

Assembly Resolution No. 826

**BY:** M. of A. Peoples-Stokes

Assembly Resolution Amending subdivision c of section 1 of Rule I of the Assembly rules, in relation to powers and duties of the Speaker; amending subdivisions d, e and f of section 5 of Rule III of the Assembly rules, in relation to resolutions; amending subdivision b of section 1 of Rule V of the Assembly rules, in relation to remote attendance by members; amending subdivisions b and c of section 2 of Rule V of the Assembly rules, in relation to procedural votes; amending section 6 of Rule V of the Assembly rules, in relation to the consideration of bills and resolutions; and amending subdivision a of section 2 of Rule VIII of the Assembly rules, in relation to the disclosure of records

**RESOLVED,** That paragraphs 1 and 2 of subdivision c of Section 1 of Rule I of the Assembly Rules are amended to read as follows:

(1) shall preserve order and decorum, name the member entitled to the floor when more than one member seeks to be recognized [and, in debate], prevent personal reflections and confine members to the question under discussion;

(2) shall decide all questions of order subject to appeal to the House and on every appeal shall have the right, from the Chair, to assign the reason for such decision; in case of such appeal [no member], **the member appealing** shall **not** speak more than once, nor for more than 15 minutes;

**RESOLVED,** That subdivisions d, e and f of Section 5 of Rule III of the Assembly Rules are amended to read as follows:

d. Concurrent resolutions proposing amendments to the Constitution of the State [and], concurrent resolutions ratifying proposed amendments to the Constitution of the United States, **concurrent resolutions requesting or rescinding a call for a convention under Article V of the Constitution of the United States, and resolutions calling for or leading to expenditures** shall[, for all legislative purposes,] be deemed to be and treated as bills **under these Rules.**

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]. **All other resolutions shall be referred to the appropriate standing committee or to an assembly calendar, as the Speaker may designate, provided, however, resolutions recommending, urging, supporting, altering or condemning a position or change in foreign policy of the United States Government or the domestic or foreign affairs of any other government of the world shall not be referred to any committee nor an assembly calendar.**

f. [All] **Except as otherwise provided by these rules**, 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 subdivision b of Section 1 of Rule V of the Assembly Rules is amended to read as follows:

b. The bar of the House shall be deemed to include the entire Assembly Chamber and lobbies contiguous thereto as designated by the Speaker. [During a state of emergency, if authorized by law,] **Provided, however, where otherwise authorized by law or executive order**, the bar of the House may be extended, at the discretion of the Speaker, to allow for members to be in attendance in any proceeding of the House by remote means [including teleconference and videoconference and such members shall be continuously recorded in attendance by the Clerk of the Assembly. Any member deemed to be present remotely during a state of emergency, if authorized by law, may submit requests for recognition to the presiding officer by electronic means for participation in proceedings and no]. **Remote attendance by any member for any proceeding of the House shall be in accordance with any policies or procedures promulgated by the Speaker.** A technical failure [on the part of an individual member or a group of] **resulting in a broken connection to remote proceedings for one or more members** [that breaks their remote connection to the proceedings] shall **not** invalidate any action taken by the majority of the Assembly.

**RESOLVED**, That subdivisions b and c of Section 2 of Rule V of the Assembly Rules is amended to read as follows:

b. [The] **Except as otherwise provided in subdivision c of this section**, the yeas and nays shall be taken individually of each member on the final passage of a bill and on any other question whenever required by any fifteen members (unless a division by yeas and nays be pending), and when so taken each member's affirmative or negative vote shall be entered through the electronic voting system or in such other manner as may be prescribed by the Speaker and entered on the Journal. Such roll call shall remain open for a period of not less than one minute, and shall be designated a slow roll call. During such roll call, no vote shall be recorded unless the member voting is at his or her regularly assigned seat or is serving or acting as Speaker, Majority or Minority Leader.

c. In the event a slow roll call is not requested pursuant to subdivision b, **or when the question before the House is procedural**, the yeas and nays on the final passage of a bill or any other question before the House shall be taken by a fast roll call and a member desiring to vote in the negative on such a roll call shall do so by entering a negative vote through the electronic voting system or in such other manner as may be prescribed by the Speaker. All other members

shall be recorded in the affirmative.

