

Legislative Council Rules Subcommittee Committee Draft Legislative Rules Issues (08/08/2016)

Issue #	Potential Rule Issue Identified	Existing Law/ Rules Impacted	Draft Proposal (if any)
1	Staff use of social media during floor sessions.	JR 10-70, 10-80 -pg 2 & 3. S10-130, S10-140 - pg 5 & 6. H10-90, H10-100 - pg 4 & 5.	
2	Potential conflict between the Joint Rules and the House and Senate Rules	JR60-10, pgs 36 & 37. S60-10, pg 38 H70-60, pg 52	
3	Revenue and appropriation bill transmittal deadlines are now on the same day (67th day). During the 2015 Session, bill processing issues occurred.	JR 40-200 (1) (c) & (d) -pg 33, lines 7 - 9, and lines 16 - 20.	
4	Governor line-item veto of appropriations for bills requesting interim studies.	JR40-65, pg 22 & 23.	
5	A bill with an appropriation may not be introduced in the Senate. JR40-65 requires that a bill requesting an interim study include an appropriation. Senators have introduced bills requesting an interim study and have included contingent voidness provisions that say that if the House does not include an appropriation, then the bill is void.	JR40-65, pg 22 & 23.	
6	Further streamline the confirmation process in the Senate (see language below)	S70-20 - pg 39. S70-30 - pg 39 - 41.	

7	Revise the Senate rereferral of bills to conform to the House rereferral process.	H40-80(2)(b), pg 24, lines 7 - 18.	
8	Uniformity of committee proxy voting procedures during the interim and during the session.	S30 -70 (13)(f), pg 18, line 27. S30-100, pg 20, lines 8 - 12. H30-50(9), pg 18, lines 13 - 21. H30-50(15), pg 19, lines 20 - 22. Legislative Council Guidelines for Interim Committees	
9	Absentee members of leadership appointed to session standing committees.	S30-40, pg 13, lines 17 - 25. H30-30(2), pg 14, line 26 through pg 15, line 1.	
10	Consistent negotiation requirements between majority and minority leadership.	S10-90, pgs 4 -5. S10-110(2), pg 5, line 16. H10-50, pgs 3 - 4. H10-70(2), pg 4, line 15.	
11	Revision 2015 House blast motion language.	H40-90 (2), pg 24, line 27 through pg 25, line 4.	
12	Super majority votes regarding bill process	H40-90, pg 24 & 25. H40-100, pg 25 House Appendix (4), pg 56	
13	Adverse committee report (do not pass motion).	H40-100, pg 25.	
14	Speaker's duties regarding parliamentary inquiries and the prohibition against appealing the Speaker's decision.	H20-20(2), pg 9, lines 15 - 16. S50-120(2), pg 30, lines 24 -16	

15	Process for appealing Chair and Committee decisions regarding committee member privileges.	H30-20 H30-50	
16	Health insurance bills are listed in the Human Services Committee subject matter area in the House Rules Appendix. Most insurance bills go through the Business and Labor Committee.	House Appendix, pg 53, lines 19 - 23.	
17	Committee appointments should be made based on the overall proportion of the total House membership.	H10-20, pgs 2 & 3.	
18	Revenue and Transportation Interim Committee Recommendations (see attached letter and rule changes proposal).	H40-80, pgs 23 & 24.	
19	Potential Session System Replacement Issues		
20	Allow in some manner those who are newly elected to the legislature to carry bills proposed by an interim committee. Have some mechanism where the original carrier and the Speaker or President must approve of such a move first.		

21	Clarify that Ethics committees in the House and Senate are not on call only during the session.	<p>2-2-135, Ethics Committees.</p> <p>5-2-205. Authority for standing committees to meet during interim. (1) Except as provided in 5-2-202 and subsection (2) of this section, a standing committee of the legislature, as provided for in legislative rules, may not meet during the interim between regular legislative sessions.</p> <p>(2) Upon approval of the president of the senate or the speaker of the house of representatives, a standing committee may meet before a special session, as provided in 5-3-101, or during a special session.</p>	
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Streamline the Senate Confirmation Process:

S70-30. Committee process -- preliminary reports -- separate consideration. (1) (a) The committee shall research each nominee and may request biographical information from the Governor for each nominee if none has been provided.

(b) ~~The committee chair shall submit a bill draft request on behalf of the committee for a simple resolution to include the nominee submitted to the committee or a group of nominees, the group of nominees being specified by the committee chair. These bill draft requests will not count against any bill draft request limit imposed on members.~~ When the resolution has been prepared and introduced, the committee shall hold a hearing on the resolution after appropriate public notice has been given.

(2) (a) ~~Following~~ Except as provided in subsection (2)(b), following the hearings for a group of nominees, the committee shall issue ~~preliminary~~ standing committee reports to be ~~distributed to each Senator~~ considered on second reading, stating the committee's recommendations concerning the nominees. ~~A preliminary standing committee report is not required for a resolution for a single nominee pursuant to subsection (5).~~

(b) Following the hearings for the group of nominees, if a committee member wishes to have an individual nominee or group of nominees considered by the Senate separately from the group of nominees the committee member may prepare an amendment for executive action to strike or add a nominee or group of nominees. If a nominee or a group of nominees is stricken, the committee member that offered the amendment, shall make a motion to request a committee resolution for the nominee or nominees to be considered by a separate resolution. A simple majority of the

committee is sufficient in order to request a separate committee resolution.

~~(3) (a) If~~ Within the committee of the whole, if a Senator wishes to have an individual nominee or group of nominees considered by the Senate separately from the group of nominees recommended by the committee, the Senator may prepare a floor amendment to strike or add a nominee or group of nominees. If a nominee or a group of nominees is stricken, a Senator may make a motion to request of the chair of the committee that the President of the Senate to submit a bill draft request for the nominee or nominees to be considered by a separate resolution.

~~————(b) A Senator shall request separate consideration of a nominee within 3 days of receipt of the preliminary standing committee report. The committee chair shall honor this request.~~

~~————(4) After waiting 3 days from the day of distribution of the preliminary standing committee report, the committee chair shall issue a final standing committee report and deliver the report to the Secretary of the Senate.~~

~~————(a) If a nominee is to be separated from the resolution, the final standing committee report must include an amendment deleting that nominee.~~

~~(b)(4) When a nominee has been separated at the request of a Senator or when a single nomination has been submitted to a committee, the committee chair shall submit a bill draft request on behalf of the committee for a simple resolution to include only the single or separated nominee. When the resolution for a individual or group nomination has been prepared and introduced, the committee shall take executive action on the resolution. When a hearing on the separated nomination was held prior to the committee's preliminary standing committee report, an additional hearing is not required to be held before the committee takes action on the separate resolution. After the committee's executive action, the committee chair shall issue a standing committee report.~~

~~(5) If a resolution contains only one nominee, the committee shall dispense with the preliminary standing committee report and shall issue a final standing committee report to be distributed to each Senator stating the committee's recommendation concerning the nominee.~~

~~(6)(5) The Secretary will read the reports under Order of Business No. 2, reports of standing committees.~~

~~(7)(6) After the report has been read, the resolution must be placed on Order of Business No. 11 § the next legislative day for consideration by the Senate. Motions to approve or disapprove of the resolution are in order and may be debated. Approval upon second reading constitutes confirmation of the Governor's nominee. A motion to reconsider the approval or disapproval of a nomination made on second reading must occur within one legislative day. A motion to reconsider may not be made if the resolution approving a confirmation is no longer in the possession of the Senate.~~