

Thomas E. "Tommy" Pope
Chairman

Justin T. Bamberg
Micajah P. "Micah" Caskey IV
Patrick B. Haddon
Patricia Moore "Pat" Henegan

Ad Hoc House Rules Review Committee

Wm. Weston J. Newton
Bill Taylor
Anne J. Thayer
Elizabeth "Spencer" Wetmore
William W. "Will" Wheeler III

Staff:
Charles Reid
Julia Foster
Patrick Dennis



October 4, 2022

VIA HAND DELIVERY

The Honorable G. Murrell Smith, Jr.
South Carolina House of Representatives
506 Blatt Building
Columbia, South Carolina 29201

RE: Proposals by the Ad Hoc Rules Review Committee

Speaker Smith,

Having met and duly considered potential changes and updates to the House Rules, the Ad Hoc Rules Review Committee hereby issues recommendations for your review. The bulk of the proposed changes are found and incorporated in the attachment entitled, *Final Proposed Changes/Revisions to House Rules*. Additionally, the Committee, respectfully, makes the following suggestions:

- The Committee suggests the development of joint rules with Senate leadership to help govern the operations and procedures used in Joint Assembly.
- The Committee asks that the Speaker and Committee Chairmen consider either setting regularly scheduled committee meeting times to minimize conflict of committee meetings or to identify a day or dates during the legislative session that non-legislative committees can utilize without concern of lack of a quorum due to conflicting meeting schedules with the legislative committees.

Please do not hesitate to contact me if I may be of any further assistance in any way.

Sincerely,

A handwritten signature in blue ink that reads "TE Pope".

Thomas E. Pope
Speaker *Pro Tempore*

Enclosure

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Final Proposed Changes/Revisions to House Rules

This draft incorporates the recommendations of the Ad Hoc Rules Review Committee as instructed by the committee at the August 11, 2022, September 8, 2022 and October 4, 2022 meetings. Please note that the Ad Hoc Rules Review Committee's recommendations will go to the current House Rules Committee before Organizational Session.

APPROVED 1.2 The Speaker shall preserve order and decorum pursuant to the rules of the House of Representatives, and, in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared. The Speaker shall take measures to strictly enforce the provisions of House rule 3.6 and will ensure that every member takes his seat, acts with decorum at all times, refrains from disrespect to the institution of the House or the Senate and to all personalities, observes decency of speech, and confines himself to the question under consideration when the House is in session. Any person guilty of contempt of the House may be ordered into custody by the House and dealt with as it deems proper.

EXPLANATION: *The committee proposes this to specifically give the Speaker the responsibility and authority to enforce the provisions of House Rule 3.6 concerning decorum and behavior. The change also restates the language of Rule 3.6 stating how a member must act while the House is in session.*

APPROVED 1.5 The Speaker shall decide all points of order, subject to an appeal by any member, and he may require the member raising a point of order to cite the rule or other authority in support of the question. ~~With unanimous consent, a~~ A member may withdraw a point of order the member has raised. Upon appeal, no member shall speak more than once and for no longer than twenty minutes each, except by permission of the House.

EXPLANATION: *The committee proposes this change to strike the requirement of unanimous consent of the body before a member may withdraw a point of order.*

APPROVED 1.8 The Speaker *Pro Tempore* shall be elected on the opening day of the organizational session and shall preside in the absence of the Speaker. If a conflict of interest arises involving the Speaker and the performance of his duties the Speaker *Pro Tempore* shall perform the duties of the Speaker to the extent that the conflict of interest exists. ~~Furthermore, pursuant to this rule a person elected Speaker *Pro Tempore* may not serve more than five consecutive terms in that office.~~ *Provided*, the Speaker or the Speaker *Pro Tempore*, whoever may be presiding at the time, may name a member to preside, but such substitution shall not extend beyond an adjournment. In the absence of the Speaker and the Speaker *Pro Tempore* for more than one day, the House may elect a Speaker *Pro Tempore* to serve until the return of the Speaker or Speaker *Pro Tempore*. When the Speaker *Pro Tempore* is absent for more than three consecutive statewide legislative days, the House of Representatives may elect an acting Speaker *Pro Tempore* who shall serve until the return of the Speaker *Pro Tempore*. The acting Speaker *Pro Tempore* may continue to serve on any committee to which he has been appointed.