**RESOLVED,** That Section 6 of Rule V of the Assembly Rules is amended to read as follows:

§ 6. [Debate] **Consideration of bills and resolutions.** a. No member rising to debate, to give notice, make a motion or report, or to present a petition or other paper, shall proceed until such member shall have addressed the Speaker from his or her place and has been recognized by the Speaker. While a member is speaking, no member shall entertain any private discourse or pass between the member speaking and the Chair.

b. Unless otherwise provided by these Rules, no member shall speak, except in his or her place, nor more than once [on any bill or amendment,] without leave of the House and no member shall speak for more than [fifteen minutes] **the time prescribed herein** except by consent of two-thirds of the members present. [The floor leader of each conference or his or her designee may be granted a second, additional fifteen minutes to speak during the debate on any bill or amendment. Consideration of any bill and amendment shall not exceed five hours; with four hours allocated for debate and up to one hour allocated for explanations of vote; provided, however that a member desiring to explain his or her vote upon the final passage of a bill or upon the passage of a resolution requiring the expenditure of money may make a brief statement, not to exceed two minutes, in explanation of such vote; and further provided that in addition to the foregoing, the sponsor of a bill may make a statement not to exceed five minutes for the purpose of opening debate on such bill. Except as otherwise provided by these Rules for concurrent resolutions, no member shall speak more than once and for no more than five minutes on any resolution without leave of the House. Debate on any resolution, except as otherwise provided, shall be limited to thirty minutes. Members may be granted permission to submit a written statement to extend upon their remarks on the floor for the record; such remarks must comply in all respects with the rules and customs and practices of the House relating to debate to be included in the record.]

1. No member shall speak on any bill or amendment for more than fifteen minutes, provided, however, the floor leader of each conference or a designee thereof may be granted a second, additional fifteen minutes to speak on any bill or amendment.

2. No member shall speak for more than two minutes in any explanation of vote upon the final passage of a bill.

3. In addition to the foregoing, the sponsor of, or member designated to debate, any bill may make a statement not to exceed five minutes for the purpose of opening debate on such bill.

4. Consideration of any bill, and any proposed amendment thereto, shall not exceed five hours; with up to four hours allocated for debate and up to one hour allocated for explanations of votes. The times allocated herein shall be divided evenly between each conference, provided, however, such division shall not apply to consideration of bills submitted by the Governor under Article VII of the Constitution, including the Assembly's response thereto, concurrent resolutions proposing amendments to the Constitution of the State, or as otherwise

agreed to by the Speaker and Minority Leader.

5. No member shall speak for more than five minutes on any resolution without leave of the House. Consideration of any resolution shall be limited to thirty minutes.

6. Members may be granted permission to submit a written statement as a substitution for or to extend upon their remarks on the floor for the record; such remarks must comply in all respects with the rules and customs and practices of the House relating to debate to be included in the record.

c. If any member, in speaking, fails to maintain decorum, deviates from the subject matter of the question before the House, or otherwise transgresses the Rules of the House, the Speaker may call such member to order, in which case the member so called to order shall immediately sit down, and shall not rise unless to explain or proceed in order.

d. While the Speaker is putting a question, or a roll call is in progress or a count is being had, no member shall speak or leave his or her place. When the House shall be equally divided on any question, including the Speaker's vote, the question shall be deemed to be lost. All questions relating to the priority of one question or subject matter over another, under the same order of business, shall be decided without debate. If any question contains several distinct propositions, it shall be divided by the Chair at the request of any member, but a motion to strike out and insert shall be indivisible. All questions of order, as they shall occur, with the decisions thereon, shall be entered in the Journal, and, at the close of the session, a statement of all such questions and decisions shall be printed at the close of and as an appendix to the Journal.

**RESOLVED,** That the opening paragraph and subparagraph b of paragraph 2 of subdivision a of Section 2 of Rule VIII of the Assembly Rules are amended to read as follows:

In addition to any records required to be made available pursuant to the provisions of section eighty-eight of the public officers law and the rules and regulations promulgated thereunder, all other existing **central administrative** records maintained by the Assembly shall be available for public inspection and copying, except that the Assembly may deny access to records or portions thereof that:

(b) names, addresses, numbers or other personal identifying details of [telephone] communications or [mail] correspondence made by or to Members of the Assembly or employees thereof;