

BILL ANALYSIS

Senate Research Center
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H.C.R. 70
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Administration
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Legislature, for each of the last 12 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. 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. 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.

RESOLVED

That the 80th Legislature of the State of Texas hereby authorizes the lieutenant governor and speaker of the house of representatives to create, by mutual agreement, such joint committees (committees) as they consider necessary during the term of this legislature.

That each 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 (officers) of each house; that the governor, on the request of the presiding officers, appoint members to a committee created pursuant to this resolution; that the officers issue for each committee a joint proclamation identifying the issue or issues to be studied and listing the committee membership or describing the committee composition; and that such a proclamation be filed with the secretary of the senate and the chief clerk of the house of representatives.

That the officers designate jointly a chair, or designate alternatively two co-chairs, from among the committee membership; that the chair or co-chairs, acting jointly and within four weeks of the proclamation, prepare and present to the officers a proposal for budget and staffing, and that the chair or co-chairs 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.

That the 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 that the joint committee chair, or the co-chairs 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 officers for the creation and appointment of subcommittees or advisory panels containing membership external to the committee.

That each committee and its subcommittees and advisory panels convene at the call of its chair or co-chairs; that a committee, its subcommittees, or its advisory panels, may not convene in a public hearing or other meeting for the transaction of business unless public notice has been posted by its chair or co-chairs 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 that the provisions of this sentence be construed, for purposes of Section 551.046 (Exception to General Rule: Committee of Legislature), 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.

That each committee has authority to issue process as provided in Sections 301.024 (Process), 301.025 (Refusal to Testify), 301.026 (Contempt of Legislature), and 301.027 (Prosecution for Contempt of Legislature), 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; that each committee is entitled to accept grants and donations as provided by Sections 301.032 (b) and (c), Government Code; and that, on expiration of a 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.

That each committee, except as modified by or pursuant to this resolution, has all other powers and duties provided to special committees by Subchapter B (Legislative Restoration Act), Chapter 301, Government Code, and the senate and house rules of procedure; that the operating accounts for each committee created pursuant to this resolution and any grants and donations that such a committee may receive be administered by the Texas Legislative Council (council); and that the council prepare, under the guidance of the presiding officers, a manual of procedures for committees and other entities created by the legislature for which funds are to be administered by the council establishing requirements as to printing needs, accounting procedures, ultimate disposition of records, and other administrative and financial matters.

That citizen members appointed by the lieutenant governor or speaker of the house of representatives to such committees be reimbursed, from funds appropriated to the council, for expenses of transportation, meals, lodging, and incidentals for travel on official committee business, at rates established by the joint chairs of the council consistent with provisions of the General Appropriations Act; that citizen members appointed by the governor to such committees 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 council consistent with provisions of the General Appropriations Act; and 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, to be reimbursed for transportation expenses at the same rates as authorized for state employees by the General Appropriations Act, and 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.

That the 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 committees created pursuant to this resolution; that the final report of each committee be approved by a majority of the voting membership of the committee; and that dissenting voting members are authorized to attach statements to the final report subject to any limitations specified in the rules adopted by the committee.

That each committee created pursuant to this resolution expires on January 13, 2009, or an earlier date specified in the proclamation creating the committee.