EXPLANATION: *The committee proposes this change to delete the term limit of serving no more than 5 consecutive terms as Speaker Pro-Tempore. This change does not affect Rule 1.7 that limits the Speaker to no more than 5 consecutive terms of office.*

APPROVED 2.7 The Clerk shall prepare in writing, ~~present to the Speaker for his signature,~~ and send all messages to the Senate and elsewhere as ordered by the House.

EXPLANATION: *All messages are prepared and signed by the Clerk's staff. Messages are often very time-sensitive, especially during the last few days of the legislative session, and the Speaker is too busy with other matters to take the time to "sign" his name to these messages. The committee proposes this change because the requirement that the Speaker sign messages is archaic and unnecessary as the sending of messages is an administrative duty performed by the Clerk's office.*

APPROVED TO MOVE EXISTING RULE 3.7 TO A NEW SECTION 10.16

~~No employee of the House shall personally interest or concern himself with the passage or consideration of any measure whatsoever. If any employee does so, it shall be grounds for summary dismissal. While within the House Chamber during session, no one may personally, or in an official or representative capacity, concern himself with the passage or consideration of any measure whatsoever, except sitting members of the General Assembly and House staff in the usual and ordinary~~

~~performance of their duties as an employee of the House. The Speaker may require immediate removal from the House Chamber of any person, who violates the provisions of this rule.~~

EXPLANATION: *Rule 3 deals with members and membership; however, this particular rule deals with employees and would be better placed under Rule 10 with other rules pertaining to employees. The committee proposes that the House delete Rule 3.7 and reinsert the language as a new rule, House Rule 10.16.*

APPROVED 3.11 As soon as practicable, after the House has been organized, office space of members must be allotted as follows:

Each member shall ~~choose~~ be assigned an office in the Blatt Building on the basis of their seniority in the House ~~in accordance with a floor plan prepared by the House Operations and Management Committee with the consent of the Speaker.~~ A member who has served in the immediately preceding session shall have first preference on retention of his previously assigned office. The House Operations and Management Committee is authorized to make necessary adjustments in the assignment of office space with the consent of the Speaker when ~~available space cannot be reasonably adjusted to conform with the county selections made pursuant to this subsection~~ necessary.

The provisions of this rule do not apply to office space for the Speaker, Speaker *Pro Tempore*, Chairman of the Rules Committee, Chairman of the Invitations and Memorial Resolutions Committee, Chairman of the Interstate Cooperation Committee and Chairmen of any other standing ~~study~~ committees or any other caucus having assigned space in the Blatt Building.

Provided, further, each member shall be assigned a parking space in the parking facility on the basis of their seniority in the House. A member who has served in the immediately preceding session shall have first preference on retention of his previously assigned parking space.

EXPLANATION: *The committee proposes this change to have the rule reflect the practice for assigning offices and parking spaces. For decades, the Blatt Building Manager has assigned offices for House members based upon seniority, delegation membership, requests of members, etc. The Blatt Building Manager talks with members, listens to their requests, and assigns offices. He then consults with the Operations & Management Committee Chairman and Speaker IF member(s) are dissatisfied. It works very well. The current rule has NEVER been followed and just creates confusion. This rule also adds language directing that the distribution of parking spaces follow a process similar to the distribution of offices. Further, the committee proposes changing the rule by deleting the word “study” from the second paragraph to eliminate potentially confusing language as House standing committees are not “study” committees.*

