

ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS COMMITTEE

Proposed Draft RULES AND PROCEDURES FOR 2025-2026 SESSION

I. WORKSHEET

Worksheet: When a bill is referred to the Committee, the Committee Secretary shall 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 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 five (5) business days after delivery to the author's office.

II. SETTING OF BILLS

2. (a) Initial Referral to Committee: No bill may be set until it has been referred to Committee.

2. (b) 30-Day Print: No bill may be heard or acted upon until it has been in print for 30 days.

2. (c) Notice: A bill being heard in the Committee of first reference in the Assembly must be noticed in the file for four (4) days prior to a hearing. The file requirement for other bills is two days prior to the hearing. The notice requirement can be waived by a majority vote of the Assembly. [Joint Rule 62 (a)]

2. (d) "Three sets": A bill may be "set" for a hearing in Committee only three times. A bill is "set" for the purpose 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. [Joint Rule 62 (a)]

2. (e) Setting of Bills by Subject Matter: Bills referred to Committee may be set for hearing by the Chair at a time most convenient to the

Committee consistent with the schedule of the Assembly Committee meetings. To the extent practicable, bills relating to the same subject matter may be set on the same day. [Assembly Rule 56]

III. COMMITTEE ANALYSES

3. (a) Committee analyses of bills set for hearing shall be made available to the public at least one day prior to the day of the Committee hearing. In the case of a special hearing, as defined in AR 56.5, the analyses need not be made available one 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.

3. (b) To be considered for inclusion in the analysis, letters of support or opposition must be submitted to the Committee at least eight (8) calendar days prior to the hearing.

3. (c) Letters submitted with an oppose unless amended position will be listed in the analysis under opposition. Letters submitted with a support if amended position will not be included in the analysis.

IV. AMENDING BILLS

4. (a) Requesting Amendments from Counsel: At the time amendments are requested from Legislative Counsel, the author's office shall provide a copy to the Committee.

4. (b) Amendments back from Counsel: Author's amendments in "counsel form" shall be submitted to the Committee, by noon, at least eight (8) calendar days prior to the hearing to allow adequate time for the Committee staff to reanalyze the bill.

Author's amendments shall be submitted as a signed original in electronic form.

4. (c) If an author offers substantive amendments to their bill later than eight (8) calendar days prior to the Committee hearing at which it is set, the bill shall not be heard, unless consented to by the Chair, and shall be deemed an author's set.

4. (d) 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 Rules Committee. Failure to do so may result in a bill not being set for hearing.

4. (e) Amendments Offered in Committee: An author may offer 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 staff to reanalyze the bill. The Committee Chair shall determine whether an amendment is substantive.

4. (f) Committee Amendments: Committee staff are responsible for preparing amendments adopted in Committee.

4. (g) 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 Rules Committee of the house in which the amendment is proposed.

4. (h) Germaneness: A substitute or amendment must relate to the same subject as the original bill.

V. MEETING AND QUORUM

5. (a) Pursuant to Assembly Rule 57, a majority of the Committee membership shall constitute a quorum.

5. (b) In the absence of a quorum, the Committee, operating as a subcommittee, may receive testimony and recommend action on a bill to the majority of the Committee.

5. (c) At the delegation of the Chair, or during consideration of a bill which the Chair is the author (other than a Committee bill), another member designated by the Chair shall preside.

5. (d) Whenever one or more Committee Members is disqualified from taking any action on a bill pursuant to the Joint Rules, a quorum shall remain the same and not reduce the votes required to take action on a bill. The Member shall advise the Chair of the disqualification at the beginning of the hearing, and the Chair shall announce which Members are so disqualified at the commencement of the hearing of the bill.

VI. ORDER OF AGENDA

6. (a) Bills set for hearing shall be heard in the order listed in the Daily File. Committee Members' bills will be heard after non-Committee Members' bills.

6. (b) When the Chair finds another order of business would be more expedient, measures may be taken up out of order or set as special order of business. The consent calendar may be taken up as determined by the Chair.

VII. CONSENT CALENDAR

7. (a) The Committee Chair may, prior to a hearing, recommend bills for consideration on the consent calendar.

7. (b) 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 calendar. The author's office of the bill removed from the consent calendar shall be notified that the bill will be heard on the regular calendar.

