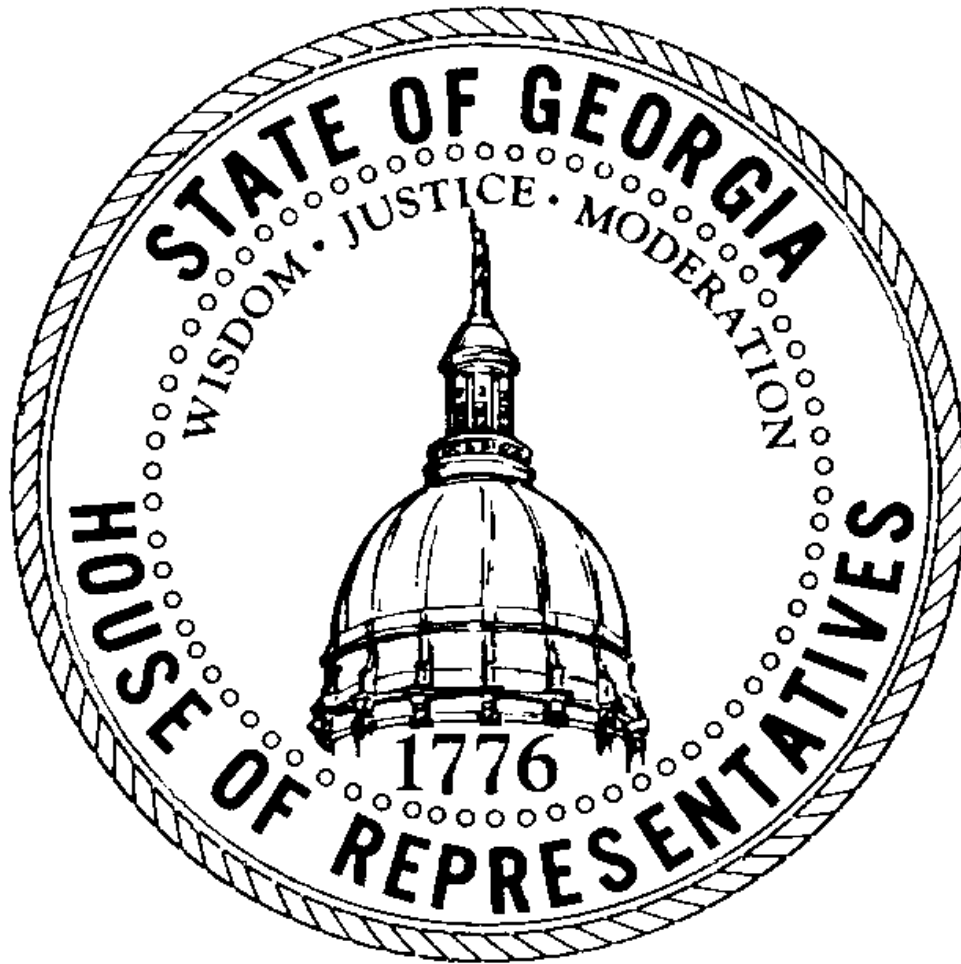


LEGISLATOR'S GUIDE TO THE  
**RULES COMMITTEE**



EARL EHRHART, CHAIRMAN  
RULES COMMITTEE 2009

REVISED 1-13-2009



# HOUSE RULES COMMITTEE

January 12, 2009

Dear Colleague,

Welcome to the 2009-2010 session of the Georgia State House. I directed my staff to put together this booklet outlining how the Rules Committee will operate this session. I look forward to working with each of you in the legislative process. Should you have any further questions, please do not hesitate to talk to me, or in my absence, a member of my staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Earl Ehrhart".

Rep. Earl Ehrhart  
Chairman  
House Rules Committee



# HOUSE RULES COMMITTEE

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*The information in this handbook is intended only to be a guide to the committee process and is for the express use of those wishing to more easily navigate the Committee on Rules. These guidelines are not to be considered rules for the committee, but merely a set of suggestions for knowledge regarding the committee.*

Revised 1-12-2009

# GENERAL COMMITTEE INFORMATION

Rules Committee Office  
HM-1 State Capitol  
(404) 656-5141  
(404) 463-2600 (Fax)

## COMMITTEE OFFICERS

Earl Ehrhart  
Chairman

John Lunsford  
Vice-Chair

James Mills  
Secretary

## STAFF

Sheila Raney  
Administrative Assistant  
Sheila.raney@house.ga.gov

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404.463.2763

- 
- ◆ The Rules Committee will convene, recess, and adjourn upon the order of the Rules Chairman.
  - ◆ The Rules Committee generally will meet each morning at the following times:
    - Monday at 10:30AM
    - Tuesday, Wednesday and Thursday at 9:00AM
    - Friday at 8:00 AM
  - ◆ The Rules Committee will meet in Room 341 on the third floor of the Capitol.