APPROVED (SEE RULE 10.15) 3.12 ~~Members and employees of the House, other than pages, shall observe appropriate and dignified attire which means coat, trousers, shirt and tie for males and dress, skirt, slacks and blouse, or pants suits for females, unless otherwise excused by the Speaker in his sole discretion.~~
(see House Rule 10.15 below for appropriate attire for ALL persons)

EXPLANATION: *The House has two separate rules discussing appropriate attire. The committee proposes deleting Rule 3.12 and the last sentence of Rule 10.5 and creating a new rule, House Rule 10.15, so that there is ONE rule governing attire for ALL persons. The committee believes it is best to have one rule governing attire for all persons - including members, staff, and guests. Please see the deletion of Rule 10.5 and the proposed NEW Rule 10.15 below.*

APPROVED 4.4 Committees shall meet regularly to consider pending legislation in the room assigned for their use by the Speaker or as otherwise authorized by this rule. Notice of date, time, and place of such meetings shall be posted on a ~~bulletin board provided for this purpose in the lobby~~ the legislative website and displayed in the lobby on each floor of the Solomon Blatt Building. ~~Whenever feasible twenty-four hour advance notice shall be given for all committee meetings. Such notice shall be mailed to the members by the committee chairmen when the House is not in session. Notice of regular and special meetings shall also be given by the administrative assistants to each member of the committees and to the Sergeant at Arms in the manner the committee deems proper. Information as to subcommittee meetings shall be provided by the administrative assistants to the Sergeant at Arms and shall be available at the Sergeant at Arms' desk. A committee should give a minimum twenty-four hour advance notice for all committee meetings. Provided, however, in case of necessity due to exigent circumstances, the Speaker, in his sole discretion, may waive the twenty-four hour advance notice requirement herein. Committee chairmen must notify the committee members of all meetings. Failure of notice of any meeting shall not invalidate committee action unless bad faith is shown. No committee shall meet while the House is in session without special leave by the Speaker. Provided, however, that the Committee on Rules and any committee of conference or free conference, may sit at any time and may report its message to the House at any time.~~

A Committee may provide, pursuant to its own rules, for the Chairmen to designate alternative meeting arrangements and procedures. Provided, however, the Chairman may only implement alternative meeting arrangements and procedures in the event that extraordinary circumstances, including, but not limited to, natural disasters, severe weather, and Acts of God, render them necessary. The alternative meeting arrangements and procedures must:

- 1) provide for public observation or participation as required by House Rules and the provisions of Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended;
- 2) provide both a video and audio component that is publicly accessible; and,
- 3) record the meeting, in its entirety, and make the recording available on the General Assembly website, as soon as practicable following the meeting.

No committee shall sit unless a quorum be present and all bills introduced by committees must carry the statement of the Chairman that the bill has the approval of two-thirds of the membership of the committee, except that the State Appropriations Bill, the Supplemental Appropriations Bill, a Rescission Bill, and the Deficiency Appropriations Bill may be introduced by a majority vote of the Ways and Means Committee.

No committee shall introduce a bill pertaining to subject matter over which it has no jurisdiction.

~~Notice in writing of all public hearings shall be given by Committee Chairmen to the Clerk of the House at least five calendar days prior to the date fixed for the hearing, such notice to be published in the House Calendar.~~ Notice in writing of all committee action taken on a bill or resolution shall be given to the principal author thereof.

No statewide bill directly appropriating money shall be considered by the House until after such bill has been referred to the Ways and Means Committee, *provided*, however, a statewide bill which directly or by implication provides for *per diem*, subsistence or mileage in connection with the subject matter of the bill, but does not otherwise directly appropriate money, shall not be required to be referred to the Ways and Means Committee.

After the House sets a bill for Special Order pursuant to Rule 6.3, no point of order may be raised regarding its reference to committee, however, the House by majority vote may commit or recommit a bill or other matter under debate.

No committee action shall be taken on a bill or resolution except at a regular or called meeting, but this shall not apply to resolutions referred to the Committee on Invitations and Memorial Resolutions.

