

## **RULES OF THE FULTON COUNTY HOUSE DELEGATION**

**2011 - 2013**

### **ARTICLE I**

#### **Organization**

Section 1. **Membership.** The membership of the Fulton County House Delegation (the "Delegation") in the House of Representatives shall consist of the twenty-two (22) duly elected Representatives of Fulton County, Georgia, and the one (1) Representative that represents the portion of the City of Atlanta that is in DeKalb County. Following each November general election and after the results have been certified, these twenty-three (23) members of the General Assembly shall constitute the Delegation.

Section 2. **Officers.** There shall be three officers of the Delegation: a Chair, a Vice Chair and a Secretary,

Section 3. **Election of Officers.** The officers of the Delegation shall be elected prior to the beginning of the regular session of the General Assembly following each November general election and after the election results have been certified. The meeting for the election shall be called by the Chair elected at the previous delegation election.

The vote shall be by secret ballot following the nomination of candidates. Balloting for each office shall continue until one candidate for the office has received a majority of votes (50% plus one) of the Delegation quorum.

Section 4. **Succession.** If the Chair dies, resigns, or becomes unable to perform the Chair's duties, the Vice Chair shall assume the office immediately, for a period of no longer than three (3) months due to death or disability of the Chair, of which time the Delegation shall elect a Chair for the remainder of the term. The election shall be conducted in accordance with the provisions of Section 3, Article I herein.

Section 5. **Duties of the Chair.** The Chair shall preside at all meetings of the Delegation unless unable to in which case the Vice-Chair shall serve as chair as set forth in Section 6 of this article. The Chair shall cause to be called regular and special meetings of the Delegation in accordance with these rules. The Chair shall appoint all committees which shall be established by the Delegation. The Chair shall sign the certification that legislation has been considered in conformity with the rules of the Fulton County House Delegation.

Section 6. **Duties of the Vice Chair.** During the absence or inability of the Chair to render and perform his or her duties or exercise his or her powers, the same shall be performed and exercised by the Vice Chair, and when so acting shall have all the powers

and be subject to all the responsibility hereby given to such Chair. The Chair may delegate to the Vice Chair any powers or duties of the Chair.

Section 7. **Duties of the Secretary**. The Secretary shall sign the minutes after they have been approved at the next meeting of the Delegation. Except for called meetings, minutes of all meetings shall be distributed to members of the Delegation at least 24 hours preceding the next regular meeting. The minutes shall be filed in an appropriate book after they are approved.

Section 8. **Rules of Order**. The conduct of business of the Delegation shall be governed by these rules. In the absence of specific rules, the rules of the House shall apply and in the absence of specific rules in both the Delegation and in the House, **Robert's Rules of Order, Revised** will be followed.

Section 9. **Voting**.

a) Voting on matters other than elections shall be by voice vote or show of hands unless the Chair is in doubt as to its outcome or unless a roll call vote is requested by a member of the Delegation. Upon request of any member, the roll shall be called and the vote recorded.

b) Only those Representatives shall vote in Delegation meetings as provided in Article IV, Section 6 herein.

c) No voting in Delegation or Committee meetings shall occur unless a quorum is present in person. A quorum shall consist of the lowest whole number greater than one half (1/2) of the number of members. **No voting by proxy shall be allowed.**

Section 10. **Committees**. The Chair shall appoint committees of the Delegation for the consideration of specific areas of legislation or public interest or specific legislative proposals. Committees shall function in close cooperation with committees of the Senate Delegation wherever possible and may function as joint Committees of both Delegations upon mutual agreement between the two (2) Delegations.

The Chair and Vice Chair of the Delegation shall serve in an *ex officio* capacity without a vote, except the Vice Chair shall be able to vote as a member of any committee to which the Vice Chair is appointed.

Committees of the Delegation shall have two (2) officers, a Chair and Vice Chair, both appointed by the Chair of the Delegation. A majority vote of a quorum of the members of each committee is required to forward legislation to the full Delegation. A quorum shall consist of a majority of the appointed members of the Delegation Committee. No action shall be taken without a quorum.

The Delegation Standing Committees are as follows: Courts; Education; Fulton County;

Health and Welfare; Local Municipalities; Housing & Economic Development; and Tax, Salary and Pensions. Where applicable, the rules of the Fulton County House Delegation shall apply to the committees of the Delegation.

Section 11. **Special Committees.** The Chair may appoint special study committees for the investigation of a particular area with the authority to recommend legislation to the Delegation. Any recommendation shall be in writing and shall contain a statement of the facts on which the recommendation is based.

