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**HOUSE CONCURRENT RESOLUTION 4401**

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**State of Washington**                            **59th Legislature**                            **2005 Regular Session**

**By** Representatives Kessler and Armstrong

Prefiled 1/5/2005. Read first time . Referred to .

1            BE IT RESOLVED, By the House of Representatives of the state of  
 2 Washington, the Senate concurring, That the following be adopted as the  
 3 Joint Rules of the Fifty-Ninth Legislature:  
 4

5    **JOINT RULES**  
 6    **OF THE SENATE AND THE**  
 7    **HOUSE OF REPRESENTATIVES**  
 8  
 9    **FIFTY-NINTH LEGISLATURE**

10  
11    **2005**  
12

13 **JOINT RULE NO.**

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 16            **Rule 3**     Employee protection.  
 17            **Rule 4**     Legislative questionnaires.  
 18            **Rule 5**     Sessions of the legislature.  
 19            **Rule 6**     Joint session.

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25       **Rule 29**     Convening special legislative sessions.  
26       **Rule 30**     Amendments to joint rules.  
27       **Rule 31**     Joint rules to apply for biennium.

28    **Ethics**

29       **Rule 1.**    Legislators and legislative employees are subject to the  
30 provisions of the Ethics in Public Service Act, chapter 42.52 RCW. The  
31 house of representatives and senate may impose disciplinary action for  
32 violations of the act. Disciplinary actions for violation include: In  
33 the case of a legislator, reprimand, censure, or expulsion, and when

1 applicable, restitution; and in the case of a legislative employee,  
2 reprimand, suspension, or dismissal, and when applicable, restitution.

3 **Prohibited Political Activity**

4 **Rule 2.** (1) A legislator shall not knowingly solicit, directly or  
5 indirectly, a political contribution from a legislative employee.

6 (2) A legislative employee shall not knowingly solicit or accept  
7 contributions for any candidate or political committee during working  
8 hours. At no time shall a legislative employee directly or indirectly  
9 solicit a contribution from another legislative employee for any  
10 legislative candidate, caucus political committee, or leadership  
11 political committee, nor coerce another employee into making a  
12 contribution to any candidate or political committee. No legislative  
13 employee, as a condition of becoming or remaining employed, may  
14 directly or indirectly be required to make any contribution to a  
15 political candidate, committee, or party.

16 **Employee Protection**

17 **Rule 3.** No retaliation shall be permitted against any legislative  
18 employee for reporting in good faith the violation of any policy or  
19 law.

20 **Legislative Questionnaires**

21 **Rule 4.** (1) The use of public funds by a legislator for  
22 questionnaires distributed by regular mail or electronic means is  
23 authorized only if the following criteria are met:

24 (a) The questionnaire is limited to soliciting opinions or facts  
25 relating to legislative issues or studies;

1 (b) The questionnaire is specifically authorized by the legislator  
2 and the identity of the legislator sponsoring the questionnaire is  
3 disclosed on the questionnaire; and

4 (c) The questionnaire complies with all other pertinent statutes,  
5 rules, and policies, including the restrictions in subsection (2) of  
6 this rule on when questionnaires can be mailed.

7 (2)(a) During the twelve-month period beginning on December 1st of  
8 the year before a general election for a legislator's election to  
9 office and continuing through November 30th immediately after, mass  
10 mailing by regular or electronic means of a questionnaire is allowed  
11 only if it is included in the identical newsletter to constituents  
12 permitted at the beginning of a legislative session under RCW  
13 42.52.185.

14 (b) In any year in which a legislator is a candidate for another  
15 public office, no questionnaire may be sponsored by or authorized on  
16 behalf of such legislator during the period between June 1st and the  
17 general election of that year, or in the event of a special election,  
18 during the period between sixty days before the election or the date of  
19 the legislator's filing for the office, whichever occurs later, and the  
20 special election.

