

TO: CCOC

FROM: Tammy Peters

DATE: 2/6/07

SUBJECT: SUBSTITUTES

Here is draft procedure on how to handle substitute legislation. It does need some work & is very rough as I have been out of office with a sick child recently.

Proposed changes that come from non-lead referral agencies: the staff person for the committee should enter the recommended changes in their minutes (in the action note field) & forward the changes to the lead referral staff person. The lead referral should then consider the recommended changes at their meeting & decide if they want to incorporate the changes into the body of the legislation. If the lead approves the changes, a substitute should be drafted as a result of the lead referral's recommendation.

Proposed changes that come from the lead referral agencies: the staff person for the committee should enter the recommended changes in their minutes (in the action note field). All changes to the text file of legislation as proposed by the lead referral should be entered by the original drafter/preparer of the legislation (can be found in the extra info. tab of each legislative file). After the substitute text is entered, the fiscal note needs to be reapproved. (if the legislation is an ordinance, then the attorney's office would then need to approve the changes as well.) The staff person for the committee that is recommending the changes should EMAIL all of the sponsors of the legislation as a courtesy and proceed with getting the new language entered in Legistar. The sponsors have many opportunities to remove themselves as sponsors up to the point it is on the Council floor for final approval OR they can move a substitute motion to adopt the original legislation (not the substitute) on the council floor. If the substitute is significantly different from the original and changes the intent of the legislation, an ALTERNATE should be drafted & should have a separate file ID assigned to it.

Proposed changes that come from the sponsor(s) & not as a result of a committee/commission/board recommendation: follow the same protocol as the proposed changes for the lead referrals.

NOTE: I think that by asking that ALL sponsors on a piece of legislation to agree on the proposed changes of legislation before it can move forward will cause serious problems on many frontiers. It will delay the legislation from getting adopted in a timely manner & some sponsors will not respond at all. The sponsor(s) may not agree with the proposed changes, but that shouldn't prevent the legislation from moving forward. The sponsor has the opportunity on the council floor to propose amendments that can remove any language that was approved by a committee/commission/board **and** they can also add/remove their sponsorship. Also, multiple versions of a file cannot be listed on a Council agenda in Legistar. So you cannot list every version of a piece of legislation.