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# California Legislature

## SENATE COMMITTEE ON HUMAN SERVICES

MIKE McGUIRE  
CHAIR



MEMBERS  
TOM BERRYHILL  
VICE CHAIR  
LONI HANCOCK  
CAROL LIU  
JANET NGUYEN

# SENATE HUMAN SERVICES COMMITTEE

## RULES

### 2015 – 2016 LEGISLATIVE SESSION

#### 1. COMMITTEE HEARINGS

The committee, comprised of five (5) members, shall meet in regular session upon the second and fourth Tuesdays of each month at 1:30 p.m. in Room 3191 of the state Capitol, unless otherwise requested by the Chair and approved by the Committee on Rules.

#### 2. QUORUM

- a. A majority of the committee membership 3 (three) shall constitute a quorum.
- b. The Chair shall preside at meetings when present except when the Committee is considering a bill of which he/she is the author. Whenever the Chair is not presiding, the Vice-Chair shall assume the duties of the Chair. In the absence of both, a member designated by the Chair shall preside.
- c. Lacking a majority and at the discretion of the Chair, the Committee may convene a hearing as a Subcommittee of one or more members to consider bills, take testimony and make recommendations as a Subcommittee. The recommendation of the Subcommittee may be accepted by the affirmative vote of a majority of the members of the full Committee.

#### 3. SETTING BILLS

- a. **Setting of Bills:** Pursuant to the Chair's authority, Committee staff shall be responsible for preparing Committee hearing agendas. Bills referred to the Committee shall be set for

hearing as soon as practicable and in a manner that enables the Committee to meet its workload and schedule. Bills relating to the same subject matter may be set for hearing on the same day, as deemed appropriate by the Chair.

- b. **Restriction on the Setting of Bills:** A bill shall be set for hearing in the Committee no more than three times. A bill is “set” for the purposes of this subsection whenever notice of the hearing has been published in the Senate Daily File for one or more days. An author's set is any set which is counted as one of the three times a bill may be set.

**What Is an Author's Set:** If a bill is withdrawn at the request of the author from the hearing in which it was set, or is not heard to permit the preparation of amendments or compliance with any other Committee rules, the set shall be deemed an author's set.

**What Is a Committee Set:** If a bill is set for hearing and the Committee postpones the hearing of the bill on its sole initiative, 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.

- c. **Special Order of Business:** The Committee may set any bill for a special order of business so that the bill may be heard at a time certain, or as the Chairperson deems appropriate.

#### 4. BACKGROUND INFORMATION REQUEST

- a. The author shall hand deliver one hard copy of the completed background information and background materials to the Committee **no later than three working days after referral of the bill to committee** along with electronic copies of these same background materials to the Committee Consultant and Committee Assistant. Failure to submit a background sheet may result in the bill not being set for hearing or being pulled from the scheduled hearing.
- b. The author's office shall electronically transmit copies of the background information and background materials to the Minority Consultant.
- c. Additionally, background materials, support and/or opposition letters, and any other documentation submitted after the initial completed background information request and materials shall be provided by the author to both the Committee and the Minority Consultants. Any materials not available electronically must be submitted to both the Committee staff and to the Minority Consultant.
- d. The completed background information request shall contain the names of any person in the author's office who may be contacted regarding the bill and any sponsor(s) who may be contacted regarding the bill; the author's statement of the purpose of the bill, including the problem or deficiency in existing law which the bill seeks to remedy; any studies, reports, statistics and facts which support the conclusion that there is a problem and that the proposed legislation will properly address that problem; and a complete list of known support and opposition.

- e. If documentation has not been received to the satisfaction of the Committee, the Committee may reset the bill for a subsequent hearing and such a set shall be deemed an author's set.

## 5. AMENDMENTS

- a. If an author plans to amend a bill prior to hearing, the staff must notify Committee staff and Senate Minority staff and provide a copy of draft language that was submitted to Legislative counsel. Draft language may be reviewed by Committee staff, but staff will not analyze amendments that are not in the format provided by Legislative Counsel.
- b. Author's amendments shall be submitted to the Committee in the format provided by Legislative Counsel **no later than noon seven calendar days prior to the hearing at which the bill has been set.**
- c. All author's amendments shall be submitted to the Committee (the original, signed by the author, plus ten (10) copies).
- d. The Chair reserves the right to reset for a subsequent hearing any bill for which amendments are submitted after the deadline in (a), and such a set shall be deemed an author's set.
- e. If an author offers substantive amendments to a bill later than seven calendar days prior to the Committee hearing for which the bill is set, or during the hearing, the hearing may, at the discretion of the Chair, be postponed in order to place the amendments in print and permit appropriate analysis by Committee staff. Such a set shall be deemed an author's set.
- f. Amendments made to a bill during a hearing shall be drafted by Committee staff. If amendments are controversial or significantly change the intent or policy of the bill the bill may be put over, at the discretion of the chair, to allow public and staff sufficient opportunity to analyze the amended bill.

## 6. COMMITTEE ANALYSES

- a. Committee staff analyses of bills scheduled for hearing before this Committee shall be made available to the public after 1:00 p.m. on the Monday prior to the Tuesday committee hearing, except in cases where it is not feasible, including due to holidays or extraordinary workload. For special hearings, the analyses shall be made available to the public at the time of the hearing and prior to any testimony being taken on the bill.
- b. A copy of an analysis shall be sent to the bill's author and a draft "pre-hearing" packet containing each analysis shall be delivered to members of the Committee prior to its general distribution to the public.