21 (3) The use of public funds by a legislative committee, for  
22 questionnaires distributed by regular mail or electronic means, is  
23 authorized only if the following criteria are met:

24 (a) The questionnaire is limited to soliciting opinions or facts  
25 relating to legislative issues or studies;

26 (b) The questionnaire is authorized by the committee membership and  
27 the identity of the committee sponsoring the questionnaire is disclosed  
28 on the questionnaire;

29 (c) The questionnaire complies with all other pertinent statutes,  
30 rules, and policies; and

31 (d) The questionnaire is approved by the secretary of the senate or  
32 the chief clerk of the house of representatives, as appropriate.

33 **Sessions of the Legislature**

1       **Rule 5.** The sessions of the legislature shall be held annually,  
2 convening at 12:00 o'clock noon on the second Monday of January each  
3 year, as provided by RCW 44.04.010 in accordance with Art. 2, section  
4 12 of the state Constitution.

5                                   **Joint Session**

6       **Rule 6.** Whenever there shall be a joint session of the two houses,  
7 the proceedings shall be entered at length upon the journal of each  
8 house. The lieutenant governor or president of the senate shall  
9 preside over such joint session, and the clerk of the house of  
10 representatives shall act as the clerk thereof, except in the case of  
11 the joint session held for the purpose of canvassing the votes of  
12 constitutional elective state officers, when the speaker shall preside  
13 over such joint sessions. The lieutenant governor in no case shall  
14 have the right to give the deciding vote.

15                                   **Motions for Joint Session**

16       **Rule 7.** All motions for a joint session shall be made by  
17 concurrent resolution to be introduced by the house in which such joint  
18 session is to be held; and when an agreement has once been made, it  
19 shall not be altered or annulled, except by concurrent resolution.

20                                   **Business Limited**

21       **Rule 8.** No business shall be considered in joint session other  
22 than that which may be agreed upon before the joint session is called.

23                                   **Joint Legislative Committees**

1       **Rule 9.** Joint legislative committees may be created by concurrent  
2 resolution originating in either house and passed by a majority vote of  
3 both houses.

4       Joint legislative committees may have the powers of subpoena, the  
5 power to administer oaths, and the power to issue commissions for the  
6 examination of witnesses in accordance with the provisions of chapter  
7 44.16 RCW. Before a joint legislative committee may issue any process,  
8 the committee chairperson shall submit for approval of both the  
9 executive rules committee of the house of representatives and the rules  
10 committee of the senate, a statement of purpose setting forth the name  
11 or names of those subject to process. The process shall not be issued  
12 prior to approval by both the executive rules committee of the house of  
13 representatives and the rules committee of the senate. The process  
14 shall be limited to the named individuals.

#### 15                               **Joint Committee Hearings**

16       **Rule 10.** All public hearings held by joint committees or held  
17 jointly by house of representatives and senate standing committees  
18 shall be scheduled in accordance with the public notice requirements of  
19 both the senate and the house of representatives.

#### 20                               **Joint and Concurrent Resolutions; Memorials**

21       **Rule 11.** All memorials and resolutions from the legislature  
22 addressed to the President of the United States, to the Congress or  
23 either house thereof, to any other branch of the Federal government, to  
24 any other branch of state government, or to any unit of local  
25 government shall be in the form of joint memorials. Proposed  
26 amendments to the state Constitution shall be in the form of joint  
27 resolutions. Business between the two houses such as joint sessions,  
28 amendments to redistricting plans submitted by a redistricting  
29 commission created under chapter 44.05 RCW, adopting or amending joint

1 rules, creating or empowering joint committees, opening and closing  
2 business of the legislature and all such related matters shall be in  
3 the form of concurrent resolutions. Joint memorials, joint  
4 resolutions, and concurrent resolutions, up to and including the  
5 signing thereof by the presiding officer of each house, shall be  
6 subject to the rules governing the course of bills. Concurrent  
7 resolutions may be adopted without a roll call. Concurrent resolutions  
8 amending a redistricting plan submitted by a redistricting commission,  
9 authorizing investigations or authorizing the expenditure or allocation  
10 of any money must be adopted by roll call, and the yeas and nays  
11 recorded in the journal. Concurrent resolutions amending a  
12 redistricting plan as well as all amendments to those resolutions must  
13 be agreed to by two-thirds of the members elected or appointed to each  
14 house.

