

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Laura Friedman, Chair

Legislative Office Building, Room 164

(916) 319-2092

COMMITTEE RULES

2019-20 Legislative Session

The committee will operate under the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly. The following committee procedures and guidelines are designed to further expedite the conduct of committee business.

1. MEETING AND QUORUM

- a) Quorum: A majority (6 members) of the committee (11 members) shall constitute a quorum.
- b) Commencement of Hearing: The Chairperson shall promptly call all meetings to order at the time and place designated in the Assembly Daily File. If a quorum is not present, the Chairperson may commence the hearing as a subcommittee subject to both Assembly and Joint Rules, may receive testimony, and may recommend action on an issue to the majority of the committee.
- c) Presiding: In the absence of the Chair, or at the delegation of the Chair, or during consideration of a bill of which the Chair is the author (other than a committee bill), the Vice Chair shall preside. In the absence of both the Chair and Vice Chair, another member designated by the Chair shall preside.

2. SETTING OF BILLS

- a) Initial Referral to Committee: Bills referred to the committee may be set for hearing by the Chair at a time most convenient for the committee. To the extent practicable, bills may be set for hearing on the same day as other bills that relate to the same subject matter.
- b) Worksheet: When a bill is referred to the committee, the Committee Secretary shall forward to the author a worksheet to be returned within 5 working days, to aid in the preparation of a committee analysis. The Chair may withhold the setting of a bill for hearing until the worksheet is completed and returned to the committee. The worksheet shall require specific facts or examples to demonstrate the need for the bill and other background information, as specified by the Chair.
- c) Notice: Notice of a hearing on a bill by the committee shall be published in the Assembly Daily File at least four calendar 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 file noticed for two calendar days.

- d) Three sets: A bill may be set for hearing in the committee only three times. A bill is "set" for the purposes of this subsection whenever notice of the hearing has been published in the file for one or more days. 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.

3. AUTHOR'S AMENDMENTS

- a) An author may, subject to the Joint Rules, amend a bill at any time prior to the hearing provided that all amendments are in Legislative Counsel form and are submitted to the Committee Secretary no later than seven calendar days prior to the committee hearing at which the bill has been set. Amendments must be hand-delivered to the Committee Secretary, at the committee office by noon on the Monday prior to the following Monday's hearing.
- b) The Committee Chair in conjunction with Legislative Counsel shall have discretion to suspend committee Rule 3(a) upon a showing of good cause. The Committee Chair shall determine whether or not an amendment is "substantive" within the meaning of subsection (a).

4. COMMITTEE ANALYSES

- a) Committee staff analyses of bills scheduled for hearing shall be made available to the public at least one working day prior to the day of the committee hearing. In the case of special hearings, the analyses need not be made available one working 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.

5. ORDER OF AGENDA

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 in the room, or except as otherwise determined by the Chair.

6. CONSENT CALENDAR

- a) A proposed consent calendar will be sent to committee members, authors and the public with the regular package of bill analyses.
- b) Any committee members may withdraw any bill from the proposed consent calendar at any time. Committee members may notify the committee's staff before the hearing or withdraw a bill at the hearing. The committee's staff will notify the bill's author.

- c) A bill is eligible for the committee's consent calendar only if it:
 - 1) Has no recorded opposition; and
 - 2) Does not pose a major policy question.
- d) Nothing shall preclude the committee from passing a bill with a recommendation that it be placed on the consent calendar of a subsequent policy or fiscal committee or the Assembly floor.

7. TESTIMONY AT HEARINGS

- a) The Chair may limit duplicative testimony on a bill, may limit the number of witnesses appearing on behalf of or in support or opposition to a bill, and may limit the time allotted authors and witnesses testifying on behalf of or in support or opposition to a bill.
- b) In special circumstances, if the author is unable to present a bill, a member of the Legislature or a member of the author's staff may, under a prior arrangement with the Chair, and upon submission of written authorization by the author, present the bill for that author. A lobbyist, sponsor, or supporter shall not present a bill before the committee under any circumstances.

8. VOTING

- a) Bill in print: Subject to 8(b) below, a vote on passage of any bill shall be made only when the bill, in the form being considered by the committee, is in print.
- b) Amended Bills not in Print: A vote on passage of an amended bill, when the amended form of the bill is not in print, shall be taken only if the committee determines that the amendment can be readily understood by all of the members present at the hearing. Any member may require that such an amendment be in writing at the time of its adoption.
- c) Majority Vote: A majority of the committee membership is required to pass a bill from the committee. With the presence of a quorum, a majority of those voting is sufficient to recommend the adoption of committee amendments.
- d) Actions: A recorded roll call vote shall be taken on all of the following actions of the committee:
 - 1) An action which constitutes the committee's final action on a bill, Constitutional Amendment, or resolution.
 - 2) Committee amendments taken up in committee, whether adopted or not.
 - 3) Motions to reconsider committee actions.
 - 4) Recommendations to the Assembly Floor relating to Executive Reorganization Plans.

- e) Substitution of Prior Roll Call: 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.
- f) Call of the Committee:
 - 1) The Chair may, at any time, order a "call of the committee."
 - 2) At the request of the author or at the request of any member of the committee, the Chair shall order a call.
 - 3) When a bill is on call, a member may vote on the bill only when the call is lifted. However, when a bill has already received a majority vote of the committee membership, or has failed passage, a member shall be allowed to add their vote to the roll, provided that their vote will not affect the passage or failure of the bill.
- g) In all other respects, committee voting will be governed by the provisions of Assembly Rule 58.5 and Joint Rule 62.

9. RECONSIDERATION

- a) After a bill has been voted upon, reconsideration may be granted only once. A vote on a motion to reconsider shall be made within 15 legislative days of the defeat of the bill or prior to the interim study joint recess, whichever comes first.
- b) If reconsideration is granted, the committee may vote on the bill immediately or may postpone the vote until the next regular hearing. If the motion for reconsideration fails, the bill shall be returned to the Chief Clerk.
- c) An author seeking reconsideration of a bill that has failed passage shall notify the Committee Secretary within sufficient time to meet the requirements of Assembly Rule 57.1. A bill which has been approved for reconsideration by the committee may only be reconsidered while the author is present and prior to the adjournment of the committee hearing on that day.

10. SUBCOMMITTEES

- a) The Chair may, subject to the approval of the Speaker, create subcommittees for the in-depth study of particular subject matter or bills. 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 shall operate under the same rules as the full committee.

11. EXECUTIVE REORGANIZATION PLANS

- a) Pursuant to Section 12080.2 of the Government Code, 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.
- b) Pursuant to Section 12080.2 of the Government Code, after consideration, and at least 10 days prior to the end of the 60-day period specified 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) Pursuant to Section 12080.2 of the Government Code and Assembly Rule 55, 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.

12. REVIEW OF ADMINISTRATIVE REGULATIONS

- a) The committee staff may review all proposed administrative rules and regulations which are contained in the Notice Supplement of the California Administrative Register and which pertain to agencies and programs within the scope of the committee's jurisdiction.
- b) The committee staff may review each administrative rule or regulation for conformity with the enabling statutes and with legislative intent. 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.