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# Assembly California Legislature



## ASSEMBLY COMMITTEE ON TRANSPORTATION

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### COMMITTEE RULES 2021-22 Legislative Session *Adopted March 22, 2021*

The Committee will operate under the Joint Rules of the California Legislature and the Standing Rules of the Assembly. The following Committee Rules are designed to further expedite the conduct of Committee business.

#### 1) Background Worksheet

- a. When a bill or resolution is referred to the Committee, Committee staff shall forward to the author a background worksheet to be completed within five (5) business days to aid in the preparation of the Committee analysis.
- b. The Committee Chair may reschedule the bill hearing if the background worksheet is not received at least 5 business days before the hearing, and the "set" will count against the author's limit of three sets allowed a bill in Joint Rule 62(a).

#### 2) Setting of Bills

- a. Bills may be set for hearing on a date chosen at the discretion of the Chair.
- b. Notice of a hearing on a bill by the Committee shall be published in the Assembly Daily File at least four days prior to the hearing, unless such notice is waived by a majority vote of the Assembly. A bill being heard by a second policy committee must be published in the File for two calendar days.
- c. Pursuant to Joint Rule 62 (a) and (b), a bill may be set (i.e. notice of the hearing published in the Assembly Daily File) for a hearing in the Committee a maximum of three (3) times. A bill set for hearing that is either not heard at the request of the author or is not heard in order to permit the preparation of amendments shall count against the three sets allowed. If a hearing as published in the File specifically indicates "testimony only," such hearing shall not be counted against the three sets allowed.

- d. If a bill has been set for hearing and the author or the Committee decides not to take the bill up at that time, members of the public who have come to testify may be permitted, at the Chair's discretion, to testify on the bill.

### 3) Amending Bills

- a. Author's amendments in Legislative Counsel form (signed original plus two (2) copies or electronic secured PDF form), along with the "in context" version of the bill, an updated background worksheet, and background material, shall be submitted to the Committee no later than 12:00 p.m. on the Friday six business days prior to the Monday hearing that the bill has been set for.
- b. For a non-substantive bill pending referral which the author anticipates will be referred to this Committee, the author must provide the Committee with author's amendments when they are provided to the Rules Committee. Failure to do so may result in a bill not being set for hearing.

### 4) Letters of Support and Opposition

- a. Support and opposition letters not received by 12:00 p.m. on the Monday five (5) business days prior to the Monday hearing that the bill has been set for are not assured of being reflected in the Committee's analysis.
- b. Position letters must be signed, on organization letterhead where possible, and include the name and mailing address for the organization or individual expressing the position.
- c. The Committee strongly encourages the submission of letters electronically via the Committee's website.
- d. Position letters must reference the most current version of the bill being heard before the Committee. Individuals and organizations wishing to withdraw or update a previous position letter must communicate that information to the Committee in writing at least five (5) business days prior to the hearing.

### 5) Committee Analyses

- a. Pursuant to Assembly Rule 56.5, a Committee staff analysis of each bill set for hearing will be made available to the public at least one business day prior to the hearing. In the case of special hearings, the analyses need not be made available one business 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 on the bill.
- 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.

## 6) Meeting and Quorum

- a. A majority of the committee shall constitute a quorum. For example, 8 members of a 15 member committee being present would constitute a quorum. A quorum is necessary to take action or adopt amendments. If a quorum is not present, the Chair may start the hearing as a subcommittee, subject to both Assembly and Joint Rules. The subcommittee may receive testimony and may recommend action on an issue to the majority of the committee.
- b. In the absence of the Chair, or when the Chair is presenting a bill, the Vice Chair shall preside. In the absence of both, the Chair and the Vice Chair, another member designated by the Chair shall preside. Any member leaving the Committee for any reason shall advise the Chair where the member can be reached.

## 7) Order of Agenda and Presentation of Bills

- a. Bills set for hearing shall be heard in sign-in order, except as otherwise determined by the Chair. Bills authored by committee members shall be heard last, unless there are no other authors present.
- b. If a bill is to be presented by someone other than the author, it will be taken up after all authors (include those temporarily “passed over” and Committee members) have been accommodated, unless the Chair determines that another order is more expedient.
- c. Anyone other than the author, or another member of the Committee, who is to present the bill must provide the Committee with an authorizing letter signed by the author. A lobbyist, sponsor, or supporter shall not present a bill before the committee under any circumstances.

## 8) Consent Calendar

- a. A proposed consent calendar will be sent to committee members and authors and released to the public with the regular package of bill analyses.
- b. Any committee member may remove a bill from the consent calendar prior to the consent calendar being taken up. The committee's staff will notify the bill's author.
- c. A proposed consent calendar shall only include bills that are uncontested and have been approved by the authors to be placed on the consent calendar.

