

**ASSEMBLY EMERGENCY MANAGEMENT COMMITTEE  
COMMITTEE RULES  
2023-2024 Regular Session**

The Committee will operate under the Joint Rules and the Standing Rules of the Assembly.

Committee hearings are regularly scheduled at the time and place designated in the Assembly Daily File at the discretion of the Speaker. A majority of the membership of the Committee shall constitute a quorum.

**BACKGROUND/WORKSHEET:**

When a bill is referred to the Committee, the Committee Secretary shall promptly provide a background/worksheet to the author's staff, to be completed for the preparation of the committee analysis. The Chair may withhold setting the bill for hearing until the worksheet is completed and returned to the Committee. To allow adequate time for committee staff to analyze the bill, all committee worksheets shall be returned to the committee no later than seven (7) calendar days after delivery to the author's office. (A "working day" is defined as a day on which the Assembly file is published.) While electronic copies emailed to the consultant are appreciated, this requirement is not satisfied unless the background/worksheet is returned to the Committee Secretary. (Assembly Rule 6)

**SETTING BILLS**

1. 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 Assembly Rules Committee. Failure to do so may result in a bill not being set for hearing.
2. Initial Referral to Committee: A bill may not be set until it has been referred to the Committee. (Assembly Rule 56)
3. "30-day Print": A bill may not be heard or acted upon until it has been in print for 30 days. This requirement may be suspended concurrently with the suspension of Section 8(a) of Article IV of the Constitution (3/4ths vote). However, author's amendments may be submitted to the Committee within the 30-day period. (Joint Rule 55, Article IV Section 8 (a) of the Constitution)
4. Notice: A bill being heard in the Committee of the first reference in the Assembly must be noticed in the file for four (4) days prior to a hearing. This requirement can be waived by a majority vote of the House. The file notice requirement for other bills is two days prior to hearing. (Joint Rule 62(a))
5. Three-sets: A bill may be "set" for a hearing in Committee only three times. A bill is considered "set" when it appears in the file for one or more days. If the Committee postpones the hearing on the bill, such action does not count as a "set". If the file indicates "testimony only," the hearing does not count as a "set". This requirement may be suspended with the

approval of the Assembly Rules Committee and a two-thirds (2/3) vote of the House. (Joint Rule 62(a))

6. Setting of Bills by Subject Matter: Bills may be placed on the committee calendar at the discretion of the Chair. When more than one bill before the Committee deals with like subject matter, the Chair may schedule such bills on the basis of like subject matter groupings for a hearing. (Assembly Rule 56)

### **COMMITTEE ANALYSES:**

A committee analysis is required for every set bill. Analyses shall be available to the public no later than one working day prior to the hearing. (A "working day" is defined as a day on which the Assembly file is published.) In the case of special meetings, analyses shall be available to the public at least at the beginning of the hearing. (Assembly Rule 56.5)

### **ORDER OF AGENDA:**

1. Bills set for hearing shall be heard in the order of member "sign in."
2. Bills of the committee members shall be taken up after all other authors present have taken up their measures, with exceptions based on the Chair's discretion.
3. The consent calendar may be taken up as determined by the Chair.
4. When the Chair finds another order of business would be more expedient, measures may be taken up out of order or set as a special order of business.
5. If a bill is to be presented by someone other than the author, it will be taken up at the end of the grouping of like subject matter bills after all authors (including those temporarily "passed over" and committee members) have been accommodated, with exceptions based on the Chair's discretion. Anyone other than the author who is to present the bill must have an "authorization" letter from the author, and must be another member or a member of the author's staff.

### **COMMITTEE CONSENT CALENDAR:**

1. The Chair may, prior to a hearing, propose to recommend bills for consideration on the consent calendar.
2. Any member of the Committee may request that a bill be removed from the consent calendar. Upon such request, the Chair shall remove the bill from the consent calendar and place the bill on the regular agenda.

