

# Assembly Committee on Health

William W. Monning, Chair

## **2011 - 2012 COMMITTEE RULES**

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

Committee hearings are regularly scheduled on:  
Tuesdays of the Legislative Calendar  
Commencing at 1:30 p.m.  
Room 4202 of the State Capitol

### **WORKSHEET**

When a bill is referred to the committee, the committee secretary will immediately forward to the author a worksheet to be completed for the preparation of the committee analysis. The Chair may withhold setting the bill for hearing until four copies of the worksheet and supporting materials are submitted to the committee. The committee secretary will ensure that the worksheet and requested documents are provided to the Republican Caucus health consultant, the Appropriations Committee, the Speaker's Office of Member Services health consultant, and the Speaker's health consultant. The Chair may reschedule the bill hearing if the background worksheet is not received at least seven days before the hearing, and the "set" will count against the author's limit of three sets.

### **SETTING BILLS**

- (a) **Initial Referral to Committee**: No bill may be set until it has been referred to committee.
- (b) **30-day Print**: No bill may be heard or acted upon until, after its introduction, it has been in print for 30 days. This requirement may be suspended concurrently with the suspension of Section 8 of Article IV of the Constitution, or if this period has expired, this rule may be suspended by approval of the Rules Committee and a two-thirds vote of the house.
- (c) **Notice**: A bill being heard in the committee of first reference in the Assembly must be noticed in the file for four days prior to a hearing. This requirement can be waived by a majority vote of the House. A bill being heard by a second policy committee must be file noticed for two days. The committee may set a bill prior to notifying the author.
- (d) **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 Chair postpones the hearing on the bill, such action does not count as an author "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 Rules Committee and a two-thirds vote of the House.

- (e) Setting of Bills by Subject Matter: Bills will 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 those bills together in a special hearing at a time convenient for the committee.

### **COMMITTEE ANALYSES**

A committee analysis is required for every bill. Analyses will be provided to the Members of the Committee and to the Authors before they are made available to the public. Analyses will be available to the public at least 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 of the committee, analyses will be available to the public at the beginning of the hearing.

### **ORDER OF AGENDA**

- (a) Bills set for hearing will be heard in the numerical order set forth in the Assembly File notice.
- (b) Bills authored by committee Members will be taken up after all other present authors have taken up their measures.
- (c) The consent calendar may be taken up as determined by the Chair.
- (d) 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.
- (e) Only a Member of the Legislature or a member of the author's staff may present a bill for the author. An "authorization" letter from the author must be submitted to the committee to notify the Chair of the change.

### **COMMITTEE CONSENT CALENDAR**

- (a) The committee Chair may recommend bills for consideration on the consent calendar. A bill is eligible for the consent calendar if there is no written opposition and no prior "No" votes.
- (b) Any Member of the committee may request that a bill be removed from the consent calendar. Upon such request, the Chair will remove the bill from the consent calendar and place the bill on the regular calendar.
- (c) The consent calendar will be made available to the public prior to the date of the hearing.

### **AMENDING BILLS**

- (a) Amendments Back from Counsel: Author's amendments in Legislative Counsel form must be submitted to the committee no later than 5:00 p.m. seven calendar days preceding the hearing. If amendments are submitted after the deadline the Chair may reschedule the bill

hearing and the "set" will count against the author's limit of three sets.

- (b) Amendments Offered at Hearing: If an author proposes substantive amendments at the time of hearing, the Chair may reschedule the bill to allow adequate time for analysis of the amendments.
- (c) Committee Amendments: Amendments made to a bill during a hearing will be drafted by the Health committee consultants.
- (d) Urgency Clauses: A bill may not be amended to add an urgency clause in 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.

## **MEETINGS**

- (a) Open Meetings: All committee meetings, except for an authorized closed session, will be open and public, and all persons will be allowed to attend the meetings.
- (b) Time and Place: The committee will meet at its regularly scheduled time and location, unless otherwise permitted by the Assembly.
- (c) The committee may not act on a bill at a hearing held outside of Sacramento.
- (d) Special Meetings: A special meeting will be held in an area "readily accessible to the public" and not in the Assembly Chamber.
- (e) Witnesses: When appropriate, the Chair may limit individual witness testimony and limit the number of witnesses testifying in support and opposition to a bill.

## **VOTING**

- (a) Quorum: A majority of the entire committee constitutes a quorum. A quorum is necessary to take action on a bill or to report bills with amendments. If a Member is disqualified from voting because of a conflict of interest, there will be no change in the "quorum requirements" or the number of affirmative votes required to report a bill out of the committee.
- (b) Voting on Bills: Voting on bills will be by roll call vote, which will show "Ayes," "Noes," "Members absent", "Members not voting," and "Members abstaining."

A majority of the committee membership (quorum) is required to report a bill out of committee.

- (c) 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 will be approved by a majority of those present and voting.

- (d) 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 it is determined that the effect of the amendment can be readily understood by the committee and audience.
- (e) Substitution of Prior Roll Call: The committee may, upon unanimous consent of the Members present, substitute a prior roll call, provided that the Members whose votes are substituted are present at the time of the substitution.
- (f) Call of the Committee: The Chair may, at any time, order a call of the committee. In the absence of a quorum, a majority of the Members present may order a quorum call and compel the attendance of absentees.

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.

If a motion to adjourn is adopted while the committee is under call, the call will be dispensed with and any pending vote announced.

- (g) Keeping the Roll Open: The roll will be kept open at the request of an author or any Member of the committee until adjournment of the committee hearing. A Member, prior to adjournment, in the absence of any objection, may instruct the committee secretary to add or change his or her vote to any previously announced vote, so long as the outcome of the vote is not thereby changed. At the Chair's discretion, a Member of the Committee may be allowed to add or change his or her vote not later than 15 minutes after adjournment and only when the Chair is present or has designated a Member of the committee to remain in the committee room.

## **RECONSIDERATION**

- (a) Reconsideration may be granted only one time.
- (b) A motion to reconsider can be made only under the following circumstances:
  - (1) At the same meeting at which the bill is defeated; or,
  - (2) 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. A "legislative day" is any day a Daily File is printed, including check-in session days.

Authors seeking reconsideration under this subsection will notify the committee secretary in writing in order that notice of reconsideration may be published in the file.

- (c) 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 Rules Committee and a two-thirds vote of the House.

## **INTERIM STUDY RECOMMENDATION**

The committee may refer the subject matter of any bill not given a "do pass" recommendation by the Chair to the Rules Committee for interim study. The committee may, however, subsequently reconsider and act on the bill.

## **LETTERS OF SUPPORT AND OPPOSITION**

Support and opposition letters not received by 12:00 p.m. on the Wednesday prior to the hearing are not assured of being reflected in the committee analysis. Letters must be signed and on official letterhead if submitted on behalf of an organization or association. Faxed letters will be accepted pursuant to the requirements stated above. Electronic versions of the letters that meet these requirements may be accepted at the discretion of the committee.

## **BILLS RELATING TO MANDATED BENEFITS OR SERVICES**

Consistent with AB 1996 (Chapter 795, Statutes of 2002) and SB 1704 (Chapter 684, Statutes of 2006), the Chair will request that the University of California, through the California Health Benefits Review Program, review any bill proposing or repealing a health care service plan or health insurer mandated benefit or service. The committee may not hear a "mandate bill" until the University's assessment is received and has been reviewed by committee staff.

## **MISCELLANEOUS**

- (a) The Chair will not preside at a hearing on a bill if the Chair is the sole author or the lead author of the bill.
- (b) 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.