### 15 **Amendatory Bills**

16 **Rule 12.** All amendatory bills shall refer to the section or  
17 sections of the official codes and statutes of Washington, and  
18 supplements thereto and to the respective Session Laws, to be amended.

### 19 **Bills, How Drawn**

20 **Rule 13.** Bills introduced in either house intended to amend  
21 existing statutes shall have the words which are amendatory to such  
22 existing statutes underlined. Any matter to be deleted from the  
23 existing statutes shall be indicated by lining out such matter with a  
24 broken line and enclosing the lined out material within double  
25 parentheses, and no bill shall be printed or acted upon until the  
26 provisions of this rule shall have been complied with.

27 New sections need not be underlined but shall be designated "NEW  
28 SECTION." in upper case type and such designation shall be underlined.

29 Sections of a bill that repeal a prior enactment shall include the

1 section caption accompanying the section in the Revised Code of  
2 Washington.

3 No bill shall be introduced by title only, and, in the event a bill  
4 is not complete, at least section 1 shall be set forth in full before  
5 the bill may be accepted for introduction.

6 Amendments to bills will be acted upon in the manner provided in  
7 the Rules of the Senate and in the Rules of the House of  
8 Representatives. No amendment to a bill shall be considered which  
9 strikes the entire subject matter of a bill, and substitutes in lieu  
10 thereof entirely new subject matter not germane to the original or  
11 engrossed bill.

12 **Amendments to State Constitution; Action by Legislature**

13 **Rule 14.** Amendments to the state Constitution may be proposed in  
14 either branch of the legislature by joint resolution; and if the same  
15 shall be agreed to by two-thirds of the members elected to each of the  
16 two houses, such proposed amendment or amendments shall be entered on  
17 their respective journals with the ayes and nays thereon. (Const.,  
18 art. 23, sec. 1.)

19 **Publicity of Proposed Amendments to State Constitution**

20 **Rule 15.** The legislature shall provide methods of publicity of all  
21 laws or parts of laws, and amendments to the Constitution referred to  
22 the people with arguments for and against the laws and amendments so  
23 referred, so that each voter of the state shall receive the publication  
24 as soon as possible before the election at which they are to be voted  
25 upon. (Const., art. 2, sec. 1e.)

26 **Initiative Petition Before the Legislature**



1        **Rule 16.** Initiative petitions filed with the secretary of state  
2 not less than ten days before any regular session of the legislature  
3 shall take precedence over all other measures in the legislature except  
4 appropriation bills and shall be either enacted or rejected without  
5 change or amendment by the legislature before the end of such regular  
6 session. Upon certification from the secretary of state that an  
7 initiative to the legislature has received sufficient valid signatures,  
8 the secretary of state shall submit certified copies of the said  
9 initiative to the state senate and the house of representatives. Upon  
10 receipt of said initiative, each body of the legislature through its  
11 presiding officers shall refer the certified copies of the initiative  
12 to a proper committee.

13        Upon receipt of a committee report on an initiative to the  
14 legislature, each house shall treat the measure in the same manner as  
15 bills, memorials and resolutions, except that initiatives cannot be  
16 placed on the calendar for amendment. After the action of each body  
17 has been recorded on the final passage or any other action by  
18 resolution or otherwise which may refer the initiative to the people  
19 has been recorded, the president and secretary of the senate and the  
20 speaker and chief clerk of the house of representatives will certify,  
21 each for its own body, to the secretary of state the action taken.  
22 (Const., art. 2, sec. 1a.)

