

Committee: Joint Legislative Procedure

Wednesday, January 13, 2021 10:00 AM

Roll Call

Present: Sen. Cammack, Sen. Diedrich, Sen. Duhamel, Rep. Finck, Rep. Gosch, Rep. Hansen, Rep. Haugaard, Rep. Healy, Rep. Chris Johnson, Sen. Nesiba, Rep. Kent Peterson, Sen. Schoenbeck, Sen. Schoenfish, and Sen. Crabtree

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Gosch

Representative Gosch presented Revised Rule 1-5

Revised Rule

1-5. Time allowed for a member to speak. ~~Each member may speak on the pending subject before any member speaks twice. No member may speak more than twice nor longer than ten minutes on the same subject without the consent of a majority of the members present. However, a member may speak an additional twenty minutes if the time is yielded by individual members of the body. In computing the time allowed for argument, the time consumed in asking questions is considered. If a member consents to the question, the time consumed by the answer is taken out of the time allowed to the person asking the question. In the Senate, the time allowed for a member to speak on a pending subject is as provided in Senate Rule S2-5. In the House of Representatives, the time allowed for a member to speak on a pending subject is as provided in House Rule H2-1.~~

MOTION: TO ADOPT PROPOSED REVISED RULES 1-5

Moved by: Nesiba
Second by: Hansen
Action: Prevailed by roll call vote (14-0-0-0)

Voting Yes: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Haugaard, Healy, Chris Johnson, Nesiba, Kent Peterson, Schoenbeck, Schoenfish, and Crabtree

Representative Healy and Senator Nesiba presented New Rule 2-5

2-5 Remote attendance permitted. Notwithstanding the provisions of Joint Rules 2-2, 2-3, and 12-2 the president pro tempore of the Senate and the speaker of the House of Representatives may excuse a member from personal attendance at a committee meeting or at a daily floor session if the member has the COVID-19 virus, the member is in quarantine, or the member or a person in the member's household has a pre-existing medical condition indicated by a medical doctor that requires the member to stay remote. The excused member may participate and vote in any committee meeting or any daily session from a remote site and by electronic means. The presiding officer shall notify the chair of each committee the excused member serves on that the member has been excused. The committee minutes and the daily journal shall indicate that the excused member participated and voted remotely.

MOTION: TO ADOPT PROPOSED RULE 2-5

Moved by: Nesiba
Second by: Healy
Action: Failed by roll call vote (3-11-0-0)

Voting Yes: Healy, Nesiba, and Schoenfish

Voting No: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Haugaard, Chris Johnson, Kent Peterson, Schoenbeck, and Crabtree

Representative Gosch presented New Rule 2-5

New Rule

2-5 Remote attendance permitted. Notwithstanding the provisions of Joint Rules 2-2, 2-3, and 12-2 the president pro tempore of the Senate and the speaker of the House of Representatives may excuse a member from personal attendance at a committee meeting or at a daily floor session if the member has the COVID-19 virus or the member is in quarantine because of the COVID-19 virus. The excused member may participate and vote in any committee meeting or any daily session from a remote site and by electronic means. The president pro tempore or speaker shall notify the chair of each committee the excused member serves on that the member has been excused. The committee minutes and the daily journal shall indicate that the excused member participated and voted remotely.

MOTION: TO ADOPT PROPOSED NEW RULE 2-5

Moved by: Kent Peterson
Second by: Cammack
Action: Prevailed by roll call vote (13-1-0-0)

Voting Yes: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Haugaard, Healy, Chris Johnson, Kent Peterson, Schoenbeck, Schoenfish, and Crabtree

Voting No: Nesiba

Representative Gosch presented Proposed Revised Rule 7-6

Revised Rule

7-6. Contents of committee minutes. Minutes of standing committees filed pursuant to Joint Rule 7-5 shall contain the number of each proposal considered; the title or a brief summary of each proposal's major provisions; the committee's action, if any, on each proposal, including a brief minority report if requested by any committee member; a record of how each committee member voted when action was taken, including votes on motions to postpone consideration of proposals; and a list of all persons testifying before the committee on each proposal and the interest they represent. Minutes shall reflect if any member is participating and voting remotely as permitted under Joint Rule 2-5. Minutes of budget hearings conducted by an appropriations committee may

contain a synopsis of testimony received. Minutes shall be open to the public for inspection.

MOTION: TO ADOPT PROPOSED REVISED RULE 7-6

Moved by: Finck
Second by: Hansen
Action: Prevailed by roll call vote (14-0-0-0)

Voting Yes: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Haugaard, Healy, Chris Johnson, Nesiba, Kent Peterson, Schoenbeck, Schoenfish, and Crabtree

Representative Gosch presented Proposed Revised Rule 7-13.

Senator Schoenbeck further explained the Proposed Revised Rule 7-13

Revised Rule

7-13. Entertainment of motions. No motion may be debated until it is seconded. Following the second of a debatable motion, the chair shall first recognize the member making the motion. ~~No member of the House of Representatives may make introductory remarks prior to making a motion.~~ See House Rule H3-2 regarding introductory remarks prior to making a motion in a House committee.

MOTION: TO ADOPT PROPOSED REVISED RULE 7-13

Moved by: Schoenbeck
Second by: Finck
Action: Prevailed by roll call vote (14-0-0-0)

Voting Yes: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Haugaard, Healy, Chris Johnson, Nesiba, Kent Peterson, Schoenbeck, Schoenfish, and Crabtree

Representative Gosch presented Proposed Revised Rule 7-28 and Proposed New Rule 7-29

Revised Rule

7-28. Committee procedure - Remote electronic testimony. During any regular or special session of the Legislature, a committee chair may permit a person to appear from a remote site and give testimony before the committee by electronic audio or video means. A person shall make a request to the committee chair to give testimony under this section at least twenty-four hours before the start of the committee meeting. The committee chair may waive this requirement if the chair deems the person's testimony necessary for immediate committee discussion.

