last session is deleted and language is inserted to require that each member of the Appropriations Committee is appointed to one of the 6 required subcommittees.
16. In H30-50 language is inserted to reflect the Senate practice of requiring each committee to decide on the record whether absentee or proxy voting is allowed.
17. In H40-230 language inserted last session concerning a tie vote in a conference committee to reflect equal party division is deleted.
18. In H50-90 additional nondebatabile motions are listed to reflect that current designation elsewhere in the rules.
19. In H50-160 the "Members Voting" heading is deleted to reflect the requirement in H50-200 that members are required to vote unless they have disclosed a conflict of interest. The motions that were under the "Members Voting" heading cannot entail a conflict of interest.
20. In H50-250 and H60-40 the constitutional restriction on when a motion for adjournment sine die is in order is reflected.