

Superseded 2/9/2015

Part 4
Standing Committee Meetings

SR3-2-401 Chair to preserve order -- Appeal -- Restrictions on visitors -- Disorderly conduct in committee meeting -- Closed meetings.

- (1)
 - (a) The standing committee chair shall decide points of order.
 - (b) On motion and approval by a majority vote of the committee members present, the committee may override the chair's decision on any point of order.
 - (c) The motion and action shall be entered in the standing committee minutes.
- (2)
 - (a) A visitor may not speak or address the committee unless the visitor is recognized by the standing committee chair.
 - (b) The standing committee chair may impose restrictions on the time a visitor is allowed to speak.
 - (c) A visitor, other than a House member or staff member, may not sit in senators' chairs.
- (3) The standing committee chair may order the committee room cleared of visitors if there is disorderly conduct.
- (4) A standing committee may close a committee meeting only by following the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

SR3-2-402 Voting -- Chair to verbally announce the vote -- Dissenting members to be reported -- Division of the question.

- (1)
 - (a) A committee member present shall vote on every question.
 - (b) Although most questions will be put to voice vote:
 - (i) the standing committee chair may direct a roll call vote; or
 - (ii) a committee member may make a motion requesting a roll call vote.
- (2)
 - (a) If a question contains several points, a committee member may, except as provided in Subsection (2)(c), request to have the question divided for purposes of voting.
 - (b) The committee member requesting division of the question shall clearly state how the question is to be divided.
 - (c) A committee member may not request, and the standing committee chair may not grant, division of the question when the motion directs that language be stricken and new language be inserted.
- (3) After the committee votes on a question, the standing committee chair shall:
 - (a) determine whether the motion passed or failed;
 - (b) verbally announce that the motion passed or that the motion failed;
 - (c) verbally identify by name either the committee members who voted "yes" or the committee members who voted "no"; and
 - (d) ensure that the vote is recorded in the minutes.
- (4) Members dissenting from a committee report may file a minority report or may be listed on the majority report as dissenting.

SR3-2-403 Committee order of business.

Unless the standing committee chair or a majority of the committee determines otherwise, the standing committee order of business is:

- (1) call to order by the standing committee chair;
- (2) approval of the minutes of previous meetings;
- (3) announcement of the agenda;
- (4) announcement of time restrictions, if any;
- (5) communications, if any; and
- (6) consideration of standing committee business.

SR3-2-404 Public comment during standing committee meetings.

- (1)
 - (a) During a standing committee meeting, the chair shall receive public comment and testimony during the public comment phase of the committee meeting if a public comment portion is held.
 - (b) The standing committee chair, or a majority of the standing committee, may terminate the public comment phase of the committee meeting.
 - (c) Once the public comment phase of the committee meeting has ended, non-committee members may not provide public comment unless the standing committee chair or a majority of the standing committee authorizes additional public comment.
- (2)
 - (a) At the direction of the standing committee chair, or upon a majority vote of the standing committee, the testimony of any person speaking during the public comment phase of the committee meeting may be taken under oath.
 - (b) The standing committee chair or committee staff shall administer the oath.

SR3-2-405 Public hearings.

- (1) The standing committee chair or a majority of the committee may:
 - (a) hold a public hearing in addition to, or instead of, a regular standing committee meeting; and
 - (b) hold the public hearing as provided in Subsection (1)(a) on a single piece of legislation or on a broader subject contained in one or more pieces of legislation.
- (2) If the standing committee holds a public hearing independent of a regular standing committee meeting, the standing committee chair shall:
 - (a) give notice of the public hearing by complying with the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
 - (b) ensure that the notice required by Subsection (2)(a) includes the legislation to be considered.
- (3) The standing committee chair may, subject to the approval of the standing committee, adopt procedures for the orderly conduct of the hearing, including:
 - (a) limiting the time for the public hearing;
 - (b) limiting the time that individual speakers may speak; and
 - (c) directing the order in which speakers will be heard.
- (4) During a public hearing, the standing committee may request or require testimony by persons who have expertise on the legislation under discussion.
- (5)

- (a) At the direction of the standing committee chair, or upon a majority vote of the standing committee, the testimony of any person speaking during the public hearing may be taken under oath.
- (b) The standing committee chair or committee staff shall administer the oath.

SR3-2-406 Standing committee duties -- Process.

