

MINUTES OF HOUSE RULES COMMITTEE - 48TH LEGISLATURE

March 14, 1983

Room 343

Chairman Vincent called the meeting to order on recess of the House at 4:40 p.m. All members were present.

The meeting was called by Speaker Kemmis to obtain the committee's advice on the following issue. When a bill is tabled in committee with amendments and a motion is made on the floor to bring it out of committee and placed on second reading, does the bill come out with amendments or are they automatically stripped?

Speaker Kemmis asked the committee members to back away from the situation at hand. (The issue is if Senate Bill 94 is brought out of committee by a motion and placed on second reading, are the amendments approved by the committee attached to the bill?) Kemmis said the only thing that matters is how to proceed. What he is concerned about is mechanics under which the House operates. The way amendments are attached to bills are through committee reports.

Ramirez said that in Judiciary Committee this date they made two motions: one to amend a bill and the second to table it. He feels that by not bringing amendments out on a tabled bill, then he thinks the Speaker is saying that the committee action is meaningless, which he disagrees with.

Kemmis said that committees have one mechanism to bring bills to the floor and that's with a committee report; therefore, he thinks the committee foregoes their actions by not having one.

Fabrega agrees that committee action should be taken into consideration. Any tabled action could be reported. There presently is not a readily identifiable document saying what action committee has taken, unless a bill comes out with a do pass or do not pass recommendation. You have to go through all the minutes to find this out.

Marks commented that many other actions are taken by committees besides amending, such as postponing consideration for another day.

Kemmis said that the reason why they have committee reports is so members know word for word what action has been taken by the committee. He referred to Section 679, subsection (2) of Mason's. If members don't have a full report, Kemmis thinks the House is left to guess what the committee has done and only to these reports do they respond.

Ramirez commented on example of a bill heard in committee today that was amended and retabled with the idea that, if it came out of committee, the amendments would be on it and the work done. He thinks the committee members' time is wasted if amendments are not attached.

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Kemmis commented that the work done is readily available in order to do work on the floor. He said that if they did something like Representative Fabrega suggested, having a report on tabled bills with amendments, then they would have a report. When there is a committee report, then there is something the Chairman reads and signs to validate what committee action was taken.

Ramirez suggested adopting a new rule to reflect that a report be required when a bill is tabled in committee.

Kemmis said the only way committees can propose amendments to a bill is if a report is made and presented to the full House. If amendments are adopted in committee of the whole, but the committee of the whole doesn't adopt the committee report, then he thinks the amendments are automatically stripped. In order to get amendments back, it is necessary to go to second reading and do over. To get from committee to whole House is through adoption of a report.

Vincent brought to attention of members that their purpose was strictly to advise Speaker in making a decision on this matter.

Marks said he thought the question should be put to the floor.

Harrington commented that he thought when a bill is taken from the table without a report, that it should be considered a new bill.

Yardley had no comment, as he didn't feel strongly either way on the matter.

Fabrega said he thinks bills would come out of committee without amendments since there is no report.

Shontz said that in the absence of a rule, he thinks they should stand by tradition, which has allowed bills to come out with amendments.

Fagg commented that as far as he could recall, bills came out of committee last session with amendments attached.

Fabrega made the point that with no report the printing department has no instructions to follow.

Addy said he thought bills should come out of committee with amendments stripped. The chance of error is greater without a report.

Vincent said he agreed with the Speaker and thinks the correct procedure is to bring bills out without amendments.

Meeting was adjourned at 5:15 p.m.

Joyce Andrus
JOYCE ANDRUS, SECRETARY

John Vincent
JOHN VINCENT, CHAIRMAN

RULES COMMITTEE # 6

HOUSE OF REPRESENTATIVES

48TH LEGISLATURE

ATTENDANCE

DATE: 3/14/83

	PRESENT	ABSENT	OTHER
VINCENT, Chairman	X		
KEMMIS, Vice-Chairman	X		
ADDY	X		
FABREGA	X		
FAGG	X		
HARRINGTON	X		
MARKS	X		
RAMIREZ	X		
SHONTZ	X		
YARDLEY	X		