When any standing committee or subcommittee schedules a public hearing on a bill or resolution, the principal sponsor of such bill or resolution shall be notified of the time and place of such hearing not less than five calendar days prior to the hearing date.

EXPLANATION: *The committee proposes these changes because the internet and our widespread use of the legislative website to create real-time announcements/postings of meetings makes this antiquated paper-based notice process useless. Everyone accesses the website or utilizes the legislative APP to*

keep up with the meetings and public hearings. It is an archaic rule and no longer useful. The new language discusses the use of the website, the posting of notices in the lobby on each floor of the Solomon Blatt Building and still requires meeting notice to be given to all committee members. In regards to the 24-hour advance notice provision, the word "feasible" is removed and language is added that the Speaker, in the case of necessity due to exigent circumstances, could waive the 24 hour notice requirement.

APPROVED 4.8 Any bill, report, petition, or other paper except an amendment which may come before the House, may be committed or recommitted before a final decision thereon. *Provided*, further that the Speaker shall commit to a committee any bill, joint resolution, or concurrent resolution returned from the Senate with an amendment that has so materially changed the bill that the bill's contents, as amended by the Senate, are no longer substantially germane to the bill, joint resolution, or concurrent resolution as it passed the House. Such bill, joint resolution, or concurrent resolution may be reported out of the committee with its recommendation and shall be placed on the Calendar under the heading of ~~second reading or concurrent resolution~~ Senate Amendments. If not amended, it shall be enrolled as an act and ratified. If said bill, joint resolution, or concurrent resolution shall be amended, it shall be returned to the Senate at the conclusion of the process as a House amendment. *Provided*, the provisions of this rule may be dispensed with by a two-thirds vote of the membership present and voting of the House, a quorum being present.

EXPLANATION: *The committee proposes this change because this rule was incorrectly drafted many years ago. If the situation stated in the first two sentences of the rule occurs then the bill should be placed on the Calendar under the heading of SENATE AMENDMENTS. The House has ignored this clerical error in drafting and has, instead, followed the procedurally correct practice of placing such bills under the heading of SENATE AMENDMENTS. It's a simple clerical correction to the rule so that the correct legislative procedure is followed.*

APPROVED 4.16.D.(8)(b) If, after reviewing the commission's recommendation and relevant evidence, the committee determines that there is competent and substantial evidence that a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred, except for a technical violation of Sec. 8-13-1170 or 8-13-1372, the committee shall, as appropriate:

- (a) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or
- (b) convene a formal public hearing on the matter ~~within thirty (30) days.~~

EXPLANATION: *The committee proposes this change because the current House rule conflicts with the statutory language of the State Ethics Act and the Ethics Committee Practice. The statute DOES NOT set a time frame for convening a public hearing. The Committee has the practice of convening a hearing within 90 days, which has proven to be a good time frame for all parties involved in a hearing. Thus, the Committee asks that the language in the rule strike the requirement of a hearing within 30 days.*

APPROVED 4.21:

4.21 A special Ad Hoc committees not otherwise referenced in these rules may be created by resolution or upon order of the Speaker. The resolution or Speaker's order creating the Ad Hoc committee shall specify the subject matter of the committee, the number of members to be appointed thereto, the mode in which the committee shall be appointed, and the time of its appointment. The resolution or order may specify a reporting date for the committee, dictate the contents and subject matter of the report, and may set a termination date for the committee's duties and operations. The procedure in an Ad Hoc committee is the same in all important particulars as procedure in standing committees as set forth in these rules.

Provided, further, standing committee chairmen may, upon the order of the chairman or motion of the standing committee, create a special ad hoc committee concerning subject matter within the standing committee's jurisdiction. Such ad hoc committee is restricted to the membership of the standing committee.

