

SENATE COMMITTEE ON LABOR, PUBLIC EMPLOYMENT & RETIREMENT
SENATOR DAVID CORTESE, CHAIRMAN
COMMITTEE RULES
2023-2024 LEGISLATIVE SESSION

OFFICERS

1. The officers of the committee shall be a chair, vice-chair, and assistant. SR 21.5(a)
2. The chair shall preside at meetings when present except when the committee is considering a bill of which he/she is the sole author or the lead author. Whenever the chair is not presiding, the vice-chair shall assume the duties of the chair. In the absence of both, the chair shall designate another committee member to preside. SR21.5(b)
3. The assistant shall keep a complete record of the meetings and actions by the committee. Bills and other measures favorably acted upon shall be reported to the Senate as expeditiously as the reports can be prepared. SR21.5(c)
4. The assistant shall be the custodian of the committee's legislative records. Pursuant to Section 9080 of the Government Code, the assistant shall preserve the committee's current legislative records and may lodge the committee's older legislative records with the State Archives. The committee's legislative records that are in possession of the assistant are open to inspection and copying by the public in the committee office, during the normal office hours of 9:00a.m. to 5:00p.m., Monday through Friday. The committee's legislative records that are lodged with the State Archives shall be open to inspection and copying by the public, subject to the procedures established by the Secretary of State. SR21.5(c)

MEETINGS

1. The committee shall meet in regular session every second and fourth Wednesday beginning at 9:30 a.m. Adjourned meetings or special meetings shall be held at the time fixed in the adjournment motion or on the call of the chair for a special meeting. SR21.5(d)
2. Special meetings may be called by the chair, with the approval of the Rules Committee, by giving reasonable notice to all members of the committee either in writing or by telephone, specifying the purpose of the meeting, the time and place thereof, and the matters to be considered at such special meeting. Notice of hearing of bills as provided by Joint Rule 62 (a) shall also be given in the Senate Daily File. No matter shall be considered at such special meeting other than that specified in the notice. Such special meetings shall be scheduled so as to permit a full attendance of the members without conflict with other scheduled committee meetings. SR21.5(e)

This rule may not be suspended by the committee.

CALENDAR

1. The chair shall set the hearings of bills and arrange the calendar for committee hearings. Notice of hearing of bills shall be given to the author and such other persons requiring notice. SR21.5(h)
2. The chair shall direct the order of presentation of the arguments for and against matters under consideration by the committee and shall permit questions to be asked by the various members of the committee in an orderly fashion and in keeping with proper decorum. SR21.5(j)

QUORUM

1. A majority of the membership of the committee shall constitute a quorum. The votes of a majority of the membership of the committee shall be required to report a bill out of committee, to table a bill, to remove a bill from the table, and to reconsider a vote on a bill. SR21.5(f)
2. No action shall be taken on any measure outside of a duly constituted committee meeting. SR21.5(g)

CONSENT CALENDAR

The following rules govern the placement of bills on the committee's consent calendar:
JR 22.1

- (a) The proposed consent calendar shall be sent to committee members, authors, and the public with the committee's regular packet of bill analyses.
- (b) Any committee member may withdraw any bill from the consent calendar at any time prior to the vote on the consent calendar. Members may notify the assistant before the hearing or withdraw a bill at the hearing. The assistant shall notify the bill's author.
- (c) A bill is eligible for the committee's consent calendar if it:
 - (1) Has no recorded opposition and has received no "no" votes;
 - (2) Does not pose a major policy question; and
 - (3) Will not be amended substantively at the hearing.
- (d) At the chair's direction, the committee shall vote on the Consent Calendar during the hearing.

