

**Vice-Chair**  
Bigelow, Franklin E.

# California State Assembly

## GOVERNMENTAL ORGANIZATION



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### **ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION COMMITTEE RULES 2021-2022 Adopted April 8, 2021**

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#### **SETTING OF BILLS**

- 1) Bills referred to the Committee may be set at the discretion of the Chair, at a time and place consistent with the Committee schedule established by the Speaker or as soon as practicable, at a time most convenient to the Committee. To the extent possible, bills of a like subject matter may be grouped and set on the same hearing date. [**Assembly Rules 56 and 58**]
- 2) A notice of hearing on a bill set by the Committee will be published in the Assembly Daily File (File) for at least four days prior to the hearing, unless such notice is waived by a majority vote of the Assembly. If the bill has previously been heard in another policy Committee, the notice of hearing will be published in the File for at least two days prior to the hearing. [**Joint Rule 62(a)**]
- 3) A bill may be set for hearing in Committee only three times. A "set" occurs when a notice for hearing has been published in the File for one or more days.
  - a) Author's set: If a bill is not heard at the request of the author at the hearing for which it was set, or is not heard to permit the preparation of amendments, or is not heard due to non-compliance with any other Committee rules, the set shall be deemed an author's set. If the hearing notice in the File indicates that "testimony only" will be taken for a particular bill, that hearing will not count as one of the bill's sets. [**Joint Rule 62(a)**]
  - b) Committee set: If a bill is set for hearing and the Committee, on its own initiative, postpones the hearing 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. [**Joint Rule 62(a)**]
- 4) If a bill has been set for hearing and the author or the Committee decides not to take the bill up at the scheduled time, members of the public who have come to testify on the bill may be permitted, at the Chair's discretion.

#### **BACKGROUND INFORMATION**

- 5) When a bill is referred, the Committee will forward a background worksheet (worksheet) to the author of the bill. A completed worksheet and supporting materials shall be returned to the Committee no later

than seven calendar days after the worksheet is provided to the author's office. Additionally, the author's office should forward letters of support and opposition to the Committee in a timely manner. Letters received after noon on the Thursday prior to the Committee's regularly scheduled Wednesday hearing (six days prior) are not assured of being listed in the analysis. The author's staff is responsible for furnishing a copy of the completed worksheet to the Minority consultant.

- 6) The Chair may remove a bill set for hearing until the completed worksheet is returned to the Committee. Furthermore, the Chair may refuse to hear a bill if the author fails to promptly return a completed worksheet for the bill. Such a set shall be deemed an author's set.

### **AMENDMENTS TO LEGISLATION**

- 7) Subject to the Joint Rules, an author may amend a bill prior to the bill's hearing, provided however, that substantive author's amendments in Legislative Counsel form shall be submitted to the Committee Secretary no later than 3:00 p.m., five legislative days prior to the Committee hearing at which the bill has been set. As used in these rules, a "legislative day" is any day on which an Assembly Daily File has been published.
- 8) All author's amendments must be submitted to the Committee in Legislative Counsel form. The Committee requires the original signed amendments, plus four copies, for a total of five copies, along with the "in context" version of the bill, an updated worksheet, and background material, to be hand-delivered to the Committee.
- 9) If an author offers substantive amendments to their bill later than 3:00 p.m. five legislative days prior to the Committee hearing at which it is set, the bill shall not be heard, unless consented to by the Chair, and may be deemed an author's set.
- 10) The Chair shall have sole discretion in ruling on whether or not an amendment is "substantive" within the meaning of this section.
- 11) For non-substantive bills 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.
- 12) A bill may not be amended to add an urgency clause in the Committee unless the author of the amendment has secured prior approval of the Assembly Rules Committee. Adoption of urgency clause amendments requires a vote by the committee and cannot be done through "author's amendments" prior to the committee hearing.

### **COMMITTEE AMENDMENTS**

- 13) Governmental Organization staff is responsible for preparing amendments adopted in committee. The Committee staff shall confer with the Vice Chair's staff on the amendments. The ultimate responsibility for drafting the amendments, however, rests with the Committee staff.

### **COMMITTEE ANALYSES**

- 14) Committee analyses of bills scheduled for hearing will 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 will be made available to the public at the time of the hearing and prior to any testimony being taken on the bill. [Assembly Rule 56.5]

- 15) A copy of Committee analyses will be sent to the bills' authors and to members of the Committee prior to their general distribution to the public.
- 16) *All letters of support or opposition received by the Committee later than six calendar days at noon prior to the hearing are not assured of being reflected in the Committee analyses.*
- 17) 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.
- 18) 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 six business days prior to the hearing. Letters in the possession of the Committee which are not addressed to the Committee, or which reference a prior version of a bill and have not been otherwise withdrawn, may be included at the discretion of the Committee if it deems the letters to have continuing relevance.

