

2015 – 2016 Regular Session

RULES OF PROCEDURE-SENATE APPROPRIATIONS COMMITTEE

Following are the rules of procedure for the Senate Appropriations Committee:

1. SETTING BILLS FOR HEARING

The committee will set bills following receipt. Authors will be notified as to when their bills are scheduled for hearing, and notice will appear in the Daily File.

2. REQUESTS TO RESCHEDULE BILLS

When a bill is set for its first hearing, an author may, if necessary, request that the committee assistant reschedule it for another hearing date. The bill will be rescheduled for another date, such rescheduling to count as one (1) of the three (3) sets permitted for each measure in accordance with JR 62 (a). An author may notify the committee assistant prior to receipt of a bill and request a specific date for hearing, if necessary. Every attempt will be made to accommodate such requests within the committee schedule.

Subsequent requests to schedule a bill for another hearing date must be submitted by the author to the chair, in writing, together with a copy of the bill. This material is to be hand delivered to the committee assistant. The chair will review the request and will indicate his approval or disapproval of the request to the committee assistant for processing, in which case the author and the author's staff will be advised of the chair's decision. A subsequent request to reschedule a bill which is approved by the chair shall count as the second of the bill's three (3) sets under JR 62 (a).

3. AUTHOR'S AMENDMENTS

SIXTEEN (16) copies of author's amendments, in Legislative Counsel form, (including the original and one additional copy signed by the author) are to be submitted to the committee assistant no later than noon of the Tuesday preceding the Monday hearing in order to provide time for preparation of the appropriate analyses.

When presenting amendments in committee, the language must be in Legislative Counsel form. The author shall provide sixteen (16) copies of the amendments, including the original and one additional copy signed by the author, to the committee assistant. The author shall provide an additional ten (10) copies to the Sergeant-at-Arms for distribution to the members of the committee prior to discussion.

When a committee hearing is scheduled on a day other than Monday, author's amendments must be submitted to the committee assistant no later than noon on the fourth working day prior to the scheduled committee meeting, not counting the hearing day.

During the Spring, Summer, and Interim Study Recesses, and for bills on the Suspense File, it will be necessary to establish other deadlines for author's amendments. Authors and staff will be advised of these deadlines as they occur.

4. SUBSTANTIVE FISCAL AMENDMENTS

When substantive fiscal amendments are offered in committee, the bill may be sent out to print and placed on file for a subsequent regularly scheduled hearing.

5. PREPARATION OF AMENDMENTS ADOPTED IN COMMITTEE

The committee staff will be responsible for preparing amendments made in the committee hearing.

6. ORDER OF TAKING UP BILLS

There will be no sign-up sheet. Bills will be heard in numerical order by author as listed in the Senate File. Once an author is called upon to present a bill, that author may take up any other bills that he or she may have on file for that hearing.

7. PRESENTATION OF BILLS

An author's opening statement and the testimony of witnesses in support and opposition to a measure shall focus on the fiscal impact of the measure before the committee. Policy issues may be raised by the chair or by a member of the committee and the author and witnesses shall discuss such policy issues only in response to questions raised by the committee.

When appropriate, the chair may limit individual witness testimony and limit the number of witnesses speaking for or against a bill. The limit will apply equally to both proponents and opponents.

8. SUSPENSE FILE CANDIDATES – TESTIMONY

Authors should present testimony at the time of the first regularly scheduled hearing on a bill, even though the bill's provisions indicate an obvious referral to the Suspense File pursuant to Rule 9. Subject to limit by the chair pursuant to Rule 7, the committee shall provide an opportunity for testimony by all interested parties, including members of the public and the Department of Finance, on all bills set for hearing as regular order of business before the committee.

Authors may request, by a letter to the chair, that their bill(s) be referred to the Suspense File without presentation. The chair shall provide an opportunity for

testimony by all interested parties, including members of the public and the Department of Finance, prior to committee action making the referral to the Suspense File. Submission of a request to waive presentation shall be considered author consent for testimony to occur in his or her absence pursuant to SR 21.5(h).

The request to waive presentation shall be received in writing by the committee by 3:00 PM Friday prior to the hearing and shall note each bill to be waived and the relating clause. Staff may not present unless approval is granted by the chair. A bill may be presented by the author's representative or staff who is authorized in writing, and will be taken up at the end of the file.

During a committee hearing a member of the committee may request that the author appear to present the bill or respond to issues raised during testimony on the bill. The chair will ask the Sergeant-at-Arms to contact the author; if the author is not available, the bill may be put over at committee request for hearing at the next committee hearing.