New Rule

7-29 Committee documents. Any informational document that a member of the committee or a person who is wishing to testify before a committee, would like to distribute to the committee for consideration shall be presented to the committee at least twenty-four hours before the start of the committee meeting. The committee chair may waive this requirement if the chair deems the document necessary for immediate committee discussion.

MOTION: TO ADOPT PROPOSED REVISED RULE 7-28 AND NEW RULE 7-28

Moved by: Finck
Second by: Chris Johnson
Action: Withdrawn

Representative Gosch represented Proposed Revised Rule 7-28

Revised Rule

7-28. Committee procedure - Remote electronic testimony. During any regular or special session of the Legislature, a committee chair may permit a person to appear from a remote site and give testimony before the committee by electronic audio or video means. A person shall make a request to the committee chair to give testimony under this section at least twenty-four hours before the start of the committee meeting. The committee chair may waive this requirement if the chair deems the person's testimony necessary for immediate committee discussion.

MOTION: TO ADOPT PROPOSED REVISED RULE 7-28

Moved by: Schoenbeck
Second by: Finck
Action: Prevailed by roll call vote (14-0-0-0)

Voting Yes: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Hugaard, Healy, Chris Johnson, Nesiba, Kent Peterson, Schoenbeck, Schoenfish, and Crabtree

Representative Gosch represented Proposed New Rule 7-29

New Rule

7-29 Committee documents. Any informational document that a member of the committee or a person who is wishing to testify before a committee, would like to distribute to the committee for consideration shall be presented to the committee at least twenty-four hours before the start of the committee meeting. The committee chair may waive this requirement if the chair deems the document necessary for immediate committee discussion

MOTION: TO ADOPT PROPOSED NEW RULE 7-29

Moved by: Diedrich
Second by: Crabtree
Action: Withdrawn

Representative Gosch presented Proposed New Rule 7-29

New Rule

7-29 Voting procedures of remote attendance permittee. If any member of a committee is participating remotely pursuant to Joint Rule 2-5, the committee shall, for any motion that does not otherwise require a vote by roll call under this chapter, take a vote by roll call or by unanimous consent.

MOTION: TO ADOPT PROPOSED NEW RULE 7-29

Moved by: Schoenbeck
Second by: Hansen
Action: Prevailed by roll call vote (14-0-0-0)

Voting Yes: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Haugaard, Healy, Chris Johnson, Nesiba, Kent Peterson, Schoenbeck, Schoenfish, and Crabtree

Representative Gosch presented Proposed New Rule 10-4

New Rule

10-4 Journal to reflect remote participation. Each daily journal shall reflect if any member is participating and voting remotely as permitted under Joint Rule 2-5.

MOTION: TO ADOPT PROPOSED NEW RULE 10-4

Moved by: Schoenbeck
Second by: Finck
Action: Prevailed by roll call vote (14-0-0-0)

Voting Yes: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Haugaard, Healy, Chris Johnson, Nesiba, Kent Peterson, Schoenbeck, Schoenfish, and Crabtree

Representative Gosch presented Proposed Revised Rule 12-2

Revised Rule

12-2. Voting restrictions. No member may vote on any question unless within the chamber and voting before the result of the vote is announced. However, a member may vote from a remote site if excused from personal attendance under Joint Rule 2-5.

MOTION: TO ADOPT PROPOSED REVISED RULE 12-2

Moved by: Schoenbeck
Second by: Cammack
Action: Prevailed by roll call vote (14-0-0-0)

Voting Yes: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Haugaard, Healy, Chris Johnson, Nesiba, Kent Peterson, Schoenbeck, Schoenfish, and Crabtree

Senator Heinert presented and explained Proposed New Rule 16-6

New Rule (Proposed by Senator Heinert)

16-6. COVID-19 restrictions during joint session. During any joint session held in the House of Representatives chamber, each member of the Legislature is expected to wear a mask while on the floor. Any member of the Legislature not wearing a mask shall, as much as practical, remain at least six feet distance from any legislative staff. Any person not a member of the Legislature shall wear a mask while on the House floor, in a House lobby, in

the House gallery, or in any area adjacent to the rotunda and the House of Representative on the third or fourth floor of the Capitol during the joint session. Signs shall be posted to notify persons of these restrictions

MOTION: TO ADOPT PROPOSED NEW RULE 16-6

Moved by: Nesiba
Second by: Healy
Action: Failed by roll call vote (2-12-0-0)

Voting Yes: Healy and Nesiba

Voting No: Cammack, Diedrich, Duhamel, Finck, Gosch, Hansen, Haugaard, Chris Johnson, Kent Peterson, Schoenbeck, Schoenfish, and Crabtree

Representative Gosch presented Proposed New Rule 17-3

New Rule

17-3. Schedule changes due to COVID-19 virus. The president pro tempore of the Senate and the speaker of the House of Representatives may jointly alter the legislative calendar and the deadlines provided by this chapter to respond to any attendance problems created by an outbreak of the COVID-19 virus.

MOTION: TO ADOPT PROPOSED NEW RULE 17-3

Moved by: Nesiba
Second by: Healy
Action: Withdrawn

MOTION: ADJOURN

Moved by: Kent Peterson
Second by: Hansen
Action: Prevailed by voice vote

Pam Kean, Committee Secretary

/s/ SPENCER R. GOSCH
Spencer R. Gosch, Chair