# RULES COMMITTEE PROTOCOL & PROCEDURES

The Rules Calendar Process will be in place from day one, setting the legislative calendar for each legislative day.

Once a bill passes the standing committee and is placed on the General Calendar it is then eligible for the Rules Committee Consideration Calendar. The Consideration Calendar will list the legislation from the General Calendar eligible for consideration by the Committee at the next meeting. Generally, all legislation will be placed on the Consideration Calendar before it can be presented to the committee.

To be placed on the Consideration Calendar, legislation must first be requested in writing by the author/sponsor to the Committee on Rules. A request form will be provided and must be submitted to the Rules Committee Office. In order for an executive branch or department bill to be placed on the Consideration Calendar, the appropriate department head must also sign the Consideration Calendar Request Form.

If a bill substitution is necessary, then the legislator must meet with the Rules Chairman before proceeding with a substitute in a Committee on Rules meeting.

Generally, the Consideration Calendar for the next scheduled meeting of the Rules Committee will be posted by 5pm the previous day. However, legislation may be added from the General Calendar at any time at the discretion of the Chairman. In addition to listing all the legislation eligible to be considered at the next scheduled meeting, the Consideration Calendar will indicate, by category, the special rule assigned by the Chairman.

## RULE 33.2 - SPECIAL RULES

**33.2** In arranging and fixing the calendar for each day's business, the Committee on Rules is authorized to place on each measure to come before the House any of the following special rules:

- (a) **Open Rule-** Germane amendments may be offered in accordance with the provisions of these Rules.
- (b) **Modified Open Rule-** Germane amendments may be offered subject only to an overall time limit on the amendment process and a requirement that the amendments be pre-printed and placed upon the desk one hour prior to debate.
- (c) **Modified Structured Rule-** Germane amendments designated by the Committee on Rules may be offered. This rule may preclude amendments to a particular portion of the bill, although other parts of the bill may be open to amendment.

**(d) Structured Rule-** No amendments may be offered; provided, however, that if any measure passed by the House pursuant to a Structured Rule is amended in the Senate it shall be considered disagreed to when it returns from the Senate, except that the author of the House measure, with the concurrence of the Speaker, may move to accept the House measure as amended by the Senate, or as otherwise allowed in Rules 118 and 119.

The above are subject to the provisions of Rule 33.4.

During the Rules Committee Meeting, the principal author or designated legislator will have the opportunity to briefly present their legislation to the Committee, in the order designated by the Chairman.

Once all the requests from the Consideration Calendar have been made, and the members of the Rules committee have made their recommendation, the Committee on Rules will place bills favorably reported on the House Rules Calendar for the next day.

The Rules Committee also has the ability to recommit or amend. **Rule 33.7**

If a bill on the Consideration Calendar is not placed on the Rules Calendar within three days, it may lapse from the Consideration Calendar, after which a further request will be required.

Once a bill passes the Committee on Rules it will then be placed on the House Rules Calendar subject to the attached rule. In listing the legislation, the House Rules Calendar will also indicate the special rule assigned to the bill.

The Rules Committee has the ability to set a day certain for the hearing of a bill on the House Floor. **Rule 33.3**

Senate bills are subject to the same process as House bills.

# APPENDIX

## HOUSE RULES PERTAINING TO THE COMMITTEE ON RULES

### **Rule 7**

**7.1** No person shall be entitled to enter upon the floor of the House except (1) members and officers thereof, (2) members and officers of the Senate, (3) the Governor of the state, (4) staff members of the Office of Legislative Counsel, (5) members of the news media and their photographers, all of whom must bear proper credentials and must comply with this rule, and (6) such others to whom the Speaker has issued a pass and those the House may allow upon recommendation of the Committee on Rules.

**7.12** Access to the floor of the House by nonmembers for the purpose of receiving special recognition shall be determined by a special sub-committee of the Committee on Rules. All requests for access to the floor for the purpose of special recognition must be submitted in writing to the Special Sub-committee of the Committee on Rules at least seven (7) days prior to the day access is requested. Access to the floor for the purpose of special recognition shall only be allowed on the date, at the time and in the manner ordered by the Special Sub-committee. The Speaker may, at any time, grant special access to the floor of the House.

### **Rule 11**

**11.3** The Speaker, the Speaker Pro Tempore, the Majority Leader, the Majority Whip and the Hawks shall be ex officio members of all standing committees and subcommittees of the House and shall have a vote on all committees and subcommittees, except that the Speaker shall have no vote as an ex officio member, except on the Committee on Rules.