### **AMENDING BILLS:**

1. Sending Amendments to Counsel: At the time that amendments are submitted to Legislative Counsel, the author shall notify the Committee that amendments are being requested and forward a copy of the amendment request to the Committee Secretary.
2. Amendments Back from Counsel: Author's amendments in "counsel form" shall be submitted to the committee at least seven (7) calendar days prior to the hearing to allow adequate time for the committee staff to analyze the bill again. When substantive amendments are submitted within seven (7) calendar days of a scheduled hearing which require the bill to be analyzed again, the bill shall be held over until the next hearing unless this requirement is waived by the Chair. The Chair shall determine whether an amendment is substantive.
3. Author's Amendment Offered in Committee: A member may offer author's amendments at the hearing. If the amendments are substantive, the Chair may put the bill over until the next hearing to allow adequate time for the committee staff to reanalyze the bill. The Chair shall determine whether an amendment is substantive. (Assembly Rule 68)
4. Urgency clauses: A bill may not be amended to add an urgency clause unless the author of the amendment has secured the approval of the Assembly Rules Committee. (Joint Rule 58)
5. Adoption of urgency clause amendments require a vote by the Committee and cannot be done through "author's amendments" prior to the committee hearing.
6. Germaneness: A substitute or amendment must relate to the same subject as the original bill, constitutional amendment, or resolution. (Joint Rule 9)

### **MEETINGS:**

1. Open Meetings: All committee hearings, except for an authorized closed session, shall be open and public, and all persons shall be allowed to attend the meetings. (Assembly Rule 11.3)
2. Time and Place: The Committee shall meet at its regularly scheduled time, unless otherwise permitted by the Speaker. (Assembly Rule 56)
3. A Committee may not act on a bill at a hearing held outside of the California State Capitol, Sacramento. (Joint Rule 60(a))
4. Special Meeting: A special meeting shall be held in an area "readily accessible to the public" and not in the Assembly Chamber during a floor session. (Assembly Rule 56)
5. 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 and discussed by the Committee, the Chair, in the Chair's 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.

6. If at a hearing commenced by the Chair, the Chair is absent or otherwise is presenting a bill to the committee, under the discretion of the Chair, the Vice-Chair or other member of the committee shall preside.

### **VOTING:**

1. Quorum: A majority of the entire committee membership constitutes a quorum. A quorum is necessary to take action or to adopt amendments. (Assembly Rule 57, Joint Rule 62(c))
2. If a committee member is disqualified from voting because of a conflict of interest, there shall be no change in the "quorum requirements" or the number of affirmative votes required to report a bill out of committee. (Assembly Rule 57)
3. Voting on Bills: Voting on bills shall be by roll call vote which shall show "for", "against", "members absent", and "members not voting". (Assembly Rule 58.5)
4. Voting on Amendments: A quorum is required to be present for there to be a vote on amendments. A roll call vote is required to adopt amendments in committee. Amendments are approved by a majority of those present and voting. (Assembly Rules 57 and 67)
5. Amended Bills in Print: When a bill is amended and the amended version is not in print, the Committee may act on the bill only if the Committee determines that the effect of the amendment can be readily understood by the Committee and audience. (Assembly Rule 68.5)
6. Substitution of Prior Roll Call: The Committee may, upon unanimous consent of the committee members present, substitute a prior roll call, provided that the committee members whose votes are substituted are present at the time of the substitution. (Joint Rule 62(c))
7. Call of the Committee: The Chair may, at any time, order a call of the Committee.
  - a. If requested by any member of the committee or the author of the bill under consideration, the Chair shall order a call. In the absence of a quorum, a majority of the members present may order a quorum call and compel the attendance of absentees.
  - b. A quorum call or call of the Committee may be dispensed with by the Chair without objection by any member of the Committee, or by a majority of the members present.
  - c. If a motion to adjourn is adopted while the Committee is under call, the call shall be dispensed with and any pending vote announced.(Joint Rule 62(d))
8. Vote Adds and Changes: Once the roll is closed and the final vote on a motion is announced, any member of the Committee may add or change their vote to the roll prior to adjournment of the hearing, unless the addition or change would affect the announced outcome of the motion. (Assembly Rule 58.5)
9. A Second to a Motion: A motion shall require a second.