### 23                                    **Conference Committee**

24        **Rule 17.** (1) In every case of difference between the two houses,  
25 upon any subject of legislation, either house may request a conference  
26 and appoint a committee for that purpose, and the other house may grant  
27 the request for a conference and appoint a committee to confer. The  
28 presiding officer of each house shall appoint on each conference  
29 committee three members, selecting them so as to represent, in each  
30 case, the majority and minority positions to the extent possible as  
31 relates to the subject matter, and the majority and minority caucuses.  
32 The committees, at the earliest possible hour, shall confer upon the  
33 differences between the two houses indicated by the amendment or  
34 amendments adopted in one house and rejected in the other.

1 (2) Conference committee deliberations shall be conducted in a  
2 manner consistent with the provisions of Senate Rule 45(3) and House  
3 Rule 24(8) applicable to deliberations of standing committees.

4 (3) Public notice of a conference committee meeting shall be given  
5 by the secretary of the senate, for house bills, and the chief clerk of  
6 the house of representatives, for senate bills, prior to the convening  
7 of the meeting as follows:

8 (a) By posting a written notice in the following locations:

9 (i) The office of the secretary or clerk, as appropriate;

10 (ii) Near the doors of the appropriate chamber;

11 (iii) The legislative bill room; or

12 (iv) The public legislative message center;

13 (b) By announcing meetings during sessions of the senate and house  
14 of representatives; or

15 (c) By posting meeting notices on the legislature's electronic mail  
16 system.

17 (4) The papers shall be left with the conferees of the house of  
18 representatives if a senate bill, and with the conferees of the senate,  
19 if a house bill, and the holders of the papers shall first present the  
20 report of the committee to their house. Every report of a conference  
21 committee must have the signatures of a majority of the conference  
22 committee members of each house. Conference committee reports must be  
23 signed at a meeting duly convened by the chief clerk of the house of  
24 representatives for senate bills or the secretary of the senate for  
25 house bills.

#### 26 **Failure to Agree**

27 **Rule 18.** In case of failure of the conferees to agree on matters  
28 directly at issue between the two houses, the committee may in addition  
29 consider new proposed items within the scope and object of the bill in  
30 conference. A report proposing new items shall include all amendments  
31 to the bill or resolution agreed upon by the conference committee. The  
32 proposed report may be in the form of a new bill or resolution and such  
33 report must have the signatures of a majority of the members of the  
34 committee appointed from each house.

1                                   **Report of Conference Committee, How**  
2                                   **Made Out; Whom Returned to**

3           **Rule 19.** The conference committee shall submit the bill as amended  
4 together with three signed copies of its report to the house of  
5 representatives if a senate bill, and to the senate, if a house bill.  
6 A copy of the report shall be placed upon the desk of each member of  
7 the legislature at the time the report is received by this house. If  
8 this house acts to approve the report and pass the bill as amended, it  
9 shall then transmit its action, the bill, and two copies of the report  
10 to the other house.

11                                   **Adoption of Reports**  
12

13           **Rule 20.** No floor vote may be taken on any conference committee  
14 report without a distribution to all members of a summary of additions,  
15 changes, and deletions made by the conference committee with a  
16 reference in each instance to the page and line number or numbers in  
17 the report containing said additions, changes, or deletions. The clerk  
18 and the secretary shall place the reports on the desks of the members  
19 as soon as possible.

20           Each house shall have twenty-four hours from the time of proper  
21 receipt, by the chief clerk of the house of representatives and the  
22 secretary of the senate, and by distribution to the desks of the  
23 members before considering reports from a conference committee which  
24 has proposed new items within the scope and object of the bill in  
25 conference.

26           The foregoing provision relating to twenty-four hour intervals may  
27 be suspended by the senate or the house of representatives by two-  
28 thirds vote of the members present, and such suspension shall apply  
29 only to the house voting to suspend this provision.

30           The report must be voted upon in its entirety and cannot be  
31 amended. The report of a conference committee may be adopted by  
32 acclamation.

1 Passage of a bill as amended by conference report shall be by roll  
2 call and ayes and nays shall be entered on the journals of the  
3 respective house. Passage requires a constitutional majority in both  
4 houses, except in the case of constitutional amendments, which require  
5 a two-thirds vote.

