

# JOINT BUDGET COMMITTEE



## JOINT BUDGET COMMITTEE ORGANIZATIONAL MEETING

JBC WORKING DOCUMENT - SUBJECT TO CHANGE  
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

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## JOINT BUDGET COMMITTEE OPERATING RULES

The following Operating Rules were adopted by the Joint Budget Committee (JBC) on November 11, 2020. **Staff has included for the Committee's consideration modifications to clearly state the JBC longstanding practices.** The suggested edits to items 6, 8, and 13 clarify the following practices:

- For most motions that are made as the JBC crafts the budget, the term “simple majority” in the existing rules refers to a majority of members present rather than all six members. The rule concerning a quorum (item 2) ensures that at least one minority party member is present for every motion. Edits to items 6 and 8 clarify this practice.
- JBC-sponsored legislation requires a unanimous vote of all JBC members, not just to those members who are present. However, the unanimous vote requirement does not apply to the Long Bill or supplemental bills. Edits to item 13 clarify this practice, including clarifying that by tradition and practice all JBC members are present when final motions are made for supplemental appropriation bills and the Long Bill.

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1. Every two years, after the Committee is formed, the JBC members elect a Chair (from the Senate) and Vice-Chair (from the House). The Chair and Vice Chair switch titles the next year.
  2. A quorum consists of two members from each chamber and at least one minority party member.
  3. Motions go through the Chair.
  4. Motions do not require a second.
  5. The Chair may make motions.
  6. Passage of a motion requires a ~~simple~~ majority OF THE VOTES CAST. In the event of a tie vote, the motion fails.
  7. Only one substitute motion is allowed at any one time.
  8. A member can ask for reconsideration of a decision at any time. Passage requires a ~~simple~~ majority OF THE VOTES CAST.
  9. To "close" or agree that no further votes will be taken on the Long Bill or a department requires two votes from each chamber.
  10. Decisions by the Conference Committee members on supplemental bills, the Long Bill, and any other bill that is sponsored by the JBC require two votes from each chamber.
  11. The JBC, by two-thirds vote of the entire body, can go into Executive Session to discuss legal matters or staff personnel matters.

12. A JBC member must ask the Chair to be officially "excused" when he or she will not be able to attend a scheduled meeting.
13. ~~A unanimous vote of the JBC is necessary for a bill to be considered a JBC bill.~~ THE JBC MUST APPROVE A SUPPLEMENTAL APPROPRIATION BILL OR THE LONG BILL BY A MAJORITY OF MEMBERS OF THE JBC. A UNANIMOUS VOTE OF ALL MEMBERS OF THE JBC IS NECESSARY FOR ANY OTHER BILL TO BE CONSIDERED A JBC BILL.

## JOINT BUDGET COMMITTEE OPERATING PROCEDURES

The following are the operating procedures that the JBC adopted November 11, 2020. **Staff has included for the Committee's consideration two modifications:**

- The JBC currently plans to allow for public in person attendance, but may modify this policy based on changes in public health conditions. If that occurs, we plan to reinstate the practice of posting documents one day prior to the presentation. **Staff recommends retaining the language that was added to item #2 last year to allow for this exception, but broadening the language to cover any future public health emergency.**
- In the past the JBC has allowed individuals or groups to make a presentation to the JBC, giving priority to those who have not previously met with the JBC and groups without a lobbyist. These presentations were scheduled at the discretion of the Chair on Tuesday and Thursday evenings (5:00 – 6:00 pm) in November and December. Last year, language was added to item #9 to indicate that as long as JBC meetings are closed to public in-person attendance due to the COVID-19 public health emergency, the JBC will not schedule any of these presentations.

**Staff recommends modifying item #9 concerning public testimony.** The JBC has adopted a regular practice of scheduling time early in the figure setting process to hear public testimony on the state budget for the upcoming fiscal year. Largely as a result of the public health emergency, this now includes an opportunity to submit written testimony or testify remotely. This opportunity is more transparent than the previous practice of holding Tuesday/Thursday meetings because it is included in the JBC's official schedule. In addition, this opportunity occurs closer to the time that the JBC begins taking action on the upcoming budget, and occurs during the day when all JBC members are available to participate. Staff recommends continuing this practice in lieu of reinstating the Tuesday/Thursday meetings, and modifying this item accordingly.

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1. JBC Staff documents will be available to JBC members by 4:00 p.m. two business days before the document is scheduled to be presented to the Committee. Documents will be made available electronically and hard copies will be pre-punched and placed in notebooks for JBC members.
  2. Information prepared for the JBC will not be made public before JBC members have had an opportunity to review the information. JBC Staff documents will be available and posted to the Internet the day of the presentation. For JBC meetings that are closed to public in-person attendance due to ~~the COVID-19~~ A public health emergency, JBC staff documents will be posted to the Internet one business day prior to the presentation.
  3. Letters received by all JBC members regarding the same budget matters may be referred to the Staff Director for response by the appropriate JBC analyst. Responses will be reviewed and approved by the JBC before being signed by the Chair and sent out. Individual letters regarding budget matters or separate legislation will not be reviewed by the full JBC.
  4. JBC Staff will not be responsible for constituent related correspondence and matters. House and Senate staff, aides, or interns will handle these items.

5. JBC Administrative Staff will not call JBC members out of hearings or deliver messages into a hearing unless specifically instructed to do so by a JBC member or in the event of an emergency.
6. The Office of State Planning and Budgeting (OSPB) will present departmental requests for reconsideration of JBC budget decisions ("comebacks") at the end of the supplemental and figure setting processes. Judicial Branch agencies, the Attorney General, the State Treasurer, and the Secretary of State will be allowed the same opportunity.
7. JBC Staff will share a draft of each supplemental bill and the relevant section(s) of the Long Bill with each department's budget office prior to introduction of the bill to check for technical errors.
8. JBC Staff will make general overview information presented during caucus discussions of supplemental bills or the Long Bill available to OSPB and other interested parties after the information has been made available to legislators. Staff will not release amendments or responses to individual legislators' questions to OSPB or other interested parties.
9. ~~Requests from a group or an individual to make a presentation to the JBC will be coordinated through the Staff Director and reviewed by the Chair. Any such presentations will be scheduled on Tuesday and Thursday afternoons. Priority will be given to individuals and groups who have not previously met with the JBC and groups without a lobbyist. Generally, these meetings occur during the legislative interim and not while the General Assembly is in session. As long as JBC meetings are closed to public in-person attendance due to the COVID-19 public health emergency, the JBC will not schedule any of these presentations. THE JBC STAFF DIRECTOR WILL COORDINATE WITH THE JBC CHAIR TO ANNUALLY SCHEDULE A MEETING IN LATE JANUARY OR EARLY FEBRUARY TO PROVIDE AN OPPORTUNITY FOR PUBLIC TESTIMONY CONCERNING THE STATE BUDGET FOR THE UPCOMING FISCAL YEAR.~~