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Today's podcast is bills on consent and what qualifies for the Consent Calendar. Some bills considered in the California Legislature without controversy are placed on the Consent Calendar which means that the bill does not have to be presented by its author or debated by legislators.

All bills on the Consent Calendar are dispensed with by a single vote of a committee or the full house in either the Assembly or the Senate.

As used in the Joint Rules of the Assembly and Senate, an uncontested bill means that A, it receives a due pass or do pass as amended recommendation from the committee to which it's been referred, by a unanimous vote of the members present.

B, it has no opposition expressed by any person present at the committee hearing with respect to the final version of the bill as it was approved by the committee. C, prior to final action by the committee, it has been requested by the author to be placed on the Consent Calendar.

As a result, the basic requirements for a bill to be placed in the Consent Calendar for either the Assembly or the Senate are the following. The bill cannot be a revenue measure nor a bill upon which the 30 day constitutional waiting period has been dispensed with.

Two, the bill must receive a due pass or a do pass as amended recommendation by unanimous vote of the committee. Third, the bill, in its final version is approved by that committee, cannot have had any opposition expressed to it by anyone at the committee hearing.

Now under the Joint Rules of the Assembly and Senate, each standing committee may report an uncontested bill out of committee with the recommendation that it be placed on the Consent Calendar of the respective house. The Senate Secretary and the Chief Clerk of the Assembly provide to each committee chair the appropriate forms for the report of bills recommended for the Consent Calendar.

If the chair of a committee or a subcommittee in advance of a hearing proposes to recommend any bills for consideration on the Consent Calendar, which means that there's no hearing of testimony of those bills in committee, that list of bills shall be made available to the public at the same time that the committee analysis are under the rules of each house.

If a Senate Bill or an Assembly Bill is amended to rewrite the bill, a standing committee may not place the bill on its Consent Calendar. On the floors of the Senate and the Assembly, a bill is read a second time. The committee amendments, if any, are adopted and the bill is placed on the Consent Calendar by the Chief Clerk of the Assembly or the Senate Secretary.

Consent Calendar Bills are considered on the second legislative day following the day of the bill's placement on the Consent Calendar. If any member of either House objects to a bill on the Consent Calendar at any time before final passage, then the bill is simply returned to the third reading file and will be presented by the bill's author.

Following its second reading, any adoption of any committee amendments, any bill certified by the committee chair as an uncontested bill is placed on the Consent Calendar, and that bill is now known as a Consent Calendar Bill.

Any Consent Calendar Bill that's amended from the floor ceases to be a Consent Calendar Bill and returned to the third reading file. Now, upon objection of a member to the placement or retention of a bill on the Consent Calendar, the bill simply ceases to become a Consent Calendar Bill and it's returned to the third reading file to be taken up.

Any bills on the Consent Calendar are not debatable. However, the Senate president pro tem or the Assembly speaker may allow a reasonable time for questions from the floor and shall permit a proponent of the bill to answer any questions if raised.

Now immediately prior to voting on the first bill of the Consent Calendar, either the Senate president pro tem or the Assembly speaker call to the attention of the members that the next roll call on the floor is going to be on the first bill on the Consent Calendar.

Generally, the Consent Calendar is considered as the last order of business on the Assembly and Senate Daily Files. Now, on the Assembly floor, standing committees are responsible for recommending whether or not an uncontested bill is to be placed on the Assembly Consent Calendar.

If a bill is placed on consent, then it's eligible for adoption on the second legislative day of its placement on the Consent Calendar. Of course, prior to adoption any member may remove a bill from the Consent Calendar.

Once a bill is removed, as we've mentioned before, it's placed at the end of the third reading file for the next legislative day and cannot be returned to the Consent Calendar. A bill must be removed from the Consent Calendar in order to be amended on the Assembly floor.

On the Senate floor, they have two Consent Calendars. One is the Consent Calendar and the second is the special Consent Calendar. Now according to Senate staff, these processes are essentially automatic and do not require any action on the part of the bill's author. This is because the bills on the Senate floor reach the Consent Calendar by specified procedures.

However, bills must be taken off at the behest of a member. Now in the Senate, a measure is placed on the Consent Calendar when the policy or fiscal committee reports the measure to the Senate floor with the recommendation that the bill be placed on consent.

After the measure has received its second reading, then the bill is placed on the first legislative day Consent Calendar. At that point, the bill is not eligible for a floor vote. Instead, the measure becomes eligible when it's on the second legislative day Consent Calendar.

For purposes of the special Consent Calendar, a measure is placed on that by the Senate desk staff. The Senate desk staff compiles this list for measures that don't have any no votes in committee and no more than three no votes on the Assembly floor.

This list for the special Consent Calendar is then sent to all the policy and fiscal committees, as well as the Democratic and Republican caucuses for review. This takes one day. Upon

completion of this review, the remaining measures are placed on the special Consent Calendar and they're eligible for a Senate vote thereafter.

In terms of removing bills from consent, the rules are the same for both houses. This is found in Joint Rule 22.2 which says, "Any Consent Calendar Bill that's amended on the floor shall cease to be a Consent Calendar Bill and shall be returned to the third reading file. Upon objection of any member to the placement or retention of any bill on the Consent Calendar, the bill shall cease to be a Consent Calendar Bill and shall be returned to the third reading file."

As you can imagine, a bill that's on the Consent Calendar is beneficial because the bill's author can be relieved of presenting the measure and it can be moved quickly and easily through the legislative process. It is important to be aware that there are slightly different rules between the Assembly and the Senate when it concerns consent bills.

I hope you enjoyed this podcast. Thanks for joining.