

1 **HOUSE RULES RESOLUTION - OCCUPATIONAL**
2 **AND PROFESSIONAL LICENSURE REVIEW**
3 **COMMITTEE SUMMARY REPORT**

4 2007 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Michael T. Morley**

8 **LONG TITLE**

9 **General Description:**

10 This resolution modifies the responsibilities of the House Rules Committee, House
11 standing committees, and the Office of Legislative Research and General Counsel
12 related to receipt of summary reports of the Occupational and Professional Licensure
13 Review Committee.

14 **Highlighted Provisions:**

15 This resolution:

16 ▶ requires certain actions regarding a summary report related to newly regulating an
17 occupation or profession, including requiring a chair of a standing committee that
18 receives a summary report from the House Rules Committee to ensure that the
19 report is read in a meeting before the standing committee takes action on the related
20 legislation; and

21 ▶ makes technical changes.

22 **Special Clauses:**

23 This resolution provides an effective date and is contingent on the passage of H.B. 54,
24 Occupational and Professional Licensure Review Committee.

25 **Legislative Rules Affected:**

26 AMENDS:

27 **HR-24.01**

28 **HR-24.12**

30 *Be it resolved by the House of Representatives of the state of Utah:*

31 Section 1. **HR-24.01** is amended to read:

32 **HR-24.01. House Rules Committee.**

33 (1) All legislation introduced shall be submitted to the House Rules Committee.

34 (2) (a) The House Rules Committee has all the powers, functions, and duties of a
35 standing committee when it:

36 (i) prepares the House Rules and Joint Rules and presents them to the House before
37 adjournment on the second day of each annual general session; or

38 (ii) reviews all House Rules or Joint Rules resolutions.

39 (b) Any rules resolutions reviewed and approved by the House Rules Committee may
40 be reported directly to the House for its approval, amendment, or disapproval.

41 (c) Notwithstanding Subsection (6), when meeting as a standing committee under this
42 Subsection (2), persons other than committee members may make comments and
43 recommendations at the discretion of the chair.

44 (3) For all legislation not specified in Subsection (2) that is referred to the House Rules
45 Committee, the committee shall:

46 (a) examine each [bill] piece of legislation for proper form, including fiscal note,
47 legislative committee note, and mixed committee note, if any, and, when in proper form either:

48 (i) refer [bills] the legislation to the House with a recommendation:

49 (A) that the legislation be referred to a standing committee for consideration; or

50 (B) that the legislation be read the second time and placed on the third reading
51 calendar; or

52 (ii) hold the [bill] legislation.

53 (b) Notwithstanding Subsection (3)(a), in extraordinary circumstances, the House
54 Rules Committee may refer a [bill] piece of legislation without a fiscal note to the House of
55 Representatives with a recommendation that the legislation be:

56 (i) referred to a standing committee for consideration; or

57 (ii) read the second time and placed on the third reading calendar.

58 (c) If the chair of the House Rules Committee receives a summary report from the
59 Occupational and Professional Licensure Review Committee related to newly regulating an
60 occupation or profession within the two calendar years immediately preceding the session in
61 which a piece of legislation is introduced related to the regulation by the Division of
62 Occupational and Professional Licensing of that occupation or profession:

63 (i) the chair of the House Rules Committee shall ensure that the House Rules
64 Committee is informed of the summary report before the House Rules Committee takes action
65 on the legislation; and

66 (ii) if the House Rules Committee refers the legislation to the House as provided for in
67 Subsection (3)(a)(i):

68 (A) the Office of Legislative Research and General Counsel shall make the summary
69 report reasonably available to the public and to legislators; and

70 (B) if the legislation is referred to a standing committee, the House Rules Committee
71 shall forward the summary report to the standing committee.

