



ASSEMBLY VETERANS AFFAIRS COMMITTEE RULES

2013-2014 Session

I. SETTING OF BILLS

1(a). Bills referred to Committee shall be set for hearing by the Chairperson at a time most convenient to the Committee consistent with the schedule of the Assembly Committee meetings. To the extent practicable, bills relating to the same subject matter shall be set on the same day.

1(b). When a bill is referred to the Committee, the Committee Secretary shall forward to the author a background information worksheet to be completed for the preparation of the committee analysis. The Chairperson may withhold the setting of a bill for hearing until worksheet is completed and returned to the Committee.

1(c). A bill may be set for hearing in the Committee only three times. A bill is "set" whenever notice of the hearing has been published in the daily file either is not heard at the request of the author at the hearing for which it was set or is not heard in order to permit the preparation of amendments, the set shall be deemed an author's set (any set which is counted as one of the three times a bill may be set). 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 hearing shall not be counted as one of the three times a bill may be set.

II. AUTHOR'S AMENDMENTS PRIOR TO HEARING

2(a). Subject to the Joint Rules, an author may amend a bill at any time prior to the hearing provided, however, that substantive author's amendments *in* Legislative Counsel form shall not be accepted by the Committee Secretary later than five legislative days prior to the Committee hearing at which the bill has been set. As used in these rules, a "legislative day" is any day on which an Assembly Daily File has been published. (Example: No substantive amendments shall be accepted after 3:00 p.m. on the Tuesday one week prior to the Tuesday that the bill is to be heard.) A revised Committee worksheet shall be offered with the amendments.

2(b). All author's amendments must be submitted to the Committee in Legislative Counsel form. Amendments shall be submitted as a signed original with seven copies.

2(c). If an author offers substantive amendments to his or her bill later than five legislative days prior to the Committee hearing at which it is set, the bill shall not be heard, unless consented to by the Chairperson, and may be deemed an author's set.

2(d). The Chairperson shall have sole discretion in ruling on whether or not an amendment is "substantive" within the meaning of this section.

III. COMMITTEE AMENDMENTS

3(a). Veterans Affairs committee staff is responsible for preparing amendments adopted in committee.

IV. COMMITTEE ANALYSES

4(a). Committee analyses of bills set for hearing shall be made available to the public at least one day prior to the day of the Committee hearing. In the case of special hearings, the analyses need not be made available one day prior to the hearing, but shall be made available to the public at the time of the hearing and prior to any testimony being taken. For purposes of this section, 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.

4(b). A copy of the analysis shall be sent to the bill's author and to members of the Committee prior to its general distribution to the public.

V. MEETING AND QUORUM

5(a). The Chairperson shall promptly call all meetings to order at the time and place designated in the Assembly Daily File for such meetings. If a quorum is not present, the Chairperson may start the hearing as a subcommittee subject to both House and Joint Rules.

5(b). A majority of the ten Committee members shall constitute a quorum (6). If the size of the Committee is increased or decreased the quorum shall be adjusted to be a majority of the Committee membership.

5(c). Whenever one or more Committee members is disqualified from taking any action on a bill pursuant to the Joint Rules, a quorum shall remain the same and not reduce the votes required to take action on a bill. The member shall advise the Chairperson of the disqualification at the beginning of the hearing and the Chairperson shall announce which members are so disqualified at the commencement of the hearing of the bill.

VI. ORDER OF AGENDA

6(a). Bills set for hearing shall be heard in file order. Exceptions shall be made for bills

placed on the Committee's Consent Calendar. Committee Members' bills will be heard after non-Committee Members' bills. If the Author is unable to present a bill, a Member of the Legislature or a member of the author's staff, under prior arrangement with the Chairperson, may be authorized by the author to present the bill. The authorization shall be in writing. A registered lobbyist, however, shall not present a bill before the Committee under any circumstances.

6(b). When the Chairperson finds another order of business would be more expedient, measures may be taken up out of order or set as a special order of business.

VII. CONSENT CALENDAR

7(a). The Chairperson may prepare a consent calendar prior to the hearing for bills of a noncontroversial nature and without any opposition recorded with the committee. The Chairperson may take up the Consent Calendar at any convenient opportunity and authors need not be present. Proposed consent calendar bills will be removed from the consent calendar of the Committee on request of any Committee Member and will then be heard in the order specified under rules concerning the Order of Agenda.

VIII. VOTING

8(a). A majority of the Committee membership is required to pass a bill from the Committee. A simple majority of those present and voting is sufficient to recommend the adoption of Committee amendments, provided that a quorum is present.

8(b). A recorded roll call vote shall be taken on all of the following actions of the Committee:

- (1) On an action which constitutes the Committee's final action on a bill, constitutional amendment, or resolution.
- (2) On Committee amendments taken up in Committee, whether adopted or not.
- (3) On motions to reconsider Committee actions.
- (4) On recommendations to the Assembly Floor relating to Executive Reorganization Plans.
- (5) On substitute motions which propose to amend an earlier motion.
- (6) On amendments which add an urgency clause.

8(c). A roll call vote on a previous bill may be substituted by a unanimous consent, provided the members whose votes are substituted are present at the time of substitution.

8(d). Prior to the announcement of the vote, upon request of the author or any member of the Committee, the Chairperson may announce that the bill subject to a vote will be placed on-call for a period of time not to exceed the adjournment of the Committee meeting. Absent extraordinary circumstances, a vote on a bill which is on call shall not be permitted when testimony is being taken. The Chairperson shall announce the time or times when the roll shall be opened and any vote on a bill which is on call may be cast. If a motion to adjourn the Committee is adopted while the Committee is operating under a call, the call shall be dispensed with and any pending vote announced. The vote shall be announced upon conclusion of the roll call vote, absent a request to place a bill on-call.