### **COMMITTEE MEETINGS AND QUORUM**

- 19) A majority of the Committee membership shall constitute a quorum. Lacking a quorum, the Committee may – at the Chair's discretion – act as a subcommittee (for purposes of taking testimony and recommending action to the full Committee) until a quorum is present. [**Assembly Rule 57**]
- 20) Whenever a Committee member is disqualified from taking any action on a bill, the member(s) shall advise the Chair of the disqualification, and the Chair shall announce the member(s) so disqualified at the beginning of the hearing. In that event, a quorum shall continue to consist of a majority of the full membership of the Committee. [**Assembly Rule 57**]

### **ORDER OF AGENDA**

- 21) Bills set for hearing shall be heard in the order in which the author's name is entered on a sign-up sheet maintained by the Sergeant-at-Arms. Bills authored by members of the Committee will be heard after all non-committee authors' bills have been heard; however, if no non-committee authors are present at any time during the hearing, bills authored by Committee members may be heard. No person, other than a member of the Legislature, shall present a bill before the Committee without submitting a signed letter of authorization from the author of the bill and subject to approval of the Chair.

When it is necessary, due to the number or complexity of the bills on the agenda at a hearing, to limit testimony on one or more of the bills in order to ensure that all of the bills on the agenda have a fair and reasonable opportunity to be presented by the author and heard by the Committee. The Chair, at their discretion, may: 1) limit duplicative testimony; 2) limit the number of witnesses appearing in support or opposition to a bill; or 3) limit the time allotted to the presentation of testimony on a bill provided that both support and opposition receive equitable time for their presentation.

- 22) The Committee may prepare a consent calendar prior to the hearing for bills of a noncontroversial nature and without any opposition recorded with the Committee. The Chair may take up the consent calendar at any convenient opportunity and author(s) need not be present. Proposed consent bills removed from the consent calendar upon request will then be heard in the order specified under Rule 14 - Order of Agenda. [**Assembly Rule 56.7 and Joint Rule 22.1**]

### **VOTING**

- 23) A vote on a bill may be taken after the author and support/opposition witnesses have been granted the

opportunity to be heard and a motion has been made and seconded by the Committee members.

- 24) A vote on passage of an amended bill, when the amended form of the bill is not in print, may be taken only if the Committee determines that the amendment can be readily understood by all of the members and the audience present at the hearing. Any member may require that such amendments be in writing (Legislative Counsel's Form) at the time of their adoption. [**Assembly Rule 68.5**]
- 25) A majority of the full Committee membership is required to pass a bill from the Committee. A majority of those present and voting is sufficient to recommend adoption of Committee amendments. [**Assembly Rule 57**]
- 26) A recorded roll call vote must be taken on all of the following actions of the Committee or Subcommittee:
  - a) An action that constitutes the Committee's final action on a bill, constitutional amendment or resolution.
  - b) On Committee amendments taken up in Committee, whether adopted or not.
  - c) On motions to reconsider Committee actions, including substitute motions proposing to amend an earlier motion.
  - d) To grant reconsideration of a bill.
  - e) On recommendations to the Assembly Floor relating to Executive Reorganization Plans. [**Assembly Rule 58.5 and Joint Rule 62(c)**]
- 27) A roll call vote on a bill taken up previously may be substituted by unanimous consent, provided the members whose votes are substituted are present at the time of substitution.
- 28) At the request of the author of a bill or a Committee member, prior to adjournment, the Chair may announce that the roll will be held open for a period of time permitting absent Committee members to vote. Upon a motion to adjourn, all calls must be lifted and the votes announced. [**Assembly Rule 58.5 and Joint Rule 62(d)**]
- 29) The Chair may order a call of the Committee at any time. At the request of the author or of any Committee member, the Chair must order a call of the Committee. [**Assembly Rule 58.5 and Joint Rule 62(d)**]
- 30) If the bill has the necessary votes for passage, the Chair shall publicly announce the vote, unless the measure is placed on call. In the absence of an objection, any Member wishing to add their vote to a previously announced roll call or to change their vote may do so prior to adjournment of the hearing, as long as the outcome of the vote is not thereby changed.
- 31) The Chair may request, as a condition for passage of a bill from the Committee, a commitment by the author to return the bill to the Committee if it is amended after it leaves the Committee.
- 32) A recorded roll call vote is not required on the following actions by the Committee:
  - a) A motion to hold a bill "under submission" or "hold in Committee" or other procedural motion, which does not have the effect of finally disposing of the bill.
  - b) Author's amendments.