## 7. LETTERS IN SUPPORT OR OPPOSITION

- a. Support and opposition letters must be received by the Committee no later than noon the Wednesday prior to the regularly scheduled hearing on the bill in question.

- b. Only those letters that clearly indicate “**Support**” or “**Oppose**” to the current version of the bill will be noted in the Committee analysis.
- c. Letters from organizations must be on letterhead, include a signature and a reference to the bill in order to be listed in the committee analysis. If the bill is substantially amended, a new letter is required. Electronic copies of letters are acceptable if they are on letterhead with a signature. Single letters from multiple organizations must include letterhead insignia from each organization to be included, as well as signatures from each organization.
- d. Letters from individuals must include the writer’s full name and residential address, including zip code.
- e. Policy committees are responsible for the analyses of bills that reach Third Reading. Floor analyses reflect verified support and opposition. It is the responsibility of the author’s office to provide updated letters to this committee prior to bills reaching Third Reading, consistent with committee rules in this section. If updated letters are not provided, floor analyses will indicate that support and opposition cannot be verified and therefore will not be listed.
- f. Copies of letters must be submitted to the Senate Minority Consultants.

## **8. COMMITTEE AGENDA**

- a. Bills set for hearing shall be heard in file order, except as the Chair otherwise deems appropriate. The Chair may permit an author to present all of his or her bills at one time, or may take an author out of order out of courtesy or special circumstances.
- b. If an author is not present when his or her bill(s) come up, the author will lose his or her place, but will be allowed to present upon return to the hearing room.
- c. If an author does not present his or her bill at the hearing at which it is set, the bill will be passed on file and considered an author’s re-set, unless the Chair otherwise deems appropriate.
- d. A bill may not be considered in the absence of the author without his or her consent, except that a bill may be presented by the author’s representative who is authorized in writing. The Chair reserves the right to have the author, and not a representative, present his/her bill.
- e. Committee members’ bills shall be listed in numerical order. Committee members, however, shall take up their bills after other authors or at the discretion of the Chair, such as when no other authors are present.

## **9. CONSENT CALENDAR**

- a. Bills without written opposition may be placed on a proposed consent calendar. All items remaining on the consent calendar shall be voted on by the Committee without testimony, unless the Chair deems otherwise. The Committee staff, in consultation with the Minority

Consultant, may prepare a proposed consent calendar.

- b. The Chair may take up the consent calendar at any convenient opportunity during the Committee hearing. Authors of bills placed on the consent calendar need not be present when the consent calendar is taken up.
- c. Any member of the Committee has the right to ***pull a bill off the consent calendar*** before the consent calendar is taken up for a vote. If a bill is removed from the consent calendar, the Chair shall direct the Sergeant-at-Arms to call the author's office and notify the author of the need to present the bill before the Committee. If the Chair deems it necessary, the bill may be taken up at the next scheduled committee hearing.
- d. A bill ***may be amended while on consent*** provided the amendments are noncontroversial and have been approved by the Chair.

#### **10. TESTIMONY AT HEARINGS**

- a. The Chair may, in consultation with the Vice Chair, limit duplicative testimony, limit the number of witnesses appearing on behalf of or in opposition to a bill, and limit the time allotted to authors and witnesses testifying on behalf of or in opposition to a bill. If the Chair imposes limitations, the chair shall announce them at the beginning of the hearing.
- b. Written Testimony: The Chair may require any author wishing to present written testimony on any bill before the Committee to deliver the testimony in written form to the Committee at least one working day prior to the hearing.

#### **11. RECONSIDERATION**

- a. If a bill is defeated by the Committee, reconsideration of the bill may be granted one time.
- b. A request for reconsideration shall be made by the author at the hearing in which the bill was defeated, or within 15 legislative days of the bill's defeat or prior to the interim joint recess, whichever occurs first. Any request for reconsideration not made at the hearing in which the bill was defeated shall be submitted by the author to the Committee in writing.
- c. Following a proper request for reconsideration, the Committee may grant reconsideration of a bill by a ***majority, recorded roll call vote*** or unanimous consent. The committee may grant reconsideration pursuant to Joint Rule 62. If a request for reconsideration fails, the bill shall be immediately returned to the Secretary of the Senate.

#### **12. COMMITTEE BILLS AND OMNIBUS BILLS**

- a. The Committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any Member. A Committee bill shall contain the signatures of all members of the committee.

**13. MISCELLANEOUS PROCEDURAL RULES**

- a. Any Committee member may *appeal a decision or ruling of the Chair* on a point of order. Such appeals shall be decided by a majority of those members present and voting. A majority of those members present and voting or a tie vote sustains the decision or ruling of the Chair.
- b. A vacancy on the Committee does not reduce the quorum requirement or the number of votes required to take action on a bill.
- c. Committee rules may be changed by a majority vote of the Committee, as long as they do not suspend a standing rule of the Senate.

**14. COMMITTEE RECORDS**

The Committee Assistant is the custodian of the Committee's legislative records. Pursuant to Section 9080 of the Government Code, the Committee Assistant shall preserve the Committee's current legislative records and may store the Committee's past legislative records with the State Archives. The Committee records that are in the possession of the Committee Assistant are open to inspection and reproduction by the public in the Committee office during normal working hours of 9 a.m. to 5 p.m., Monday through Friday. Records held in the State Archives are open to inspection and reproduction pursuant to the procedures established by the Secretary of State.

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