8(e). A motion to “hold in Committee” or the “table” requires a second, shall be put to the Committee without discussion, and requires an affirmative vote by a majority of the Committee membership present and voting.

8(f). A recorded roll call vote is not required on the following actions by the Committee:

- (1) A motion to take the bill “under submission” or “hold in committee” or other procedural motion which does not have the effect of finally disposing of the bill.
- (2) Requests by the author to withdraw a bill from the Committee calendar.
- (3) The removal of a bill from the consent calendar.
- (4) The return of a bill to the House in cases where the bill has not been voted upon by the Committee.
- (5) Adoption of author’s amendments to a bill.

8(g). Any member having to leave the Committee shall advise the Chair where the Member can be reached. In all other respects, Committee voting will be governed by the provisions of the Standing Rules of the Assembly.

IX. RECONSIDERATION

9(a). After a bill has been voted upon, reconsideration may be granted only once. A majority of the full Committee membership is required to grant reconsideration. Reconsideration may be granted within 15 legislative days of the Committee’s vote on a bill or prior to the interim study joint recess, whichever occurs first. A vote on reconsideration cannot be taken without the same notice required to set a bill unless such vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present.

9(b). Authors seeking reconsideration shall notify the Committee Secretary of the intention to seek reconsideration in order that the required four-day or two-day file notice may be published in the Daily File.

9(c). If reconsideration is granted, the Committee may vote on the bill immediately or may postpone the vote until the next regular hearing. In the case of a defeated bill, if the motion for reconsideration or the vote on the bill after the granting of reconsideration fails, the bill shall be immediately returned to the Chief Clerk.

9(d). Unless specifically authorized by the Chairperson, no additional testimony shall be permitted on a bill which has been granted reconsideration.

X. SUBCOMMITTEES

10(a). The Chairperson, subject to the approval of the Speaker, may request the creation of subcommittees for the study of particular subject matters of bills.

10(b). Subcommittees shall operate under the same rules as the full committee. Subcommittees shall consider assigned bills, receive testimony, recommend amendments as needed, and recommend timely action to the full Committee.

10(c). A subcommittee may take one of the following actions in regard to its assigned bills:

- (1) Recommend to the full Committee that the bill be passed.
- (2) Recommend to the full Committee that the bill be passed as amended.
- (3) Refer the bill to the full Committee without recommendation.

10(d). All proposed actions recommended by subcommittees are subject to ratification and further consideration by the full Committee. The Chairperson of the full Committee may decline to accept additional oral testimony on a measure which has received a hearing before a subcommittee.

XI. EXECUTIVE REORGANIZATION PLANS

11(a). Executive Reorganization Plans referred to the Committee pursuant to Section 12080 of the Government Code shall be considered in the same manner as a bill.

11(b). After consideration, and at least 10 days prior to the end of the 60-day period defined in section 12080.5 of the Government Code, the Committee shall forward a report to the Assembly floor which may include the Committee's recommendation on whether or not to allow the plan to take effect.

11(c). Possible Committee actions with respect to a reorganization plan include the following:

- (1) Recommend that the Assembly take no action thus permitting the plan to

take effect.

- (2) Recommend that the Assembly adopt a resolution disapproving of the plan and preventing it from taking effect.
- (3) Make no recommendation.

XII. REVIEW OF ADMINISTRATIVE REGULATIONS

12(a). At the discretion of the Speaker, the Chairperson may direct the staff to review any proposed administrative rules and regulations which are contained in the California Regulatory Notice Register and which pertain to agencies and programs within the scope of the Committee's jurisdiction.

12(b). The staff shall review each such rule of regulation for conformity with the enabling statute and with legislative intent.

12(c). Rules or regulations which do not appear to be based on statutory authority or which do not appear to be consistent with legislative intent may be placed on the Committee's agenda for appropriate action, including the request of a priority review by the Office of Administrative Laws pursuant to Government Code Section 11340.5.

XIII. OVERSIGHT

13(a). The Committee may conduct detailed investigations of the performance and effectiveness of state agencies and programs that come within the scope of the Committee's jurisdiction. Whenever reports submitted by the Legislative Analyst or Auditor General are referred to the Committee, any legislative recommendation contained therein may be placed on the Committee's agenda for review.

XIV. COMMITTEE BILLS

14(a). 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 Chairperson.

14(b). If all the members of the Committee sign a bill, at the option of the Committee Chairperson, the Committee members' names need not appear as authors in the heading of the printed bill.

14(c). The Committee, at the discretion of the Chairperson, will seek to consolidate related subject matter into a single legislative proposal whenever appropriate.

14(d). Committee Bills shall not be counted against a Members bill introduction limit as

specified in Assembly Rule 49.

XV. PILOT PROJECTS

15. It is recommended that any bill that proposes the creation of a pilot project contain the following specific requirements:

- (1) A statement of purpose of the proposed pilot project which specifically states the goals or objectives, and the length of time of the project.
- (2) Precise cost projections and methods by which savings, if any, may be calculated.
- (3) A definitive mechanism by which the value and success, if any, of the project may be quantified. This mechanism shall include specific numerical objectives which must be met or exceeded, if a project is to be judged successful, and a suggested time line.

XVI. MEDIA

16. Accredited press representatives shall be allowed in Committee Hearings consistent with House Rule 25. The Press may take photographs, televise, or record the Committee Hearings upon prior notice to the Chairperson, as far in advance of the proceedings as possible, that recordings and cameras will be present and filming.

XVII. LIMITATION ON TESTIMONY

17. 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 his or her 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.