EXPLANATION: *The committee proposes this new rule providing uniformity in the establishment of ad hoc committees, instructions given to ad hoc committees, and procedures governing ad hoc committees. Currently, the House Rules have no language governing the ad hoc committee process, and this rule will help ensure consistency in the ad hoc committee process.*

APPROVED 5.1 No notice shall be required of a member of his intention to introduce a bill or resolution. ~~Any member may introduce bills or resolutions which shall be received by the House staff whether or not the House is in session. Bills and resolutions so received shall be periodically referred by the Speaker of the House to the appropriate committee or committees which may then consider them at such times as the committee meets.~~ Provided, however, the Speaker may delay referral of a bill or resolution for one statewide legislative day in order to review the legislation's subject matter content. Any matter acted upon favorably by any committee may be reported out by the committee when the House reconvenes and need not thereafter be sent to any committee but shall then be ready, upon compliance with other Rules of the House, for second reading consideration; *provided*, however, that bills appropriating revenue shall be referred to the Ways and

Means Committee. *Provided*, further, that bills and resolutions creating study committees shall first be referred to the appropriate standing committee having jurisdiction of the subject matter of the bill or resolution. ~~The Clerk of the House shall establish procedures to notify the House membership on a monthly basis of bills and resolutions introduced during periods when the Journal is not printed.~~

The Speaker may establish procedures and dates for prefiling legislation prior to the first day of the convening or reconvening of the General Assembly. All bills received prior to the first day of the convening or reconvening of the General Assembly shall receive first reading on the first day of the session.

In those years in which all seats of the House are up for election, no bill shall be received for prefiling between the dates of adjournment *sine die* and the date of completion of the Organizational Session of the House.

When the House of Representatives is not in session and bills are being prefiled and assigned to committees, any member who wishes to have their name added as a sponsor of a bill may do so by notifying the Clerk of the House in writing. The Clerk shall then notify the Chairman of the committee to which the bill has been assigned and their name shall be added. If a member wishes to sponsor a bill individually then they shall so indicate on the face of the bill and no additional sponsors shall be allowed.

EXPLANATION: *The committee proposes two changes to this rule.*

*The **first** change will allow the Speaker to delay referral of legislation to a committee for ONE statewide legislative day if the Speaker deems it necessary to study the bill's subject matter in order to determine the appropriate committee to receive the legislation.*

*The **second** change is proposed because the House, for more than 50 years, has not followed the current rule. Research shows that since **at least** the early 1970's the House does not receive legislation when not in session. The only exception to this practice is when the Speaker sets the procedures and dates for prefiling. This language comports the rule to the long-standing practice and specifically states that the Speaker establish the dates and procedures for prefiling.*

APPROVED 6.1 a. The House shall meet each legislative day at 12:00 Noon every Tuesday, 10:00 a.m. every Wednesday, and 10:00 a.m. every Thursday and Friday unless otherwise ordered by the House. *Provided*, that by motion made at any time the House by majority vote may fix the day and hour at which time the House shall next meet (not to exceed constitutional limitations) and this shall be decided without debate.

Provided, further, that during the first three weeks of the legislative session, unless a majority of the House members present object, on Wednesdays the House shall

meet at 2:00 p.m. to provide time in the morning hours for committees to meet and hearings to be held.

Provided, further, that unless ordered otherwise, the House shall consider only local uncontested matters and bills and resolutions that have received unanimous consent for third reading on Friday of each week.

EXPLANATION: *Subsection "a" only allows LOCAL legislation to get unanimous consent for 3rd reading on Friday, the House has ALWAYS allowed local AND statewide legislation to get unanimous consent of 3rd reading on Friday. The committee proposes this change so the rule comports with the practice concerning local session days on Friday. .*

b. The Speaker, in his sole discretion, is authorized to call the House of Representatives into statewide session for the exclusive purpose of the introduction and referral of bills and resolutions and receipt and reading of communications and committee reports and to adjourn immediately thereafter with no roll to be taken. Any such action by the Speaker shall provide the specific date of the statewide session and shall provide that the House of Representatives must convene at 10:00 a.m. and adjourn not later than 10:30 a.m. on these days. *Provided*, that a statewide session held pursuant to this paragraph shall not be considered in calculating the provisions of Rules 5.10 and 9.1.