Section 12. **Rules.**

a) The Delegation shall adopt rules governing the conduct of its business at the first meeting following the election of officers at the beginning of each two (2) year term of the General Assembly. The rules shall be adopted by vote of a majority of the Delegation. Each member shall be provided a copy of the proposed rules at least forty-eight (48) hours prior to said meeting.

b) Only duly sworn members of the Georgia General Assembly can vote to approve the Rules of the Fulton House Delegation.

c) The Delegation Rules shall remain in effect until amended or the adoption of new rules at the beginning of each two (2) year term of the Georgia Assembly.

d) Upon adoption, the Delegation Rules shall be sent to the House Intragovernmental Coordination Committee with certification by the Delegation Chair that said rules have been adopted in conformity with the rules of the House and the Fulton House Delegation.

Section 13. **Amendment of Rules.** The foregoing rules may be amended by vote of **two-thirds (2/3)** of the Delegation. No amendment shall be acted upon until each member of the Delegation has been presented a copy of the proposed amendment in writing, at least forty-eight (48) hours within the time he or she is called upon to vote on same.

## **ARTICLE II**

## **Meetings**

Section 1. **Notice**. Meetings of the Delegation shall be upon call of the Chair as deemed necessary or upon the request of one third of the Delegation. When the General Assembly is not in session, notice of meetings in writing shall be issued to each member and to the press by the Administrative Assistant no less than two (2) days prior to the date of the meeting. When the General Assembly is in session, notice of meetings shall be issued to each member and to the news media by the Administrative Assistant, and whenever possible, shall be issued no less than two (2) hours prior to the time of the meeting.

Section 2. **Agenda**. The Chair shall prepare and furnish to each member an agenda of business to come before each meeting at least twenty-four (24) hours prior to meetings when the General Assembly is not in session and at least two (2) hours prior to the meeting when the General Assembly is in session.

The first section of the agenda is reserved for the discussion of “housekeeping” bills whose agenda is set by the Chair, with the remaining section being used to discuss more substantive matters.

At the beginning of each meeting, the agenda can be amended by two-thirds (2/3) vote of the quorum. A “Committee of the Whole” will be called to hear and act on recommendations of the committees.

Time restrictions on debates are to be set by the Chair or on request of the majority of the quorum. New Business or Other Business to be discussed will follow.

Section 3. **Quorum**. The quorum of the Delegation is thirteen (13) members, which is provided for in Article I, Section 9 (c) of these Rules.

Section 4. **Decorum**. The Delegation shall have a “**NO SMOKING**” policy.

Section 5. **Open Meetings**. All meetings of the Delegation or any Committee thereof, except when matters of dealing with personnel are involved, shall be open to the public.

Section 6. **Minutes**. The Administrative Assistant shall keep full and complete minutes of each meeting and shall make available a copy of the minutes of each meeting to members of the Delegation.

Section 7. **Public Hearings**. Public hearings shall be called by the Chair as directed by

the Delegation for the purpose of hearing the views of the citizens and organizations of citizens upon specific or general matters of the public interest. Persons presenting testimony at public hearings shall be requested to also prepare a written presentation of their views with sufficient copies for each member of the Delegation. Members of the Fulton County Senate Delegation shall be invited to all Public Hearings. At least one (1) public hearing shall be held between November 10 and January 10 of each year.

Section 8. **Parliamentarian.** The Chair shall appoint a member of the Delegation to serve as Parliamentarian. The Parliamentarian shall be knowledgeable about the rules of the Delegation and Parliamentary procedures and shall advise the Chair on parliamentary questions. The ruling of the Chair on parliamentary issues shall be final unless overruled by a majority of the quorum.

### **ARTICLE III**

#### **Legislative Procedures**

Section 1. **Official Request for Legislation by Governmental bodies.** The legislative request of each governmental body within Fulton County must be accompanied by a Resolution of the governmental body requesting legislative action on the requests.

All official requests shall be presented to the Delegation in bill form.

The Chair shall call a meeting of the Delegation no later than one (1) week prior to the start of the legislative session to discuss legislative requests by local governments, school boards and organizations.