### **RECONSIDERATION:**

1. Reconsideration may be granted only one time. (Joint Rule 62(a))
2. A motion to reconsider can be made only under the following circumstances:
  - a. At the same meeting at which the bill is defeated and author is present; or
  - b. Within 15 legislative days of the meeting at which the bill was defeated or prior to the interim study joint recess, whichever occurs first, in which case the same file notice is required as for setting a bill. (Joint Rule 62(a))
  - c. Authors seeking reconsideration under this subsection shall notify the Committee Secretary in writing in order for that notice of reconsideration may be published in the file.
3. Vote Required for Reconsideration: A majority vote of the Committee is required to grant reconsideration. A roll call is necessary. These requirements may be suspended with the approval of the Assembly Rules Committee and two-thirds (2/3) vote of the House. (Assembly Rule 57.1 and Joint 62(a) and 62(c))

### **CONSENT CALENDAR RECOMMENDATION:**

The Committee may recommend that an uncontested bill be placed on the consent calendar of the Assembly Floor or of a subsequent committee if:

1. The bill was approved by unanimous vote of the members present, provided a quorum is present;
2. No opposition was expressed by any person at the hearing with respect to the bill as finally approved by the committee, and;
3. The author, prior to final action by the committee, requested that the bill be placed on consent.

### **INTERIM STUDY RECOMMENDATION:**

The Committee may refer the subject matter of any bill not given a do pass recommendation to the Assembly Rules Committee for interim study. The Committee may, however, subsequently reconsider and act on the bill. (Assembly Rule 59)

### **LETTERS OF SUPPORT AND OPPOSITION:**

1. Letters of support and opposition must be received in the committee office 7 calendar days before the next hearing in order for the letters to be listed in the analysis.

2. Letters of support and opposition received after the above-mentioned deadline may be listed separate from the analysis and identified as "Late Support and Opposition." Every effort will be made to communicate late support and opposition to members of the committee.
3. Letters of support and opposition must be received on letterhead that includes name, mailing address and telephone number identifying the organization or individual expressing support or opposition.
4. Letters of support and opposition must be submitted through the Committee Portal. Each stakeholder must be individually listed to be recognized by the system and reflected in the analysis.

#### **SUBCOMMITTEES:**

1. 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. (Assembly Rules 12 and 55)
2. Subcommittees will operate under the same rules as the full Committee. (Assembly Rule 58.5)

#### **EXECUTIVE REORGANIZATION PLANS:**

Executive Reorganization Plans referred to the Committee pursuant to Government Code Sec. 12080 shall be considered in the same manner as a bill.

1. After consideration, and at least 10 days prior to the end of the 60-day period specified in Government Code Sec. 12080.5, 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.
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. (Government Code Sections 12080(c), 12080.2, and Assembly Rule 55)

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

1. Subject to the discretion of the Speaker, the Committee may review all proposed administrative rules and regulations contained in the Notice Supplement of the California Regulatory Notice Register, which pertain to agencies and programs within the scope of the Committee's jurisdiction. (Joint Rule 37.7)
2. 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 that would affect more than the internal operations of the agency. (Joint Rule 37.7 and Assembly Rule 55)

### **OVERSIGHT:**

1. The Committee may hold joint oversight hearings with one or more Assembly, Senate, or Joint Committees on matters within the jurisdiction of the Committee.
2. The Chair may recommend to the Speaker the creation of 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 Rules 11.5 and 55)

### **MISCELLANEOUS:**

1. The Chair shall not preside on a bill if the Chair is the sole author or lead author of the bill. (Assembly Rule 60)
2. A Committee may hear the subject matter of a bill during a recess provided a four-day file notice is given prior to the hearing. (Joint Rule 60(b))

### **PUBLIC RECORDS:**

Public Records: The Committee Secretary is the custodian of the Committee's legislative records. The Committee Secretary shall preserve the Committee's current legislative records and may store the Committee's past legislative records with the State Archives. The legislative records contained in an official Committee file that are in the possession of the Committee Secretary are open to inspection and reproduction by the public in the Committee office by appointment during normal working hours, subject to Assembly requirements. The records held in the State Archives are open to inspection and reproduction pursuant to the procedures established by the Secretary of State.

### **COMMITTEE BILLS:**

Requirements: The Committee may introduce a bill germane to any subject within the proper consideration of the Committee in the same manner as any member. A committee bill must contain the signature of a majority of the members of the Committee, including the Chair.

Naming of Authors: If all 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.

Consolidation: The Committee, at the discretion of the Chair, may consolidate related subject matter into a single legislative proposal whenever appropriate.

### **RULES:**

Amendment of the Rules: These rules may be suspended or changed, or additional rules adopted, by a majority vote of the Committee consistent with the Joint Rules and the Rules of the Assembly.

Mason's Manual: In all cases not provided for by these rules, the most recently adopted Assembly or Joint Rules, or by statute, the authority shall be the most recent edition of Mason's Manual.