## 9) Testimony at Hearings

- a. The Chair may limit:
  - Duplicative testimony on a bill;
  - The number of witnesses appearing in support or in opposition to a bill; and/or,
  - The time allotted to authors and witnesses testifying in support or in opposition to a bill. Equal time shall be given to support and opposition.

#### 10) Voting

- a. A majority vote of the Committee membership is required to pass a bill. A majority of those present and voting is required to adopt amendments.
- b. On motions not requiring a roll call, a roll call may be taken by order of the Chair. Only committee members may request a roll call vote. A request for a roll call vote must be made before the Chair calls the vote.
- c. A recorded roll call shall be taken on all of the following actions of the Committee:
  - Final action on a bill, constitutional amendment, or resolution.
  - Motions (opposed by the author) to amend a bill, constitutional amendment, or resolution in Committee.
  - Motions to reconsider Committee actions.
  - Recommendations to the Assembly floor relating to Executive Reorganization Plans.
- d. A roll call vote on a previous bill may be substituted by unanimous consent, provided that the members whose votes are substituted are present at the time of substitution.
- e. Prior to announcement of the vote, upon the request of the author or any member of the Committee, the Chair may announce that the bill will be placed on call for a period of time not exceed the adjournment of the Committee meeting. The Chair shall announce the time or times when the roll shall be opened for a vote on any bill which is on call. When a bill is on-call, a member may vote on the bill only when the call is lifted. At the time that a call on a bill is being lifted, any member of the Committee who has previously voted on the measure may change her or his vote. However a member may not add their vote to any bill after the Committee has been officially adjourned. The vote shall be announced upon conclusion of a roll call vote, absent an approved motion or author's request to place a bill on call. (Assembly Rule 58.5, Joint Rules 62(c)(d) and 64.)

- f. Once the roll is closed and the final vote on a motion is announced, any member of the Committee may change or add their vote to the roll prior to adjournment of the hearing, unless the change or addition would affect the outcome of the motion. (Assembly Rule 55, Assembly Rule 106.)
- g. In all other respects, Committee voting will be governed by the provisions of Rule 58.5 of the Standing Rules of the Assembly.

#### 11)Reconsideration

- a. Reconsideration of a bill, pursuant to Joint Rule 62(a), may be granted only once.
- b. A reconsideration vote cannot be taken without the same notice required to set a bill, unless it is taken at the same meeting at which the bill failed passage and the author is present. If reconsideration is granted, the Committee may vote on the bill immediately if the author is present, or may postpone the vote until the next regular hearing.
- c. Authors seeking reconsideration after the hearing at which the bill failed passage shall notify the Committee Secretary in writing in sufficient time for the required notice to be published in the file and for the Committee to take action within fifteen (15) legislative days or prior to the interim study joint recess, whichever occurs first. 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.

#### 12)Subcommittees

- a. The Speaker may, pursuant to the Assembly rules, create subcommittees for the in-depth study of a particular bill or subject matter. Bills may be assigned to the subcommittees as deemed proper by the Chair. A subcommittee shall hear a bill assigned pursuant to this provision within a reasonable amount of time in order to allow the full committee sufficient time to hear the bill. A subcommittee shall report the bill to the full committee with either a recommendation of "do pass" or "hold in committee." A subcommittee shall not have the authority to hold a bill in subcommittee.
- b. Subcommittees will operate under the same rules as the full Committee. (Assembly Rule 58.5)

#### 13)Executive Reorganization Plans

- a. Governor's Reorganization Plans referred to the Committee pursuant to Section 12080 of the Government Code shall be considered in the same manner as a bill.

- 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.
- c. Possible Committee actions with respect to a reorganization plan include the following:
  - Recommend that the Assembly take no action, thus permitting the plan to take effect;
  - Recommend that the Assembly adopt a resolution disapproving of the plan and preventing it from taking effect; or
  - Make no recommendation.

#### 14) Oversight Report Recommendations

Whenever reports submitted by the Legislative Analyst or the State Auditor are referred to the Committee, any legislative recommendations contained therein may be placed on the Committee's agenda for appropriate action.

#### 15) Review of Administrative Regulations

- a. Committee staff may review all proposed administrative rules and regulations contained in the Notice Supplement of the California Administrative Register which pertain to agencies and programs within the scope of the Committee's jurisdiction. (Joint Rule 37.7)
- b. The staff may review each administrative rule or regulation for conformity with the enabling statute and with legislative intent. Rules or regulations that do not appear to be based on statutory authority or that do not appear to be consistent with legislative intent may be placed on the Committee's agenda for appropriate action. (Joint Rule 37.7)