By: Hamric (Senate Sponsor - Harris) H.C.R. No. 35

(In the Senate - Received from the House January 25, 2005; February 15, 2005, read first time and referred to Committee on Administration; May 20, 2005, reported favorably by the following vote: Yeas 4, Nays 0; May 20, 2005, sent to printer.)

HOUSE CONCURRENT RESOLUTION

WHEREAS, The Texas Legislature for each of the last 11 regular sessions has adopted a concurrent resolution authorizing the creation and appointment of joint interim legislative study committees by the lieutenant governor and speaker of the house of representatives; and

WHEREAS, Renewal of the prior authorizations to the presiding officers enables the legislature to address and study issues that remain unresolved on sine die adjournment or that emerge subsequent to that time; and

WHEREAS, It is also desirable to adopt by resolution various rules and policies regarding the operation of joint committees to supplement, and reconcile differences between, the senate and house rules of procedure; now, therefore, be it

RESOLVED, That the 79th Legislature of the State of Texas hereby authorize the lieutenant governor and speaker of the house of representatives to create by mutual agreement such joint committees as they consider necessary during the term of this legislature; and, be it further

RESOLVED, That each joint committee created pursuant to this resolution be composed of such combination of legislators, state officials, or citizen members as shall be determined mutually by the presiding officers of each house; and, be it further

RESOLVED, That on the request of the presiding officers, the governor may appoint members to a joint committee created pursuant to this resolution; and, be it further

RESOLVED, That the presiding officers issue for each committee so created a joint proclamation identifying the issue or issues to be studied and listing the committee membership or describing the committee composition and that the proclamation be filed with the secretary of the senate and the chief clerk of the house of representatives; and, be it further

RESOLVED, That the presiding officers designate jointly a chair, or designate alternatively two cochairs, from among the committee membership; and, be it further

RESOLVED, That the chair or cochairs, acting jointly and within four weeks of the proclamation, prepare and present to the presiding officers a proposal for budget and staffing; and, be it further

RESOLVED, That the chair or cochairs be directed to use to the greatest extent possible the existing staff and administrative resources of committee members, standing committees, officers of the senate and house, and legislative service agencies; and, be it further

RESOLVED, That the presiding officers jointly review each budget and staffing proposal, adopt budgetary and staffing allocations, and determine the manner in which each joint committee is to be funded; and, be it further

RESOLVED, That the joint committee chair, or the cochairs acting by mutual agreement, have authority to create and appoint subcommittees or affiliated advisory panels and to designate respective chairs for each, contingent on the advance approval of the presiding officers for the creation and appointment of subcommittees or advisory panels containing membership external to the committee; and, be it further

RESOLVED, That each joint committee, and its subcommittees and advisory panels, convene at the call of its chair or cochairs; provided that no joint committee, nor its subcommittees or advisory panels, shall convene in a public hearing or other meeting for the

transaction of business unless public notice has been posted by its chair or cochairs at the locations specified by the senate and house rules of procedure for posting of notice of standing committee meetings at least five calendar days in advance of the hearing or meeting; and, be it further

RESOLVED, That the preceding clause be construed, for purposes of Section 551.046, Government Code, as a joint rule of the senate and house of representatives controlling the posting of notice for joint committees, and their subcommittees and advisory panels, in lieu of required posting with the secretary of state; and, be it further

RESOLVED, That each joint committee have authority to issue process as provided in Sections 301.024-301.027, Government Code, provided that any motion for the issuance of process must receive the record vote of at least two-thirds of those present and voting, a quorum being present; and, be it further

RESOLVED, That each joint committee be entitled to accept grants and donations as provided by Subsections (b) and (c), Section 301.032, Government Code, and that, on expiration of a joint committee, any unexpended funds remaining from a grant or donation be transferred in equal proportions to the accounts of the senate and house of representatives unless otherwise provided by the grantor or donor; and, be it further

RESOLVED, That each joint committee, except as modified by or pursuant to this resolution, have all other powers and duties provided to special committees by Subchapter B, Chapter 301, Government Code, and the senate and house rules of procedure; and, be it further

RESOLVED, That the operating accounts for each joint committee created pursuant to this resolution and any grants and donations that such committee may receive be administered by the Texas Legislative Council; and, be it further

RESOLVED, That the Texas Legislative Council prepare for review and approval by the presiding officers a manual of procedures for joint committees and other entities created by the legislature for which funds are to be administered by the Texas Legislative Council establishing requirements as to printing needs, accounting procedures, ultimate disposition of records, and other administrative and financial matters; and, be it further

RESOLVED, That citizen members appointed by the lieutenant governor or speaker of the house of representatives to joint committees created pursuant to this resolution be reimbursed from funds appropriated to the Texas Legislative Council for expenses of transportation, meals, lodging, and incidentals for travel on official committee business, at rates established by the joint chairs of the Texas Legislative Council consistent with provisions of the General Appropriations Act; and, be it further

RESOLVED, That citizen members appointed by the governor to joint committees created pursuant to this resolution be reimbursed from funds appropriated to the office of the governor for expenses of travel on official committee business, at rates established by the joint chairs of the Texas Legislative Council consistent with provisions of the General Appropriations Act; and, be it further

RESOLVED, That citizen members appointed by the lieutenant governor to senate select committees and citizen members appointed by the speaker of the house of representatives to house committees expanded or created under House Rule 4, Sections 24, 57, and 58, when engaged in travel on official committee business, be reimbursed for (1) transportation expenses at the same rates as authorized for state employees by the General Appropriations Act, and (2) actual expenses for meals, lodging, and incidentals, subject to any maximum reimbursement limitations for meals and lodging set by the Senate Administration Committee for senate select committees and by the Committee on House Administration for house select committees; and, be it further

RESOLVED, That the Texas Legislative Council be authorized to reimburse the senate and house of representatives for expenses incurred by members of the senate and house for transportation, meals, lodging, and incidentals for travel on official business of

joint committees created pursuant to this resolution; and, be it further

RESOLVED, That the final report of each joint committee be approved by a majority of the voting membership of the committee; dissenting voting members may attach statements to the final report subject to any limitations specified in the rules adopted by the committee; and, be it further

RESOLVED, That each joint committee created pursuant to this resolution expire on January 9, 2007, or an earlier date specified in the proclamation creating the committee.

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