

CERTIFICATION OF ENROLLMENT
SENATE CONCURRENT RESOLUTION 8400

61st Legislature
2009 Regular Session

Adopted by the Senate January 12, 2009

President of the Senate

Adopted by the House January 12, 2009

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE CONCURRENT RESOLUTION 8400** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE CONCURRENT RESOLUTION 8400

Passed Legislature - 2009 Regular Session

State of Washington

61st Legislature

2009 Regular Session

By Senators Murray and Parlette

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

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

10 **2009**

11
12 **JOINT RULE NO.**

- 13 **Rule 1** Ethics.
14 **Rule 2** Prohibited political activity.
15 **Rule 3** Employee protection.
16 **Rule 4** Legislative questionnaires.
17 **Rule 5** Sessions of the legislature.
18 **Rule 6** Joint session.

- 1 **Rule 7** Motions for joint session.
2 **Rule 8** Business limited.
3 **Rule 9** Joint legislative committees.
4 **Rule 10** Joint committee hearings.
5 **Rule 11** Joint and concurrent resolutions: Memorials.
6 **Rule 12** Amendatory bills.
7 **Rule 13** Bills, how drawn.
8 **Rule 14** Amendments to state Constitution: Action by
9 legislature.
10 **Rule 15** Publicity of proposed amendments to state Constitution.
11 **Rule 16** Initiative petition before the legislature.
12 **Rule 17** Conference committee.
13 **Rule 18** Failure to agree.
14 **Rule 19** Report of conference committee, how made out; whom
15 returned to.
16 **Rule 20** Adoption of reports.
17 **Rule 21** Messages between the two houses.
18 **Rule 22** Bills to be engrossed.
19 **Rule 23** Final action on bills, how communicated.
20 **Rule 24** Enrolled bills--Presiding officer to sign.
21 **Rule 25** Disposition of enrolled bills
22 **Rule 26** Adjournment.
23 **Rule 27** Adjournment sine die.
24 **Rule 28** Each house judge of its own membership.
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 (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(D)(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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