

Hi, this is Chris Micheli with the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law. Today's podcast is on legislative rules and procedures that are found in statute.

In California's Government Code, there are several code sections that set forth legislative rules and procedures. These particular statutes were added by Proposition 24 in 1984. These sections of law are found in Title 2, Division 2, Part 1, Chapter 8 of Article III in California's Government Code. Let's take a quick look at these.

Government Code Section 9920 essentially provides that each house of the Legislature must adopt rules for its proceedings for each regular and special session. This is done by resolution adopted by an affirmative recorded vote of two thirds of the membership of the respective houses.

No Assembly or Senate Rule can be amended except by resolution adopted by an affirmative recorded vote of two thirds of the members of that house. Any standing rule of either the Assembly or Senate must be suspended temporarily by an affirmative vote of two thirds of the members of that house that are present and voting. Any temporary suspension can apply only to the matter under the immediate consideration of the house.

Government Code Section 9921 provides that the Senate and the Assembly are required to adopt rules for their joint proceedings for each regular and special session. This is done by resolution adopted by an affirmative recorded vote of two thirds of the membership of each house of the Legislature.

No joint rule may be amended except by resolution adopted by an affirmative recorded vote of two thirds of the membership of each house. The Senate and the Assembly may provide for temporary suspension of any joint rule by a single house upon a recorded vote of two thirds of the members of that particular house.

Government Code Section 9922 specifies that all standing committees of both the Senate and the Assembly, except for the Senate Committee on Rules and the Assembly Committee on Rules, must be created and the size and jurisdiction of each is established through the adoption of, or an amendment to, the rules of the respected house by resolution with two thirds of the membership of each house concurring in the adoption of that resolution. The standing committee membership must be determined in the specified manner that's found in that statute.

Government Code Section 9923 states that no special or select committees, nor any subcommittee, is allowed to be established in either the Senate or the Assembly except by two thirds vote of the Committee on Rules of the house in question. Membership of special or select committees or subcommittees is determined by two thirds of a vote of the membership of the house in question.

Government Code Section 9924 specifies that no joint committee can be established except by passage of a concurrent resolution with two thirds of the membership of each house concurring. The membership of each joint committee is to be allocated equally between the Senate and the Assembly. The delegation from each house are chosen in the manner that's specified in Government Code Section 9922.

Then finally is Government Code Section 9925 which states that each house of the Legislature must provide in its rules for appropriate voting procedures on the floor and in committees of subcommittees. However, no member is allowed to cast a vote for another member nor may any member be allowed to change his or her vote or add a vote to the roll after the vote is announced without the consent of four-fifths of the membership of the house. Nor may any vote be taken any committee or sub-committee of the house in the absence of a quorum.

Thanks for joining.