9. SUSPENSE FILE

The committee, by a majority of the members present and voting, shall refer to the Suspense File all bills that would have a fiscal impact in any single fiscal year from the General Fund (including general obligation bond funds) or from private funds of \$50,000 or more.

Bills that establish a pilot project or program shall be referred to the Suspense File if the statewide implementation of the project or program would result in a fiscal impact of \$50,000 or more in any single fiscal year from the General Fund or private funds.

The committee, by a majority of the members present and voting, shall refer to the Suspense File all bills that would have a fiscal impact in any single fiscal year of \$150,000 or more from any special account(s) or fund(s) or bills that would have a fiscal impact in any single fiscal year of \$50,000 or more from any special account(s) or fund(s) where a two-thirds vote may be required to increase revenue to such account(s) or fund(s).

Bills that establish a pilot project or program shall be referred to the Suspense File if the statewide implementation of the project or program would result in a fiscal impact of \$150,000 or more in any single fiscal year from any special account(s) or fund(s) or bills that would have a fiscal impact in any single fiscal year of \$50,000 or more from any special account(s) or fund(s) where a two-thirds vote may be required to increase revenue to such account(s) or fund(s).

For purposes of the above paragraphs, “fiscal impact” shall include cost increases, cost pressures, revenue decreases, increases in appropriations subject to limitation that are restricted in their use and result from increases in tax proceeds, and reductions in the State’s appropriations limit.

This provision shall not apply to deficiency or supplemental appropriations bills authored by the chair of the Senate or the Assembly Budget Committee or claims or judgments and settlements bills authored by the chair of the Senate or the Assembly Appropriations Committee.

Upon two days’ notice in the Senate File, the chair may place before the committee a bill on the Suspense File.

A bill placed on the Suspense File may only be moved to Second Reading by an action of the committee or an action of the Senate.

10. SUSPENSE FILE – AMENDMENTS

A bill removed from the Suspense File for the purposes of amendment only shall be re-referred to the committee and shall be placed on the Suspense File pending further consideration by the committee.

A bill failing passage pursuant to JR 61 (b) (2), (8) or (14) shall not be amended in the committee.

11. RECONSIDERATION OF A FAILED MOTION ON A BILL

If a bill fails passage in the committee, reconsideration can be granted at that same hearing provided the author is present. Reconsideration may be granted only one time and must be within fifteen (15) legislative days of the date of the bill’s failure in committee or prior to the interim study joint recess, whichever comes first. If reconsideration is granted, the bill will be rescheduled at a subsequent regularly scheduled meeting of the committee. This procedure is a clarification of the provisions of JR 62 (a) and SR 21.5 (k).

12. SENATE RULE 28.8

Under the provisions of SR 28.8, when the chair determines that a bill is without significant fiscal impact, it will be sent directly to the Senate Floor for Second Reading without a hearing in the committee.

13. **GENERAL APPLICATION**

All committee rules apply to bills, constitutional amendments, and resolutions.

14. **DISTRIBUTION OF ANALYSES**

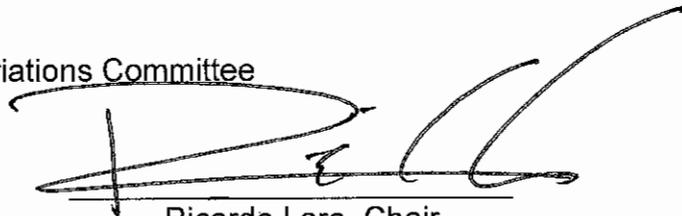
Copies of the committee's analyses will not be provided to anyone other than committee members or authors prior to the committee hearing. As completed, analyses will be delivered to author's offices and then will be available to committee members upon request. The analyses will be made available in the hearing room on the day the bills are heard and in the committee's staff office (Room 2206) after the hearing.

15. **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 lodge the committee's older legislative records with the State Archives. The committee's legislative records that are in the possession of the committee assistant are open to inspection and copying by the public in the committee's office, Room 2206 of the State Capitol, during the normal office hours of 9:00 a.m. to 5:00 p.m., Monday through Friday. The committee's legislative records that are lodged with the State Archives are open to inspection and copying by the public, subject to the procedures established by the Secretary of State.

Adopted by the Senate Appropriations Committee

April 13, 2015, 2015

A handwritten signature in black ink, appearing to read 'Ricardo Lara', is written over a horizontal line. The signature is stylized and cursive.

Ricardo Lara, Chair