**11.6** The Majority Leader, the Minority Leader, the Majority Whip and the Minority Whip shall be members of the Committee on Rules. Each such leader must be certified as such by his or her party caucus chairman to the Speaker of the House and to the Clerk of the House.

### **Rule 12**

**12.6** Notwithstanding any appointment by the Committee on Assignments, or the Speaker's failure to veto any appointment pursuant to Rule 12.5, the Speaker may, at any time, with or without cause and without explanation, remove any member appointed as a chairman, vice chairman or secretary of any standing or special committee or subcommittee of the House, any Hawk or any member appointed to the Committee on Rules.

### **Rule 33**

**33.1** The Committee on Rules shall arrange and fix the calendar for each day's business of each regular session of the General Assembly. Copies of such calendar shall be printed and made available to the members of the House as quickly as is practicable following the setting of the calendar.

**33.2** In arranging and fixing the calendar for each day's business, the Committee on Rules is authorized to place on each measure to come before the House any of the following special rules:

(a) **Open Rule-** Germane amendments may be offered in accordance with the provisions of these Rules.

(b) **Modified Open Rule-** Germane amendments may be offered subject only to an overall time limit on the amendment process and a requirement that the amendments be pre-printed and placed upon the desk one hour prior to debate.

(c) **Modified Structured Rule-** Germane amendments designated by the Committee on Rules may be offered. This rule may preclude amendments to a particular portion of the bill, although other parts of the bill may be open to amendment.

(d) **Structured Rule-** No amendments may be offered; provided, however, that if any measure passed by the House pursuant to a Structured Rule is amended in the Senate it shall be considered disagreed to when it returns from the Senate, except that the author of the House measure, with the concurrence of the Speaker, may move to accept the House measure as amended by the Senate, or as otherwise allowed in Rules 118 and 119.

**33.3** At all times the Committee on Rules may designate a day certain and may set a time limit for floor debate on any measure.

**33.4** The provisions of Rule 33.2 shall not apply with respect to a minor or technical amendment which corrects items such as grammar, spelling, numbering, cross-references or otherwise corrects manifest typographical or other similar errors. The determination of whether an amendment is a minor or technical amendment shall be according to the judgment of the Speaker of the House, subject to appeal to the body.

**33.5** Rule 33.2 shall not apply with respect to amendments to the following classes of legislation:

- (1) Local legislation; and

(2) Privileged resolutions.

**33.6** For purposes of these Rules a substitute shall be treated as an amendment; and in order to be eligible for consideration by the House a substitute will only be permitted in accordance with the terms of any special rule applicable to the measure.

**33.7** The Committee on Rules may also recommit any measure back to the committee from whence it came, or on its own motion, amend the same.

**33.8** There shall be a separate section at the beginning of each day's rules calendar known as the uncontested resolutions calendar. All resolutions referred to in this subsection which are approved by the Committee on Rules for placement on the rules calendar shall be placed on the uncontested resolutions calendar unless otherwise ordered by the committee. When considered by the full House, all resolutions on the uncontested resolutions calendar shall be voted on as a group and without debate; except that any member of the House shall have the right to have any resolution on the uncontested resolutions calendar removed therefrom and placed on the general rules calendar, in which case it shall be subject to consideration in the same manner as any other bill or resolution on the general rules calendar. Resolutions for placement on the uncontested resolutions calendar shall include only: (1) resolutions establishing study committees and other similar bodies; and (2) commemorative resolutions which name or rename roads, streets, highways, parks, bodies of water, bridges, institutions, buildings, structures, and other geographical landmarks.

**Rule 34.** Every motion to make special orders shall be submitted in writing to the Committee on Rules and reported upon by the committee before being submitted to the House.

**Rule 35.** The report of the Committee on Rules is in order at any time when the House is not actually engaged in other business.

**Rule 36.** No rule shall be temporarily suspended or temporarily changed nor the order of business changed except by unanimous consent or by an affirmative vote of two-thirds of the members to which the House is entitled.

**Rule 37.** No amendment or addition to these rules shall be made unless such proposed amendment or addition is first referred in writing to the Committee on Rules and reported back to the House where it may then be adopted by affirmative vote of a majority of the members to which the House is entitled. However, the rules may be temporarily suspended as provided in Rule 36 without referral to the Committee on Rules.

**Rule 52.** All bills and resolutions on the calendar shall be called as directed by the Committee on Rules or as otherwise directed by the Speaker. However, the general appropriations bill shall have precedence on the third reading over all other matters, even special orders, until final disposition of such bill.