AMENDMENTS

1. Upon request of the author of a bill, the chair of the committee may, by his individual action taken independently of any committee meeting, cause the bill or other measure to be reported to the Senate with the recommendation that amendments submitted by the author be adopted and the bill or other measure be reprinted as amended and re-referred to the committee. The amendments shall be submitted to the committee in Legislative Counsel form by noon on Monday the week before the bill or other measure is scheduled to be heard. If amendments are submitted after this deadline, the chair, in their discretion, may refuse to accept the amendments or may reschedule the bill or other measure for a later committee hearing. SR27
2. When the committee adopts proposed amendments to a bill, the bill may be taken up for vote at that meeting or, if the author or a majority of the committee requests, sent out to print before final action. If the amendments are not in proper form, they shall be prepared and submitted to the chair for approval before being reported to the Senate Desk. A majority vote of committee members present and voting is required adopt amendments. SR21.5(m)

ANALYSIS & PRESENTATION

1. The committee shall provide adequate opportunity for the public to review and analyze every bill in its final form before the committee votes on a motion. No bill may be heard or acted upon by the committee unless the committee analysis has been made available to the author and to the public prior to the day of the hearing.
2. Any bill heard by the committee shall be presented by the bill's author. In special circumstances when the author is unable to present a bill, the author may designate, under prior written arrangement with the chair, another member of the Legislature or a member of the author's staff to present the bill for the author. A registered lobbyist shall not present a bill before the committee.

CALLS

1. The chair may, at any time, order a call of the committee. Upon a request by any member of the committee or the author in person, the chair shall order the call. JR62(d)
2. If a motion is adopted to adjourn the committee while the committee is operating under a call, the call shall be dispensed with and any pending vote announced. JR62(a)

VOTE IN COMMITTEE

1. Voting on the disposition of bills or other measures by the committee shall be by roll call vote only. On any motion to amend or procedural motion that does not have the effect of disposing of a bill or other measure, a roll call vote shall only be taken if requested by

any member of the committee or the author of the measure. All roll call votes taken in committee shall be promptly transmitted by the chair to the Secretary of the Senate who shall cause a record of such roll call votes to be printed in the Journal, together with the text of amendments voted upon where the roll call has been recorded and the amendments adopted. SR28.7

2. The vote of a majority of the membership of a standing committee shall be required to report a bill, constitutional amendment, concurrent resolution, or joint resolution out of committee. A vote of a majority of all members of a standing committee who are present and voting shall be required to report a Senate resolution out of committee. SR21.7

RECONSIDERATION JR62(a)

Further consideration of a bill that has been voted out of the committee or defeated, shall be by reconsideration only as follows: SR21.5(k)

(1) A motion to reconsider a vote by which a bill is voted out shall be in order and shall be voted upon at the same meeting. If such a motion is carried by a vote of a majority of the membership of the committee, the bill may be considered at that meeting, provided the author is present, or at a subsequent meeting.

(2) The procedure for reconsideration of a bill that has been defeated shall conform to the requirements of Joint Rule 62 (a). Any bill, reconsideration of which has been granted pursuant to this paragraph, shall not be heard again until a subsequent meeting of the committee after being calendared in the Daily File.

TABLED BILL

Any bill that has been laid on the table and that is removed from the table at a later meeting shall not be heard again until a subsequent meeting of the committee after being calendared in the Daily File and after notice. SR21.5(l)

SUBCOMMITTEES

The chair, with the approval of the Senate Rules Committee, may appoint from the members of the committee, subcommittees of one or more members to consider and recommend to the full committee action on such matters as may be assigned to the subcommittee for consideration from time to time by the chair. The chair may assign and reassign members of, and matters to, the various subcommittees. The recommendation of a subcommittee may be accepted by the affirmative vote of a majority of the membership of the committee. SR21.5(o)

COMMITTEE BILLS

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 shall contain the signatures of all of the members of the committee. A committee may amend into a bill related provisions

germane to the subject and embraced within the title and, with the consent of the author, may constitute that bill a committee bill. SR23(a)(b)

OTHER RULES

In all cases not provided for by these rules, the Senate Rules, or the Joint Rules, or by statute, the authority shall be Mason's Manual. SR21.5(p)

Adopted by the Senate Committee on Labor, Public Employment & Retirement
February 9, 2023



Senator David Cortese
Chairman