

**2013 SESSION
HOUSE OF REPRESENTATIVES RULINGS**

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 separate votes on sections 1 to 63 and the remainder 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 regarding 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 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, E., 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 moved 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.*