

Assembly Resolution No. 848

BY: M. of A. Barclay

amending section 2 of Rule III of the Assembly Rules, in relation to the timely bill introduction after conclusion of session; amending section 5 of Rule III of the Assembly Rules, in relation to the introduction of resolutions; and amending section 7 of Rule III of the Assembly Rules, in relation to the reading of bills

**RESOLVED,** That subdivision f of section 2 of Rule III of the Assembly Rules is amended by adding a new paragraph 3 to read as follows:

**(3) Any Assembly bill introduced in the first year of the term of the Assembly after the last day of the scheduled end of the legislative session as established by the annual legislative session calendar, shall be assigned a number within five business days after being presented by the introducer to the Index Clerk.**

**RESOLVED,** That section 5 of Rule III of the Assembly Rules is amended to read as follows:

§ 5. Resolutions.

a. Original resolutions, concurrent or otherwise other than privileged resolutions may be introduced by a member under the proper order of business on or before the Monday of the week four weeks before the scheduled end of the legislative session as established by the annual legislative calendar in the second year of the term of the Assembly. After such date in the second year no such resolution shall be introduced except by the Committee on Rules or by message from the Senate or, with the consent of the Speaker, by members elected at a special election who take office on or after the last Tuesday in May. Such resolutions shall be in quadruplicate and bear the name of the introducer and shall be referred to a standing committee for consideration and report. No such resolution may be introduced unless copies thereof first shall have been furnished to the Speaker, the Majority Leader and the Minority Leader. Before the House may vote on a resolution, copies of such resolution shall be placed on each member's desk **three days** prior to such vote in written or electronic format. **The Speaker and the Minority Leader may waive the three day requirement.**

b. The following resolutions and motions relating thereto shall be considered privileged and their presentation and consideration shall be in order under any order of business:

- (1) resolutions recalling a bill from the Senate;
- (2) resolutions returning a bill to the Senate;
- (3) resolutions relating to the disposition of matters immediately before the House;
- (4) resolutions relating to the business of the day including adjournment or recess;

(5) resolutions relating to the impeachment of State or judicial officers;

(6) resolutions relating to printing bills, documents or chapter slips;

(7) resolutions relating to the reports of joint legislative committees; and

(8) resolutions in memoriam or honorific in nature, provided, however, that such resolutions shall be placed on each member's desk in either written or electronic format prior to their consideration.

c. Messages from the Senate communicating a concurrent resolution shall, if objection is made to immediate consideration, be referred to the appropriate committee with power to report at any time.

d. Concurrent resolutions proposing amendments to the Constitution of the State and concurrent resolutions ratifying proposed amendments to the Constitution of the United States shall, for all legislative purposes, be deemed to be and treated as bills.

e. All resolutions calling for or leading to expenditures, except resolutions for printing extra copies of bills, documents and chapter slips, shall be referred to the Committee on Ways and Means and all other resolutions shall be referred to the appropriate standing committee or to an assembly calendar, as the Speaker may designate.

f. All resolutions shall be adopted by a majority vote of the members present and voting, provided, however, concurrent resolutions proposing amendments to the Constitution of the State or ratifying amendments to the Constitution of the United States and resolutions calling for or leading to the expenditure of money shall be adopted by a vote of a majority of all the members elected to the Assembly.

**RESOLVED**, That section 7 of Rule III of the Assembly Rules is amended to read as follows:

§ 7. Reading of bills. a. Every bill shall receive three separate readings, and on three different days, previous to its passage, except when ordered to a third reading pursuant to paragraph two of subdivision f of section two of this Rule, by unanimous consent or when made a special order, or when accompanied by a message of necessity pursuant to section [14] **fourteen** of Article III of the Constitution. **No message of necessity shall be accepted from the Governor unless at least two-thirds of the members of the House have approved the message.**

b. Bills placed on the order of second reading, as provided for in subdivision g of section six of Rule IV, shall be subject to debate before the motion to order them to a third reading is entertained. One-half hour shall be allowed for such debate, but no person shall speak more than fifteen minutes, except by consent of the House. The main question, however, if ordered, shall be on the advancement of the bill; but when amendments are pending the question shall first be taken upon such amendments in their inverse order.

c. All bills on the order of second reading shall be ordered to third

reading unless otherwise ordered pursuant to subdivision b of this section or pursuant to paragraph one of subdivision b of section ten of Rule IV.

d. A

bill shall be considered automatically advanced to third reading once it has been on the printed Calendar on the order of second reading for at least one legislative day on that order, except where made a special order by report of the Committee on Rules, in which case it may be considered on second and third reading on the same day.

e. In all cases where unanimous consent is asked for advancing a bill or entertaining a motion or resolution out of its order, it shall be the duty of the Speaker to proclaim such request and determine if such consent will be granted.

f. A bill appearing on the Calendar may be "starred" by or at the request of the introducer, whereupon all further action on such bill shall be suspended, although it retains its place on the Calendar. Other than for the purpose of amendment or recommittal, a star may not be removed from a bill until one day after the request therefor. A bill on any order of third reading which has been laid aside by or at the request of the introducer on three separate days shall be automatically starred.

g. Substitution of Bills. Where there is a Senate bill in a standing committee and the identical Assembly bill is on the order of second or any order of third reading, the Senate bill may be substituted for the Assembly bill upon a motion by, or on behalf of, the introducer and a vote of a majority of the members present and voting. The motion to substitute may also be made on an identical Assembly bill which has been passed, recalled, vote reconsidered and restored to third reading.