**Rule 57.** In cases where the report of a committee is favorable to the passage of a bill or resolution, or the bill or resolution is reported without recommendation, the same shall be passed to a third reading without question. If the report of a committee is adverse to the passage of a bill or resolution, the question shall be on agreeing to the report of the committee. However, House and Senate bills and resolutions adversely reported shall not be taken up except by request of a member of the House. Such request must be made not later than adjournment of the next legislative day following the unfavorable committee report. In such case, the motion to disagree shall be referred to the Committee on Rules. If the report of the committee is agreed to in the Committee on Rules, the bill or resolution shall be lost. If the report of the committee is disagreed to in the Committee on Rules, the bill or resolution shall be put on the general calendar unless the bill or resolution is recommitted.

**Rule 59.**

**59.1** Whenever any bill or resolution has been referred to a committee and the committee has held the bill or resolution in its custody for ten legislative days without reporting on it, or taking any action upon it, any member of the House shall have the right to initiate a petition for discharge of the bill or resolution. Such petition shall be in such form as shall be designed by the Clerk of the House. If the petition is signed by two thirds of the members of the House, as set out below, the petition shall be filed by the initiating member with the Clerk of the House, and the effect shall be the same as a report of the committee favorable to the passage of the bill or resolution. The bill or resolution shall then take its place on the general calendar in the same

manner as a measure favorably reported by a committee. Subject to the provisions of Rule 33, a bill or resolution that has been on the general calendar in the Rules Committee at least 5 days, can be placed on the rules calendar by a petition signed by two thirds of the members of the House.

**59.2** Any motion or resolution to set a special order or to change the order of business for any particular day which has been referred to the Committee on Rules may be held in the custody and control of such committee for only three days.

**Rule 81.** Subject to the terms of any special rule designated by the Committee on Rules applicable to any measure, no member of the House shall occupy the floor longer than 20 minutes in debating any question unless otherwise ordered by the Speaker. Where the time for floor debate on any measure has been set by special rule, the Speaker shall determine the length of time that each member will be allowed to occupy the floor during debate. Any time allowed under Rule 124 shall be in addition to the time provided for in this rule. Any motion to limit or extend the time of individual speeches shall be decided without debate. No such motion shall prevail unless it shall receive the affirmative votes of two-thirds of those voting, provided the total vote constitutes a quorum. Such motion may be made at any time that the movant thereof may legitimately obtain the floor.

**Rule 97**

**97.1** If the motion to lay on the table prevails, it removes the measure from the consideration of the House, together with all the motions attached to it at the time.

**97.2** When a proposition is taken from the table, it stands before the House in the exact form, with all the motions pertaining to it, as it stood at the time the motion to lay on the table prevailed. The measure and all motions shall remain in numerical order on the general calendar; provided, however, if the measure is tabled and taken from the table on the same legislative day when the rules calendar is in effect, it shall remain on that day's rules calendar and shall be treated as any other measure then on the rules calendar subject to any special rules previously placed on the measure by the Committee on Rules.

**Rule 108**

**108.1** Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, an amendable proposition may only be amended in three ways:

- (1) By inserting or adding words, numbers, punctuation, or letters.
- (2) By striking out words, numbers, punctuation, or letters.
- (3) By striking out and inserting words, numbers, punctuation, or letters.

**Rule 110** Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, all motions to amend any matter before the House must be in writing. They must plainly and distinctly set forth the amendment desired and the part or parts of the bill or resolution where the amendment shall be inserted or added.

**Rule 115**

**115.1** Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, after commitment of a bill and report thereof to the House, it may be amended before the report of the committee is agreed to by the House; but the amendments, if any, reported by the committee shall be disposed of before any other amendment is considered unless it is an amendment to a committee amendment.

**Rule 116.** Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, an amendment cannot be offered after the report of the committee to which the bill or resolution under consideration was referred has been agreed to by the House, unless the action of the House in so agreeing to the report of the committee shall first be reconsidered.

**Rule 124.**

**124.1** Subject to any special rules authorized by Rule 33.2 and placed on any measure by the Committee on Rules, when the previous question has been ordered, the House shall proceed to act on the main question without debate, except that, before the main question is put, 20 minutes shall be allocated to the chairman of the committee whose report of the bill or other measure is under consideration to close the debate. The chairman may yield the floor to such members as he or she may designate for all or any part of the 20 minutes allowed under this paragraph.

**Rule 159**

**159.2** When a contest is filed, the Clerk shall report the contest to the Speaker who shall refer it to the Committee on Rules. The committee shall convene as soon as possible and, after notifying the person whose seat is contested, shall proceed to resolve the contest and file its actions with the Clerk. The action of the committee shall be considered the action of the House until the next legislative day, at which time the House shall affirm or reverse the committee or take such other action thereon as it sees fit.