EXPLANATION: *Subsection "b" applies to situations where the Speaker has exercised his authority to call a statewide session for introduction of bills. This is a rare occurrence. However, the rule only allows for the introduction of BILLS and should also allow introduction of other legislation such as Joint Resolutions, House Resolutions, and Concurrent resolutions. Again, the committee proposes this change so that the rule comports with the House's practice.*

APPROVED 9.3 No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment unless it refers to the intent of the motion or proposition under consideration. ~~*Provided*, that nothing in this rule shall prevent a committee from amending and favorably reporting a Senate bill with an amendment identical to the final version of a House bill that was referred to that committee and passed by the House during the current two-year session.~~ *Provided*, further, that nothing shall prevent the adoption of an amendment which rewrites the bill in its entirety if the bill as rewritten remains germane to the original title of the bill. *Provided*, further, that in determining whether or not any amendment be germane, the Speaker of the House of Representatives shall be guided by precedents of the House of Representatives to the extent available.

EXPLANATION: *This rule has the same language as rule Rule 4.7.b. It was added to the House Rules in 2002 to combat the Senate's practice of bob-tailing, log-rolling, and violating the one-subject rule. It is redundant and unnecessary to have*

the same language in two different places of the House Rules, and creates confusion. The committee believes that the language stricken from this rule is best located in Rule 4.7.b. The striking of this language from Rule 9.3 will retain it in Rule 4.7.b.

APPROVED - 10.3 Definitions of measures:

1. 'Resolutions' This term includes:

a. 'House Resolution' which affects only the action of the House and the members thereof. It requires only one reading for adoption, and shall not be submitted to the Senate.

b. 'Concurrent Resolution' which affects only the action of the General Assembly and the members thereof. It requires only one reading in each House for adoption.

c. 'Joint Resolution' which shall have the same force of law as an act, but is a temporary measure, dying when its subject matter is completed. It requires the same treatment as a bill does in its passage through both Houses, but its title after passage shall not be changed to that of an act; and when used to propose an amendment to the Constitution it does not require the approval of the Governor.

2. 'Bill' A bill is the term applied to a measure introduced in either House designed to become a permanent law (or an 'act').

It must be read and adopted three times on three separate days in each House, following which its title is changed to that of an act.

3. 'Act' An act is the term applied to a bill that has passed both Houses, been ratified by the presiding officer of each House and signed by the Governor or passed over his veto. It is a permanent measure, having the force of law until repealed.

4. 'Veto' The term used for disapproval of a bill or joint resolution by the Governor. ~~It may be overridden by a two-thirds vote of the members present and voting of each House.~~ It may be overridden by a two-thirds vote of the members present and voting with at least two-thirds of a quorum voting to override. This requirement is set forth in Article IV, Section 21, of the South Carolina Constitution and defined by the decisions of the South Carolina Supreme Court.

EXPLANATION: *The committee proposes this change to Rule 10.3.4 to strike the incorrect wording describing the vote needed to override a veto message. In 2011 the South Carolina Supreme Court ruled that a 2/3 vote of the members present and voting was NOT sufficient to override a veto. The Court stated that Article IV, Section 21, requires a 2/3 vote of a quorum voting to override in order to override a veto. The current wording of Rule 10.3.4 incorrectly states the vote requirement, is confusing, and contradicts the Supreme Court's decision of 2011.*

The committee recommends striking the second sentence of Rule 10.3.4 and adding new wording to state that a veto can be overridden by the vote requirement set forth in the South Carolina Constitution and defined by the South Carolina Supreme

Court. (The Supreme Court's interpretation of the SC Constitution controls this question. In Board of Trustees of Fairfield County School District v. State, et al., 395 SC 276, 718 S.E.2d 210 (2011) the South Carolina Supreme Court held that a 2/3 vote of a quorum is required to override a veto.)