- c) An author's request to withdraw a bill from the Committee's calendar.
- d) The return of a bill to the House when the bill has not been voted upon by the Committee.  
[Assembly Rule 58.5 and Joint Rule 62(c)]

### **RECONSIDERATION**

- 33) After a bill has been voted upon, reconsideration may be granted only once. A majority of the full Committee membership is required to grant reconsideration. Reconsideration may be granted within 15 legislative days of the Committee's vote on a bill or prior to the interim study joint recess, whichever occurs first. A vote on reconsideration cannot be taken without the same notice required to set a bill unless such vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present.
- 34) Authors seeking reconsideration shall notify the Committee Secretary of the intention to seek reconsideration in order that the required four-day file notice may be published in the Daily File.
- 35) If reconsideration is granted, the Committee may vote on the bill immediately or may postpone the vote until the next regular hearing. In the case of a defeated bill, 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.
- 36) Unless specifically authorized by the Chairperson, no additional testimony shall be permitted on a bill that has been granted reconsideration. However, if a bill is granted reconsideration AND amended, it is new question that can have testimony.

### **COMMITTEE BILLS**

- 37) The Committee may introduce a bill germane to any subject within the proper jurisdiction of the Committee in the same manner as any member. A Committee bill shall contain the signatures of a majority of all the members of the Committee, including the Chair. [Assembly Rule 47]
- 38) If all the members of the Committee sign a bill, at the option of the Chair, the Committee members' names need not appear as authors in the heading of the printed bill. [Assembly Rule 47]

### **PILOT PROJECTS**

- 39) Any bill that proposes the creation of a pilot project should contain the following specific requirements:
  - a) A statement of purpose of the proposed pilot project that specifically states the goals or objectives, and the length of time of the project.
  - b) Precise cost projections and methods by which savings, if any, may be calculated.
  - c) A definitive mechanism by which the value and success, if any, of the project may be quantified. This mechanism shall include specific numerical objectives that must be met or exceeded, if a project is to be judged successful, and a suggested time line.

### **SUBCOMMITTEES**

- 37) The Chair may recommend to the Speaker the creation of 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.
- 38) Subcommittees will operate under the same rules as the full Committee. Subcommittees shall consider assigned bills, receive testimony, recommend amendments as needed, and recommend timely action to the full Committee.
- 39) A subcommittee may take one of the following actions in regard to its assigned bills:
  - (a) Recommend to the full Committee that the bill be passed.
  - (b) Recommend to the full Committee that the bill be passed as amended.
  - (c) Refer the bill to the full Committee without recommendation.
- 40) All subcommittee bills may be reviewed by the full Committee. The Chairperson of the full Committee may decline to accept additional oral testimony on a measure that has received a hearing before a subcommittee. All proposed actions recommended by subcommittees are subject to ratification and further consideration by the full committee.

#### **EXECUTIVE REORGANIZATION PLANS**

- 41) 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.
- 42) After consideration, and at least ten 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.
- 43) Pursuant to Government Code sections 12080 and 12080.2, possible Committee actions with respect to a reorganization plan include:
  - a) Recommend that the Assembly take no action, thus permitting the plan to take effect.
  - b) Recommend that the Assembly adopt a resolution disapproving of the plan and preventing it from taking effect.
  - c) Make no recommendation.

#### **REVIEW OF ADMINISTRATIVE REGULATIONS**

- 44) Subject to the direction of the Speaker, the Committee 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]**
- 45) The Committee 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. The Committee may also review actions or orders of an administrative agency, which would affect more than the internal operations of the agency. **[Joint Rule 37.7]**

## **OVERSIGHT**

46) The Committee may hold joint oversight hearings with one or more Assembly or Senate Committees on matters within the jurisdiction of the Committee. The Committee may conduct detailed investigations of the performance and effectiveness of state agencies and programs that come within the scope of the Committee's jurisdiction. Whenever reports submitted by the Legislative Analyst or Auditor General are referred to the Committee, any legislative recommendation contained therein may be placed on the Committee's agenda for review.

47) The Chair may request that the Speaker create oversight subcommittees to conduct detailed investigations of the performance and effectiveness of state agencies and programs that come within the scope of the Committee's jurisdiction. Such subcommittees shall make periodic reports to the full Committee on the progress of their oversight activities. **[Assembly Rule 11.5]**