- (1) Each committee shall send a report to the Senate on each bill referred to it.
- (2)
 - (a) With a majority vote, a standing committee may, for each piece of legislation in its possession:
 - (i) pass the legislation out of the standing committee with a recommendation that it be placed on the second reading calendar;
 - (ii) pass the legislation out of the standing committee with a recommendation that it be placed on the third reading calendar;
 - (iii) pass the legislation out of committee with a recommendation that it be placed on the consent calendar;
 - (iv) amend the legislation;
 - (v) substitute the legislation;
 - (vi) hold the legislation, either by formal motion or by taking no action;
 - (vii) table the legislation;
 - (viii) send the legislation to the Senate Rules Committee; or
 - (ix) perform some combination of Subsections (2)(a)(i) through (viii).
 - (b) The chair shall:
 - (i) subject to SR3-2-304 and SR3-2-408, hold a bill tabled in committee until a motion is made to remove it from the table; and
 - (ii) send a tabled bill not lifted at the committee meeting after it is tabled to the secretary of the Senate for filing.
- (3) A standing committee may report a piece of legislation to the Senate with the recommendation that the legislation be placed on the consent calendar if:
 - (a) the sponsor has requested that the legislation be placed on the consent calendar;
 - (b) the committee has passed the legislation out favorably by a unanimous vote with a quorum present; and
 - (c) in a separate motion and vote, the committee has, with a quorum present, unanimously recommended that the legislation be placed on the consent calendar.
- (4) The standing committee chair shall ensure that:
 - (a) the committee sends a report to the Senate detailing its action on each piece of legislation referred to it;
 - (b) a secretary records attendance and takes minutes of committee action; and
 - (c) the record of attendance and minutes are filed in the office of the secretary of the Senate for three years.
- (5) If, in accordance with SR3-1-102, the Senate Rules Committee forwards a summary report from the Occupational and Professional Licensure Review Committee in conjunction with legislation referred to a standing committee, the chair of the standing committee shall ensure that the summary report is read orally to the standing committee before action is taken by the standing committee on the legislation that is related to the summary report.

SR3-2-407 Reconsideration of action.

- (1) Except as provided in Subsection (2), a standing committee may, by majority vote of those present, reconsider any committee action at any time before the committee report is sent to the Senate.
- (2) A standing committee may not reconsider a piece of legislation more than once.

SR3-2-408 Disposition of legislation tabled in a standing committee.

- (1) The standing committee chair shall hold any legislation tabled in a standing committee until the next committee meeting.
- (2) At that next committee meeting, the standing committee may, with a two-thirds vote, lift the tabled legislation from the table.
- (3) If the motion to lift a piece of tabled legislation is successful, the standing committee may take any of the actions on the legislation authorized by SR3-2-406(2).
- (4) The standing committee chair shall send any legislation tabled in the standing committee that is not lifted from the table at the committee meeting after tabling to the secretary of the Senate for filing.

SR3-2-409 Substitute legislation -- Substitutes must be germane.

- (1) Except as provided in Subsection (2), a committee member may, if recognized by the committee chair while the standing committee is debating a piece of legislation, make a motion to substitute the legislation.
- (2)
 - (a) The committee member making the motion to substitute shall ensure that the substitute is germane to the subject of the original legislation under consideration.
 - (b) If a committee member believes that a substitute is not germane to the subject of the original legislation, the committee member may raise a point of order alleging that the substitute is not germane.
 - (c) The committee chair shall rule on the point of order by determining whether or not the substitute is germane to the subject of the original legislation.

SR3-2-410 Amending legislation -- Amendment must be germane.

- (1)
 - (a) Except as provided in Subsection (2), a committee member may, if recognized by the standing committee chair while the committee is debating a piece of legislation, make a motion to amend the legislation.
 - (b)
 - (i) A committee member may propose a verbal amendment to a piece of legislation if the amendment contains 25 words or fewer.
 - (ii) A committee member shall ensure that a proposed amendment containing more than 25 words is printed and distributed to all committee members present and to committee staff before the amendment is proposed.
- (2)
 - (a) The committee member making the motion to amend shall ensure that the amendment is germane to the subject of the original legislation under consideration.

- (b) If a committee member believes that an amendment is not germane to the subject of the original legislation, the committee member may raise a point of order alleging that the amendment is not germane.
- (c) The standing committee chair shall rule on the point of order by determining whether or not the amendment is germane to the subject of the original legislation.