

2013 SESSION RULINGS

SENATE

SECTION 25 -- RECONSIDERATION

25-1.17 RECONSIDER AMENDMENT

A senator called an amendment and, after its adoption, attempted to withdraw it, stating he had mistakenly called the wrong amendment. The president called for a voice vote to withdraw the amendment.

The majority leader noted the procedure to remove the amendment just adopted would be a motion to reconsider the amendment by someone on the prevailing side; the amendment could then be rejected on the reconsideration motion and a different amendment considered.

The senator asked for reconsideration of the amendment and the president called for a voice vote on the motion. After the vote was taken, the president called for a voice vote on rejection of the amendment just adopted. The amendment was rejected and the correct amendment was called and adopted. *Wyman, May 31, 2013.*

HOUSE

SECTION 10 -- DEBATE

10-2. MEMBERS' REMARKS

10-2B. MEMBERS' REMARKS, NOT GERMANE

10-2B.35 REMARKS TO AN ITEM NOT CURRENTLY BEFORE HOUSE

After announcements were made for caucuses immediately following recess, a member requested to make an announcement. The member then made a number of comments about recent events in the state and the viewpoints of the Black and Puerto Rican Caucus. The majority leader raised a point of order that the member was not discussing anything currently before the House.

The deputy speaker ruled the point well taken and directed the member to yield the floor. *Godfrey, June 5, 2013.*

SECTION 12 -- DIVIDING THE QUESTION

12-1.13 MATTER AS DIVISIBLE, LIMITED DEBATE

The bill made changes in the state's firearms laws, mental health insurance coverage and services, and security measures for K-12 public schools and institutions of higher education. A member noted the bill was extensive and contained many different elements. Sections 1 to 63 of the bill were the firearms sections. The member made a motion to divide the question to allow a separate vote on sections 1 to 63 from the balance of the bill.

The speaker ruled the question was divisible as the separate sections of the bill were unique and separate topics.

The speaker noted there are varying rules and precedents whether a motion to divide is debatable. The speaker stated limited debate would be allowed on the motion.

On a roll call vote, the motion to divide failed. *Sharkey, April 3, 2013.*

SECTION 20 -- LEGISLATIVE COMMISSIONERS' OFFICE

20-1.2 AUTHORITY OF TO CORRECT TERMINOLOGY

During debate of a strike-all amendment concerning municipal police officers and firefighters, a member questioned existing language, which referenced "policemen" and "firemen" and had not been amended to reflect the more modern terminology of "police officers" and "firefighters". The member made a parliamentary inquiry whether LCO could make the change to gender neutral language as part of its codification process without a specific amendment adopted by the House.

The deputy speaker stated it was her opinion that this was not a fix LCO can simply make. *Ritter, May 9, 2013.*

SECTION 33 -- VOTING

33-1. PROCEDURE

33-1A. GENERALLY

33-1A.16 VOTES REQUIRED FOR PASSAGE OF AMENDED BILL THAT EXCLUDES CERTAIN FEDERAL FUNDS FOR SPENDING CAP PURPOSES

The revenue estimates amendment to the budget bill removed off-budget certain federal funding for which the state is reimbursed at 100%. After the bill was amended, a member made a point of order inquiring as to the votes required for passage of the bill. The member stated his belief that the bill required the vote of 60% of the members to exceed the spending cap, as required by the state constitution. The member stated that the budget was being changed in such a way as to exclude hundreds of millions of dollars of federal aid as part of the expenditure package for purposes of calculating the spending cap, but the state was exceeding the cap.

The speaker ruled the point not well taken, noting that CGS § 2-33a requires a three-fifths vote only if the General Assembly seeks to exceed the spending cap but this budget bill did not exceed the cap.

The member appealed the ruling, citing *Mason* 511(1) and (3) for the proposition that when a two-thirds vote is required by a constitution, that vote must be obtained for the vote to be effective. On a roll call vote, the ruling was sustained. *Sharkey, June 1, 2013.*