APPROVED (See Rule 10.15) - 10.5 Each member of the House shall be entitled to appoint one individual as a House page to perform such duties as determined by the Speaker. The provisions of this rule shall be contingent upon the General Assembly providing for at least one hundred twenty-four House pages in the annual General Appropriations Act for the fiscal year during which such session shall take place. Any additional House pages authorized shall be appointed by the Speaker in his sole discretion. ~~Pages and guests of the House shall observe appropriate and dignified attire which means shirt and tie for males and dress, skirt or slacks and blouse, or pants suits for females. This provision shall be enforced by the Speaker.~~

EXPLANATION: *The House has two separate rules discussing appropriate attire. The committee finds that having two separate rules concerning appropriate attire to be confusing. Thus, the committee proposes striking Rule 3.12 and the last sentence of Rule 10.5 and creating a new rule, House Rule 10.15, so that there is ONE rule governing attire for ALL persons. See House Rule 10.15 below.*

APPROVED - 10.8 ~~No member of the House shall incur more than one thousand eight hundred dollars in long distance telephone charges at state expense during any fiscal year. If a member accumulates more than one thousand eight hundred dollars in long distance telephone expenses during any fiscal year, he shall be billed and must reimburse the State on a monthly basis for the remaining balance.~~

EXPLANATION: *The committee finds this rule be archaic and no longer applicable. For the past two decades the House has used a VOIP phone system and members are not charged for long-distance phone calls. The \$1,800 dollars formerly used for long-distance is now deposited in the House members' postage accounts. The committee suggests that this rule be deleted.*

APPROVED - 10.12 ~~The Clerk's Office shall establish procedures for the hiring of staff for the House of Representatives. The procedures must provide that the Clerk's Office shall receive and review all applications for employment vacancies within the House, and the Clerk's Office shall submit a list of the most qualified applicants to the appropriate supervisory authority for consideration. The appropriate supervising authority shall select an applicant from the list submitted by the Clerk's Office. If the appropriate supervisory authority determines no applicant is acceptable the Clerk's Office shall reopen the application process, receive and review additional applications for the vacancy, and will resubmit a list of the most~~

qualified applicants to the appropriate supervisory authority. The Speaker shall establish procedures for the hiring of staff for the House of Representatives. The procedures must provide that a list of the most qualified applicants shall be submitted to the appropriate supervisory authority for consideration. The appropriate supervisory authority shall select an applicant from the list. If the appropriate supervisory authority determines no applicant to be acceptable the application process will reopen and a new list of most qualified applicants shall be submitted to the appropriate supervisory authority. The appropriate supervisory authority's selected applicant then must be submitted to the Speaker of the House for final appointment as a member of the staff of the House of Representatives.

For purposes of this rule the Speaker of the House and the Speaker *Pro Tempore* are the supervisory authority for their respective offices. The Committee Chairmen are the supervisory authority for their respective committees, and the Sergeant at Arms is the supervisory authority for security personnel necessary for the proper performance of the Sergeant at Arms' office and security needs of the House Chamber, Solomon Blatt Building, and other areas under the Sergeant at Arms' jurisdiction. The Clerk is the appropriate supervisory authority for administrative and clerical staff of the House necessary for the proper operation of the Clerk's Office and the general administrative and clerical needs of the House.

Provided, the appropriate supervisory authority's selected applicant must be submitted to the Speaker of the House for final appointment as a member of the staff of the House of Representatives.

EXPLANATION: *Prior to 2014 the Speaker of the House decided the procedures for hiring personnel. Former House Speaker's Wilkins and Harrell controlled the hiring process and made the administrative decision to have the House Clerk handle all personnel duties - subject to the Speaker's final approval. Although Speakers Wilkins and Harrell had the authority to control the process they preferred that the Clerk handle the day-to-day personnel issues and come to them when guidance was needed.*

In 2014 Acting Speaker Lucas appointed the 2014 Ad Hoc Rules Committee. Acting Speaker Lucas pushed the committee very hard to approve a rule taking this hiring authority from the Speaker and expressly putting it in the hands of the House Clerk. In 2020, former Speaker Lucas told a 2nd Ad Hoc Rules Committee that he wanted the hiring authority changed again and expressly placed back under the Speaker's authority. The 2020 Ad Hoc Committee agreed with the Speaker's request, but the rule change was not presented to the House.