6 **Messages Between the Two Houses**  
7

8 **Rule 21.** Messages from the senate to the house of representatives  
9 shall be delivered by the secretary or the secretary's designee, and  
10 messages from the house of representatives to the senate shall be  
11 delivered by the chief clerk or the chief clerk's designee.

12 **Bills to be Engrossed**

13 **Rule 22.** Any bill amended in the house of its origin shall be  
14 engrossed before being transmitted to the other house. The secretary  
15 or clerk of the receiving house, as the case may be, may waive the  
16 right to receive an engrossed bill.

17 **Final Action on Bills, How Communicated**

18 **Rule 23.** Each house shall communicate its final action on any bill  
19 or resolution, or matter in which the other may be interested, in  
20 writing, signed by the secretary or clerk of the house from which such  
21 notice is sent.

22 **Enrolled Bills - Presiding Officer to Sign**

23 **Rule 24.** After a bill shall have passed both houses and all  
24 amendments have been engrossed therein, it shall be signed by the  
25 presiding officer of each house in open session, first in the house in

1 which it originated. The secretary of the senate or the chief clerk of  
2 the house of representatives shall present the original bill to the  
3 governor for signature.

4 **Disposition of Enrolled Bills**

5 **Rule 25.** Whenever any bill shall have passed both houses, the  
6 house transmitting the bill in its final form to the governor shall  
7 also file with the secretary of state a copy of the bill together with  
8 the history of such bill up to the time of transmission to the  
9 governor.

10 **Adjournment**

11 **Rule 26.** Neither house shall adjourn for more than three days, nor  
12 to any place other than that in which they may be sitting, without the  
13 consent of the other. (Const., art. 2, sec. 11.)

14 **Adjournment Sine Die**

15 **Rule 27.** Adjournment sine die shall be made only by concurrent  
16 resolution.

17 **Each House Judge of Its Own Membership**

18 **Rule 28.** Each house of the legislature is the judge of the  
19 qualifications and election of its members, and shall try all contested  
20 elections of its members in such manner as it may direct. (Const., art.  
21 2, sec. 8.)

22 **Convening Special Legislative Sessions**

1           **Rule 29.** The legislature may convene a special legislative session  
2 as follows:

3           (1) A resolution calling for convening a special legislative  
4 session shall set forth the date and time for convening the session,  
5 the duration of the session which shall not exceed thirty days,  
6 together with the purpose or purposes for which such session is called.  
7 Members of the house of representatives or senate may present a  
8 proposed resolution for the convening of a special legislative session  
9 to the committee on rules of their respective houses.

10           (2) The authority to place a resolution convening a special  
11 legislative session before the legislature is vested in the committee  
12 on rules of the house of representatives and the committee on rules of  
13 the senate.

14           (3) Upon a majority vote of both the committee on rules of the  
15 house of representatives and the committee on rules of the senate in  
16 favor of a resolution convening a special legislative session, a vote  
17 of the house of representatives and senate shall be taken on such  
18 resolution.

19           (4) The chief clerk of the house of representatives and the  
20 secretary of the senate shall conduct the vote on the resolution by  
21 written ballot of the members of their respective houses under such  
22 procedures as may be ordered by the committee on rules of their house.  
23 The results of such vote shall be transmitted to the members of the  
24 legislature and shall be a public record and shall be entered upon the  
25 journal of the house of representatives and senate at the convening of  
26 the next legislative session.

27           (5) If two-thirds of the members elected or appointed to each house  
28 vote in favor of the resolution, then a special legislative session  
29 shall be convened in accordance with the resolution. (Const., art. 2,  
30 sec. 12.)

31   **Amendments to Joint Rules**

32           **Rule 30.** These joint rules may be amended by concurrent resolution  
33 agreed to by a majority of the members of each house, provided one  
34 day's notice be given of the motion thereof.

1                                   **Joint Rules to Apply for Biennium**

2

3           **Rule 31.**   The permanent joint rules adopted by the legislature  
4 shall govern any session called during the same legislative biennium.

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