

The Legislative Process Notes
 House Committee on Natural Resources, Fish, and Wildlife
 January 11, 2019

I. Jurisdiction of Committee on Natural Resources, Fish, and Wildlife

- In 2017, the jurisdiction of the Committee on Fish and Wildlife was consolidated with part of the jurisdiction of the Committee on Natural Resources and Energy.
- House Rule 25—Committee on Natural Resources, Fish and Wildlife
 “Conservation and development of the state’s water resources; conservation and development of lands; land resources; land use; geology; fish and wildlife; natural habitats; air quality, environmental permitting; climate change; scenery; and solid waste and toxic substances management.”
 - * House Rule 25 largely governs to which Committee a bill is referred.
- What does this mean in terms of the subject matter of bills in Committee?

Water Resources—Water Quality (permitting, planning); Water Quality Financing; Stormwater Permitting; Use of State Waters; Aquatic Nuisance Control; Stream Alteration; Wetlands; Groundwater Permitting; Encroachments (docks, power lines); Public Trust Waters.

Conservation and Development of Lands—State Lands (State Forests, State Parks); Conservation Easements; Forest Health

Land Resources/Geology—Mining, Quarrying, Fracking

Land Use—Act 250; Municipal Planning and Zoning; Use Value Appraisal

Fish and Wildlife—Fishing, Hunting, Trapping, Conservation of Nongame Wildlife, Endangered Species, Pete the Moose

Air Quality/Climate Change—Air pollution, air emissions, climate change, outdoor wood boilers

Environmental Permitting—Water, Air, Waste, Wetlands, Lake Shoreland, Groundwater

Scenery—Sign Law, Outdoor Lighting

Solid Waste—Universal Recycling; Solid Waste, Landfills; Hazardous Waste; Sludge; Composting; Extended Producer Responsibility (mercury lamps, paint, batteries); Beverage Container Redemption (bottle bill)

Toxic Substances—Toxic Substances Control, Chemicals of High Concern to Children

II. The Bill Drafting Process

Bill Requests

- A legislator can submit a draft request to Ellen, me, or any LC Attorney for a bill or amendment related to the jurisdiction of the Committee on Natural Resources, Fish, and Wildlife.
 - There is a LC process for assigning draft requests to the appropriate attorney.
- The drafting request is confidential.
- The legislator must provide Legal Staff with enough information to draft bill.
- The LC Attorney will engage in dialogue with sponsor regarding draft request.
 - Research, explanations of options, redrafts, etc.

Dates and Deadlines

- 2019 House request date –January 31, 2019.
- 2018 House introduction date – February 21, 2019.
- House short-form bills—no deadlines in first year.
- House Committee bills—no deadlines in first year.
- 2018 Senate request and introduction date – no deadline in first year.
- Crossover—date agreed to by House and Senate when bills from each body must be sent to the other body, historically the week before or after Town Meeting Break.

Cosponsors

- Who can cosponsor.
- How cosponsors are arranged.

Approval and Publication

- Publication after approval (with signature) of the sponsor(s)
- Sign-out sheets (cosponsors signatures also required)
- * Based upon recent historical data, we expect approximately **900-1200** requests in 2019.
- * Approximately **50%** will be approved, printed, and introduced as bills by the sponsors.
- * Of the bills introduced, approximately **90-120** bills will be enacted in 2018 (Some will be a combination of several bills introduced separately)

III. Committees and Committee Procedures

Committee reports to the House or Senate

- A committee can vote to move a bill out of committee in several ways:
 - Favorable—no change;
 - With Amendment—minor change;
 - Strike-All—strike all of the text and insert new text;
 - Unfavorable—they don't approve, but provide full body opportunity to review; or
 - Without Recommendation—just move it along.
- When a bill is voted out, the Committee action is called a report.
- A member of the Committee is designated the “Reporter” of the bill.
- The Reporter takes the original bill and any committee report (amendment) to the Clerk or Secretary.
- The bill and its report are placed on the notice calendar for one day prior to second reading—“Should the House read H.25 a second time?”
- The reporter of the bill then summarizes the recommendation of the Committee in a report to the full body—e.g. The Committee amended H.25 in the following way because of X. We recommend that the House pass H.25 as recommended by the Committee.
- After the Committee report is provided, the bill may be debated and any member may propose that the bill be amended.
- The full body must vote by a majority to amend the bill.
 - Most votes are voice votes
 - But they can be roll call votes—i.e. each member is asked how they will vote and they must state their vote out loud.
- After debate and any amendment, the body votes to read the bill a third time.
- The bill is placed on the action calendar for third reading the next day.
- On third reading, any member can again move to debate or amend the report of the committee.
- After debate or amendment, the body then votes whether the bill should pass.

IV. The “Other Body”

- After a bill is passed and amendments added to the original bill, the Clerk signs the bill and sends it to the other body, where it follows the same process under slightly different rules.
 - It is referred to committee, the committee reports, the body must read the bill a second and a third time, and recommend to other body to change their bill.

V. Reconciliation Options – Conference Committees and More

- If the Senate sends a bill back with no changes, the bill is delivered to the Governor.
- If the Senate returns the bill with recommended changes, the first body has options.
- The body can concur—agree with recommended changes. The bill is sent to the Governor
- The body can vote not to concur—don’t agree, and don’t want to consider bill further.
- The body can vote not to concur and ask for a conference committee to be appointed.
 - If this occurs, each House appoints 3 members to serve on a Committee of Conference.
 - The 6 conferees meet and try to agree on a report, and if accomplished, the report is submitted to both houses for adoption.
- The body can vote to concur with the other body’s recommendations with further amendment—we will agree with you if you agree with these additional changes.
 - A further proposal of amendment can be made to the first body’s further proposal.
 - A third order of further proposal of amendment is prohibited. At this point, a further proposal must be concurred with or not, or a conference committee is appointed.

VI. Governor Consideration

- After the General Assembly enacts a bill, it is delivered to the Governor for consideration.
- The Governor has 5 days from delivery of the bill to approve or disapprove a bill.
- If the Governor signs the bill or allows it to become law without his or her signature, it is sent to the Secretary of State’s office and becomes a part of the permanent statutes.
 - A bill becomes a law without signature, if during the five day review, the Governor neither signs the bill nor vetoes it.
- If the Governor vetoes the bill, it is returned together with the veto message to the Clerk of the House or Secretary of the Senate.
- Then both bodies must consider the bill again, and if it is passed by a two-thirds vote of each body, the veto is overridden and the bill becomes a permanent part of the statutes.