The committee proposes these changes to put the personnel process back under the Speaker's control. The committee believes the Speaker, as the Chief Executive Officer of the House, should have control of this process and the authority to delegate it as he deems appropriate and necessary.

APPROVED - 10.13 ~~The Clerk's Office~~ Speaker shall conduct reviews of employee salaries and compensation and shall, upon consultation with the appropriate supervisory authority, ~~submit salary and compensation recommendations regarding new and current employees to the Speaker of the House.~~ After consideration of these recommendations, the Speaker shall set the salary and compensation of new and current employees.”

EXPLANATION: *The committee proposes this change in conjunction with the changes to rule 10.12. Again, the Speaker, as Chief Executive Officer, should determine the personnel processes.*

APPROVED AS FOLLOWS 10.15 (A new House Rule concerning dress code/attire)

Members, all employees of the House, and guests are expected to dress in business professional attire unless otherwise excused by the Speaker in his sole discretion. Examples of business professional attire include, but are not limited to, dress or sport coat, trousers, shirt and tie for males and dress, skirt, slacks and blouse, or suits for females.

EXPLANATION: *This is the new House Rule that will govern appropriate attire for House members, all employees, and guests. It includes examples of business professional attire. The Speaker still has the discretion to allow members to wear other attire in special situations when due to injury, physical concerns, or health reasons the member may need to wear other attire.*

APPROVED TO MOVE EXISTING RULE 3.7 TO A NEW AREA IN NEW HOUSE RULE 10.16:

10.16 No employee of the House shall personally interest or concern himself with the passage or consideration of any measure whatsoever. If any employee does so, it shall be grounds for summary dismissal. While within the House Chamber during session, no one may personally, or in an official or representative capacity, concern himself with the passage or consideration of any measure whatsoever, except sitting members of the General Assembly and House staff in the usual and ordinary performance of their duties as an employee of the House. The Speaker may require immediate removal from the House Chamber of any person, who violates the provisions of this rule.

EXPLANATION: *House Rule 3.7 was in the improper place in the House Rules. The rule concerns House employees and should be placed under Rule 10. Thus, the committee suggests that the language of Rule 3.7 be moved to a new Rule 10.16.*

Other Proposals by Ad Hoc Committee:

1) Proposal: *The on-line voting record should reflect when a member has submitted, in writing, his abstention from voting on a bill, amendment, election, or issue.*

Action: *The Clerk stated that was an administrative issue, and the Clerk's Office, on August 30, 2022, began reflecting abstentions in each member's online voting records.*

2) Proposal: *Develop joint rules of the House & Senate to help govern the operations and procedures used in Joint Assembly.*

Action: *See attached letter on behalf of the Ad Hoc Rules Review Committee asking that the Speaker follow up with Senate leadership regarding the development of Joint Assembly Rules.*

Proposal: *Research the concept of a House Rule stating that the constitutional requirement of a viva voce vote is met when the House utilizes the House voting board to record each House member's vote.*

Action: *Staff is researching this issue on behalf of the committee.*

3) Proposal: *Consider the possibility of setting a regular schedule for committee meetings to ensure dedicated times when non-legislative committees (i.e. LOC, Regulations, O&M, etc.) could schedule meetings and avoid conflicts with the meetings of the legislative committees (i.e. W&M, Judiciary, LCI, Education, 3M, & Agriculture).*

Action: *The committee requests that the Speaker and Committee Chairmen consider either setting regularly scheduled committee meeting times to minimize conflict of committee meetings or identify a date or dates during the legislative session that non-legislative committees can utilize without concern of lack of a quorum due to conflicting meeting schedules.*