72 (4) In carrying out its functions and responsibilities under Subsection (3), the House
73 Rules Committee may not:

- 74 (a) table a bill without the written consent of the sponsor;
- 75 (b) report out any bill that has been tabled by a standing committee;
- 76 (c) amend a bill without the written consent of the sponsor;
- 77 (d) substitute a bill without the written consent of the sponsor; or
- 78 (e) sponsor a bill, except for the revisor's bill.

79 (5) When this committee is carrying out the functions and responsibilities of
80 Subsection (3), this committee shall:

- 81 (a) during a legislative session, give notice of its meetings by either:
 - 82 (i) providing oral notice from the floor of the time and place of its next meeting; or
 - 83 (ii) when oral notice is impractical, post written notice of its next meeting;
- 84 (b) when the Legislature is not in session, post a notice of meeting at least 24 hours
85 before the meeting convenes;

- 86 (c) have as its agenda all bills in its possession for assignment to committee; and
- 87 (d) prepare minutes that include a record, by individual legislator, of votes taken.
- 88 (6) Anyone may attend a meeting of the rules committee, but comments and discussion
- 89 are limited to members of the committee.

90 Section 2. **HR-24.12** is amended to read:

91 **HR-24.12. Committee Responsibilities.**

92 (1) Each committee shall send a report to the House on each bill referred to it. With a
93 majority vote, the committee may transmit bills with a favorable recommendation. Bills may
94 be amended, held, tabled, returned to the House Rules Committee, or substituted in committee.
95 Unless the bill is tabled, held, or returned to the House Rules Committee, the committee shall
96 make a favorable recommendation on the matter to the House. Any bill tabled in committee
97 shall be held until the next meeting, at which time it can be lifted from the table by a two-thirds
98 vote of the committee. Any bill tabled in committee and not lifted at its next committee
99 meeting shall be sent to the House Rules Committee for filing. When a motion to lift a tabled
100 bill is made, the proponents shall be given five minutes to address the motion, the opponents
101 shall be given five minutes to address the motion, and the proponents shall be given one minute
102 to sum up. If a tabled bill is lifted at the next committee meeting, no further action may be
103 taken at that time. However, if the bill is scheduled for a subsequent meeting, it may receive
104 other committee action, including being reported out favorably. A tabled bill can be lifted from
105 the House Rules Committee by a constitutional two-thirds vote of the House of
106 Representatives. If a bill is tabled in a standing committee meeting and a Representative
107 desires to lift the tabled bill from that committee prior to the committee's next meeting, the
108 Representative may do so only with the approving vote of two-thirds of all elected
109 Representatives.

110 (2) The committee may prepare a bill addressing the same subject matter to be
111 introduced under committee sponsorship. The chief sponsor or sponsors of a bill may request
112 in writing that committee members sponsor the measure. Upon agreement by the committee,
113 the individual sponsor may relinquish individual sponsorship of the bill. A majority vote of the

114 committee is required to amend, substitute, table, recommend, hold, or sponsor a bill.

115 (3) Except as specifically provided in this rule regarding the House Rules Committee,
116 HR-24.01 governs the actions that may be appropriately taken by the House Rules Committee.

117 (4) A secretary shall record attendance and take minutes of committee action. The
118 records shall be filed for three years in the office of the Chief Clerk of the House.

119 (5) If the chair allows public comment or testimony on a bill or other matter before the
120 committee, the chair may, or a majority of the committee may, require that any person's or all
121 persons' testimony be taken under oath.

122 (6) If in accordance with HR-24.01 the House Rules Committee forwards a summary
123 report from the Occupational and Professional Licensure Review Committee in conjunction
124 with legislation referred to a standing committee, the chair of the standing committee shall
125 ensure that the summary report is read orally to the standing committee before action is taken
126 by the standing committee on the legislation that is related to the summary report.

127 Section 3. **Effective date.**

128 This resolution takes effect on April 30, 2007 if:

129 (1) approved by a constitutional majority vote of all members of the House of
130 Representatives; and

131 (2) H.B. 54, Occupational and Professional Licensure Review Committee, takes effect.