

PROPOSED AMENDMENTS TO SENATE AND HOUSE RULES 601(4) AND 602(3)

SECTION 1. AMENDMENT. Senate Rule 601(4) is amended:

4. If the committee report is divided as provided in Senate Rule 602, the reports must be placed on the calendar for the next legislative day on the seventh order of business. The President shall receive and announce a motion that the report of the minority be substituted for the majority committee report. If the minority report is adopted, that report is substituted for the majority report and must be placed on the calendar on the eleventh or fourteenth order of business. If the minority report is not adopted, the majority report is deemed adopted and must be placed on the calendar on the eleventh or fourteenth order of business. If a "do not pass" report is adopted under this subsection, the measure must be placed on the calendar on the eleventh or fourteenth order of business. If no report is adopted under this subsection, the measure must be placed on the calendar on the eleventh or fourteenth order of business unless the measure is subject to rereferral under Senate Rule 329.

SECTION 2. AMENDMENT. Senate Rule 602(3) is amended:

3. The majority report is either the report signed by the largest number of committee members or the report signed by the committee chairman if that report is one of two or more reports signed by the largest and an equal number of members. The majority report must be placed on the calendar ~~for consideration before~~ consideration of above any minority report. Minority reports must be placed on the calendar in order in accordance with the number of committee members signing the reports, with the report signed by the largest number of members being placed on the calendar first.

SECTION 3. AMENDMENT. House Rule 601(4) is amended:

4. If the committee report is divided as provided in House Rule 602, the reports must be placed on the calendar for the next legislative day on the seventh order of business. The Speaker shall receive and announce a motion that the report of the

1 minority be substituted for the majority committee report. If the minority report is
2 adopted, that report is substituted for the majority report and must be placed on the
3 calendar on the eleventh or fourteenth order of business. If the minority report is
4 not adopted, the majority report is deemed adopted and must be placed on the
5 calendar on the eleventh or fourteenth order of business. If a "do not pass" report
6 is adopted under this subsection, the measure must be placed on the calendar on
7 the eleventh or fourteenth order of business. If no report is adopted under this
8 subsection, the measure must be placed on the calendar on the eleventh or
9 fourteenth order of business unless the measure is subject to rereferral under
10 House Rule 329.

11 **SECTION 4. AMENDMENT.** House Rule 602(3) is amended:

- 12 3. The majority report is either the report signed by the largest number of committee
13 members or the report signed by the committee chairman if that report is one of
14 two or more reports signed by the largest and an equal number of members. The
15 majority report must be placed on the calendar ~~for consideration before~~
16 ~~consideration of~~ above any minority report. Minority reports must be placed on the
17 calendar in order in accordance with the number of committee members signing
18 the reports, with the report signed by the largest number of members being placed
19 on the calendar first.

NOTE: This proposed rules amendment is in response to the following suggestion:

There appears to be a conflict in House Rules 601(4) and 602(3). In 601(4) on a divided committee report it states that the minority report should be substituted for the majority report and a vote taken on that question. In Rule 602(3) it states that the majority report should be voted on first before the minority report. During the 2007 session we used the procedure in Rule 601(4).

During the 1993-94 interim, the Legislative Management Committee reviewed the procedure followed if a committee recommended divided reports. The specific concern was whether all divided committee reports should be put on the seventh order, regardless of the type of recommendation. Two different procedures applied. If one report recommended amendment and the other recommended do not pass, those reports were placed on the seventh order of business and were subject to a motion that the minority report be substituted for the majority report. If both reports recommended amendment, the reports recommending amendments were placed on the sixth order of business. The Legislative Management Committee recommended amendment of Senate and House Rules 601 and 602 to provide that all divided reports would be placed on the calendar for the next legislative day on the seventh order of business and are subject to a motion that the minority report be substituted for the majority report.

As a result, Senate and House Rules 602(2) became rules directing the order of placement on the daily calendar, and Senate and House Rules 601(4) became rules describing how divided reports were to be considered.

Reading both rules together, the majority report is placed on the calendar "above" the minority report (House Rule 602), and then when a majority report is being considered a motion is received that the minority report be substituted for the majority report (House Rule 601). Thus, House Rule 602 is used as a means to prepare the calendar, and House Rule 601 is used to determine the procedure for considering the majority and minority reports.