VIII. TESTIMONY AT HEARING

8. (a) The Chair may limit duplicative testimony on a bill, may limit the number of witnesses appearing on behalf of or in opposition to a bill, and may limit the time allotted to authors and witnesses testifying on behalf of or in opposition to a bill.

8. (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, with submission of written authorization, present the bill for the author. A lobbyist, sponsor, or supporter shall not present a bill before the Committee under any circumstances.

IX. VOTING

9. (a) A majority of the Committee membership is required to pass a bill from the Committee. A simple majority of those present and voting is sufficient to adopt committee amendments, provided that a quorum is present.

9. (b) A recorded roll call vote shall be taken on all of the following actions of the Committee:

1. On an action which constitutes the Committee's final action on a bill, constitutional amendment, or resolution.
2. On amendments taken up in Committee, whether adopted or not.
3. On motions to reconsider Committee actions.
4. On recommendations to the Assembly Floor relating to Executive Reorganization Plans.
5. On substitute motions which propose to amend an earlier motion.
6. On amendments which add an urgency clause.

9. (c) A roll call vote on a previous bill may be substituted by unanimous consent, provided the Members whose votes are substituted are present at the time of substitution.

9. (d) Prior to the announcement of the vote, upon request of the author or any member of the Committee, the Chair may announce that the bill subject to a vote will be placed on-call for a period of time not to exceed the adjournment of the Committee meeting. Absent extraordinary circumstances, a vote on a bill, which is on-call, shall not be permitted when testimony is being taken. If a motion to adjourn the Committee is adopted while the Committee is operating under a call, the call shall be dispensed with and any pending vote announced. The vote shall be announced upon conclusion of the roll call vote, absent a request to place a bill on-call.

9. (e) A recorded roll call vote is not required on the following actions by the Committee.

1. A motion to hold the bill "under submission" or "hold in committee" or other procedural motion which does not have the effect of finally disposing of the bill unless there is an objection.
2. Requests by the author to withdraw a bill from the Committee calendar.
3. The removal of a bill from the consent calendar.
4. The return of a bill to the House in cases where the bill has not been voted upon by the Committee.
5. Adoption of author's amendments to a bill.

9. (f) Amended Bills in Print: When a bill is amended and the amended version is not in print, the Committee may act on the bill if the Committee determines the effect of the amendment can be readily understood by the Committee and the audience.

9. (g) Any member having to leave the Committee shall advise the Chair where the Member can be reached. In all other respects, Committee voting will be by the provisions of the Standing Rules of the Assembly.

9. (h) A "Without Objection" Motion by the Chair: A second is not required where the Chair makes a motion that begins with the words "without objection". If any Member objects, the motion requires a second and must be voted on.

X. RECONSIDERATION

10. (a) 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.

10. (b) Authors seeking reconsideration shall notify the Committee Secretary in writing of the intention to seek reconsideration in order that the required file notice may be published in the File.

10. (c) 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.

10. (d) Unless specifically authorized by the Chair, no additional testimony shall be permitted on a bill which has been granted reconsideration.

XI. EXECUTIVE REORGANIZATION PLANS

11. (a) 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.

11. (b) After consideration, and at least 10 days prior to the end of the 60-day period defined 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.

11. (c) 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.

XII. REVIEW OF ADMINISTRATIVE REGULATIONS

12. (a) The Chair may direct the staff to review any proposed administrative rules and regulations which are contained in the California Regulatory Notice Register and which pertain to agencies and programs within the scope of the Committee's jurisdiction.

12. (b) The staff shall review each such rule of regulations for conformity with the enabling statute and with legislative intent.

12. (c) 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, including the request of a priority review by the Office of Administrative Laws pursuant to the Government Code Section 11340.5

XIII. OVERSIGHT

13. Whenever reports submitted by the Legislative Analyst or the Bureau of State Audits are referred to the committee, any legislative recommendations contained therein may be placed on the committee's agenda for appropriate action.

XIV. COMMITTEE BILLS

14. (a) The Committee may introduce a total of five bills each year of a biennial session that are germane to any subject within the proper consideration of the Committee. A Committee bill must contain the signature of a majority of all the members of the Committee, including the Chair.

14. (b) If all members of the Committee sign a bill, at the option of the Committee Chair, the Committee members' names need not appear as authors in the heading of the printed bill.

14. (c) The Committee, at the discretion of the Chair, may seek to consolidate related subject matter into a single legislative proposal whenever appropriate.