Section 2. **Procedure for Local Legislation.**

a) It shall be the responsibility of the Delegation's Administrative Assistant to obtain the number of all local legislation assigned by the Clerk of the House to the Fulton County House Delegation. The Delegation's Administrative Assistant shall secure a copy for each member and docket the bill for Delegation consideration.

b) The Chair shall assign each bill within six (6) calendar days after the copies are received to a standing committee of the Delegation for its study and recommendation. No bill may be considered by the Delegation until it has been reported by a committee unless the bill has been in committee for eight (8) calendar days. After eight (8) calendar days, the author or a member at the request of the author may request the Chair to place the bill on the agenda of the next regular Delegation meeting and the Chair shall place the bill on the agenda for consideration.

c) Any bill must receive the affirmative vote of the majority of the quorum of the

Delegation members eligible to vote on a particular bill before it may be signed by members of the Delegation. Any Representative voting in favor of a bill will be considered obligated to sign the bill in accordance with his or her vote unless the Representative notifies the Administrative Assistant within forty-eight (48) hours following the vote of his or her desires to change his or her vote.

d) In the event a bill receives a majority of the quorum of the eligible votes on a particular bill, the author may seek to secure the signatures of those members not present at the Delegation meeting.

e) In the event a bill fails to receive a majority of the quorum of eligible votes, the bill may be brought before the Delegation for consideration at the next Delegation meeting or assigned by the Chair to committee for further study. The action taken by the Delegation on all legislation shall be reported to the House Intragovernmental Coordination Committee.

f) No Fulton Delegation local legislation shall be reported by the House Intragovernmental Coordination Committee unless it bears certification by the Chair of the Fulton County Delegation that said bill has been considered in conformity with the Rules of the Fulton House Delegation. The Chair shall certify all bills which are passed by the Delegation in conformity with the Rules of the Fulton County House Delegation.

g) A fiscal note must be made available for all salary and pensions legislation prior to any consideration by a committee of the Delegation or the full Delegation.

#### **ARTICLE IV**

## **Miscellaneous**

Section 1. **Restrictions.** The Fulton County House Delegation is a body composed of individually elected Representatives representing districts defined by statute. No member or Representative thereof is authorized or empowered to speak for the Delegation, issue public statements on its behalf in regard to future legislation, positions, or policy of the Delegation unless the consent of two-thirds (2/3) of the ~~members of the~~ Delegation has been obtained. Any statements made by an individual Representative not approved by the Delegation as provided herein shall be construed to be his or her own individual views as an elected official, and it shall be the duty of and responsibility of each individual Representative to so advise the person to whom the statement is conveyed.

Section 2. **Cooperation with the Fulton County Senate Delegation.** It shall be the policy of the Fulton House Delegation to cooperate fully and completely with the Fulton Senate Delegation in all matters, especially as regards expediting the passage of local legislation before the General Assembly and the holding of public meetings or hearings for the purpose of discussion and/or presentation of issues or legislation or local or statewide interest.

Section 3. **Disclosure of Interest in Legislation.** A member of the Delegation who has a financial interest in any legislation before the Delegation shall disclose upon the minutes the nature and extent of such interest prior to casting his or her vote. This provision shall not apply if the member disqualifies himself or herself from voting on the particular measure.

Section 4. **Local Governmental Bodies.** It shall be the policy of the Fulton Delegation to seek close cooperation and communication with the various governmental bodies within the County. The Chair shall designate a member of the Delegation to serve as liaison with each governmental body. To better accomplish this stated objective, each governmental body is requested to designate a liaison with the Delegation. Said liaison shall be empowered to express to the Delegation the views of the governmental body concerning matters pending before the Delegation. The liaison shall secure for the Delegation factual information from within the domain of the governmental body, which is germane to the determination of matters pending before the Delegation or the Full House of Representatives.

Section 5. **Cut-off Date.** Unless two-thirds (2/3) of the Delegation approve consideration, no legislation introduced into the House will be considered or acted upon by the Delegation if not introduced within the first twenty (20) legislative days of the General Assembly.

Section 6. **Required Signatures on Local Legislation.**

a) As to municipalities, only those legislators whose districts contain land in said municipality shall sign legislation affecting said municipality.

b) All twenty-two (22) members of the Delegation who are duly elected representatives of Fulton County, Georgia, members of the Fulton County Delegation are eligible to sign legislation affecting Fulton County, including annexation, consolidation, or incorporation.

c) Except for annexation, consolidation, or incorporation legislation, all local legislation applicable only to the City of Atlanta or the Atlanta Board of Education shall be voted on by the fifteen (15) legislators representing the City of Atlanta.

d) Only those fifteen (15) Fulton County Representatives whose districts contain land in Fulton County School District shall be eligible to sign legislation affecting said school district.

e) Two-thirds ( $2/3$ ) of those eligible to sign legislation affecting a political jurisdiction must sign in order for any legislation to pass. Where two-thirds ( $2/3$ ) of those eligible to vote is not a whole number, the number required to sign the legislation in order for it to pass shall be rounded up to the next whole number.