



HOUSE COMMITTEE PROCEDURE

COMMITTEE QUORUM: 4 members or a majority of the committee, whichever is less. [House Rule (“HR”) 34]

APPLICATION OF HOUSE RULES: “So far as may be applicable,” the conduct of a committee must follow the House Rules. [HR 35(c)]

CHAIR SETS THE AGENDA: Legislation is added to committee agenda at the discretion of the Chair following a request of the prime sponsor of House legislation or the House floor manager of Senate legislation. [HR 10, as applied by HR 35(c)]

CHAIR CONTROLS ORDER & DECORUM: The Chair presides and has general direction over the meeting; responsible to preserve order and decorum; appeal to committee possible. [HR 35(b); HR 4 & 5, as applied by HR 35(c)]

CHAIR SCHEDULES MEETINGS: Speaker assigns regular meeting time for committee, Chair may cancel regular meetings or schedule special or additional meetings. [HR 35(a)]

MEETING NOTICE/AGENDA: Notice of a meeting must be released by the last legislative day of each week. Notice must include “all matters to be considered by the committee at its next meeting.” [HR 36(b)]

SUBPOENA POWER: By majority vote, committee may request a subpoena be issued by Speaker. [HR 37(e)] A subpoena cannot be issued without Speaker’s consent. [HR 11]

MEETINGS OPEN; EXECUTIVE SESSION: Generally, committee meetings must be open to the public. Chair can call an executive session closed to the public as authorized under FOIA or to issue a subpoena. Rule may be suspended by majority vote of committee. [HR 35(d)]

12 LEGISLATIVE DAYS TO ACT: Legislation must be “acted upon” by the assigned committee within 12 legislative days after assignment. [HR 37(b)] After 12 legislative days, a majority of members of the House may petition legislation to floor. [HR 27]

DELIBERATIVE PROCESS REQUIRED: Legislation must pass through a deliberative process, which includes: (1) pre-announced meeting where sponsor allowed to explain legislation and answer questions, (2) committee considers an analysis of the legislation, (3) committee receives testimony from the general public. [HR 36(a)]

MINUTES REQUIRED: Minutes must be recorded for each standing committee meeting. The minutes must include the results of any committee votes and, if legislation is tabled, the reasons for tabling. A Representative who dissents from a committee decision may have their dissent and reasoning included in the minutes. [HR 36(c)]

REPORTING OF LEGISLATION: Legislation is reported out of a committee when a majority of the committee’s members sign the legislation’s backer, whether a member signs it and notes favorable (F), on its merits (M), or unfavorable (U). [HR 37(a)] If the legislation is reported out, a majority of the committee or the Chair may have a committee report prepared. The report must include a summary of the committee’s discussion and be placed in each Representative’s Agenda book. [HR 38]

TABLING OF LEGISLATION: Legislation may be tabled by a majority vote of the committee. [HR 37(a)]

COMMITTEE AMENDMENT: If legislation is unacceptable to a committee without an amendment, the Chair, on behalf of the committee, may offer an amendment that takes precedence over any other amendment on third reading. If the amendment fails, the Speaker may reassign the bill to the committee. [HR 37(d)]

CHAIR REQUIRED TO RETURN LEGISLATION: A committee chair is required to return legislation to the Chief Clerk within 2 legislative days after the legislation was reported out of committee. [HR 37(c)]

SUBSTITUTE BILL: If a substitute bill is introduced after the bill has been reported out of committee, the substitute takes the place of the House Bill wherever it is, unless the the Speaker reassigns to committee.[HR26(a)].

NOTES RELATED TO VOTING TO RELEASE LEGISLATION:

VOTING TO RELEASE LEGISLATION FROM COMMITTEE: While House Rule 37(a) provides that legislation is reported out of committee by a majority of the committee signing the backer, a motion to release is typically made after discussion on the legislation.

VOTE REQUIRED TO RELEASE: For a motion to release to pass, a majority of all of the members of the committee must support the motion. This is because under HR 35(c) the conduct of a committee must follow the House Rules and HR 28(e) requires the affirmative vote of a majority of the elected members for passage. The majority vote required for each House committee:

•Administration	3
•Agriculture	8
•Appropriations	4
•Capital Infrastructure	4
•Corrections	6
•Economic Development/Banking/Insurance	8
•Education	10
•Energy	6
•Ethics	3
•Gaming & Parimutuels	5
•Health & Human Development	8
•Housing & Community Affairs	6
•Judiciary	6
•Labor	7
•Manufactured Housing	4
•Natural Resources	6
•Public Safety & Homeland Security	6
•Revenue & Finance	7
•Rules	3
•Sunset Committee	3
•Technology & Telecommunications	5
•Transportation/Land Use and Infrastructure	6
•Veterans Affairs	14

CONSEQUENCE OF FAILED MOTION TO RELEASE; HOW TO PRESERVE LEGISLATION: A failed motion to release that is not reconsidered within 3 legislative days as required by House Rule 43 likely results in the legislation not being able to be reconsidered by the committee. This is because HR 35(c) provides that “so far as may be applicable,” the conduct of a committee must follow the House Rules and HR 43 provides that a motion for reconsideration is not in order unless it is made on the same legislative day or one of the 3 next succeeding legislative days.

MOTION TO TABLE; REASON TO USE MOTION: If a motion to release fails, or a motion to release is anticipated to fail, a member should make a motion to table the legislation. A motion to table the legislation preserves the member’s ability to reconsider the legislation at a future meeting.

NOTES ON PETITIONING LEGISLATION OUT OF COMMITTEE:

WHEN LEGISLATION IS “ACTED ON”: Legislation is “acted on” for purposes of HR 27 (related to petitioning legislation out of committee) when the standing committee hears the legislation.

WHAT DOES “ACTED ON” MEAN: A failed or passed motion to release or motion to table counts as acting on the legislation, as does scheduling the legislation for a hearing and holding the hearing.

WHAT IS THE EFFECT OF ACTING ON LEGISLATION: Once acted on, HR 27 is not a mechanism that can be used to force the legislation to the floor for consideration by the entire House.