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## HOUSE JOINT RESOLUTION NO. 543

Offered January 12, 2005

Prefiled November 17, 2004

*Establishing a schedule for the conduct of business on and after the second day of the 2005 Regular Session of the General Assembly of Virginia.*

Patrons—Griffith, Callahan, Councill, Hall, Howell, W.J. and Parrish; Senators: Chichester, Colgan, Norment, Quayle and Stosch

RESOLVED by the House of Delegates, the Senate concurring, That for purposes of the procedures and deadlines established herein for the 2005 Regular Session of the General Assembly:

"Adult/juvenile correctional impact bill" shall mean, in accordance with § 30-19.1:4, any bill that would result in a net increase in periods of imprisonment in state adult correctional facilities or periods of commitment to the custody of the Department of Juvenile Justice. The first-day introduction deadline shall not apply to any adult/juvenile correctional impact bill whose only impact is to create a misdemeanor or increase or decrease a penalty to a misdemeanor.

"Appropriation bill" shall mean any bill, except the general appropriation bill (Budget Bill), that authorizes or directs the expenditure of state funds.

"Budget Bill" shall mean the general appropriation bill introduced in each house that authorizes the biennial expenditure of public revenues for the period from July 1, 2004, through June 30, 2006.

"Debt bill" shall mean any bill that authorizes the issuance of debt.

"Legislative day" shall mean the period of time that begins with the call to order by the presiding officer and ends when declared adjourned by the presiding officer. Unless another time is specified, any deadline established in this resolution shall expire at the end of the legislative day.

"Local fiscal impact bill" shall mean, in accordance with §§ 30-19.03:1 and 30-19.03:1.1, any bill that mandates a county, city, or town to incur an additional net expenditure or a net reduction of revenues. The first-day introduction deadline shall not apply to any local fiscal impact bill whose only impact is to create a misdemeanor or increase or decrease a penalty to a misdemeanor.

"Prefiled legislation" shall mean any bill or joint resolution requested from the Division of Legislative Services no later than 5:00 p.m., Monday, December 13, 2004, and prefiled no later than 10:00 a.m., Wednesday, January 12, 2005, and any bill or joint resolution not requested from the Division of Legislative Services and prefiled no later than 10:00 a.m., Wednesday, January 12, 2005.

"Revenue bill" shall mean any bill, except the Budget Bill, that increases or decreases the total revenues available for appropriation, including any sales tax exemption bill.

"Unanimous consent" shall mean the affirmation of all the members present in the house of origin. Any legislation intended to be offered for introduction with unanimous consent or with the written request of the Governor shall not require the consent of the house in order for the member to request the Division of Legislative Services to draft such legislation. The Division of Legislative Services shall return such legislation after the original introduction deadline.

"Virginia Retirement System bill" shall mean, in accordance with § 30-19.1:7, any bill that amends, repeals, or modifies any provision of any retirement system established in Title 51.1 of the Code of Virginia.

Each adult/juvenile correctional impact, appropriation, budget, debt, local fiscal impact, revenue, and Virginia Retirement System bill shall have its appropriate designation printed on its cover. Each adult/juvenile correctional impact or local fiscal impact bill whose only fiscal impact is to create a misdemeanor or increase or decrease a penalty to a misdemeanor shall state this opinion in the summary appearing on the bill's cover; and, be it

RESOLVED FURTHER, That any joint resolution creating or continuing a study shall require a vote of two-thirds of the members voting in each house and any resolution creating or continuing a study shall require a vote of two-thirds of the members voting in the respective house; and, be it

RESOLVED FURTHER, That any member offering for introduction a bill or joint resolution not submitted to the Division of Legislative Services for drafting is encouraged to submit an electronic version no later than 5:00 p.m. on the day the legislation is introduced; and, be it

RESOLVED FINALLY, That the 2005 Regular Session of the General Assembly on and after the second day of the session shall be governed by the following procedures and deadlines, which establish introduction limits and time limitations for elections and for all legislation prefiled and introduced for or continued to the 2005 Regular Session except:

House and Senate resolutions;

bills and joint resolutions affecting the rules of procedure or the schedule of business of the General

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- 58 Assembly, either of its houses, or any of its committees;  
59 bills or joint resolutions introduced with unanimous consent and, when applicable, introduced with  
60 unanimous consent to exceed the introduction limits established in Rule 1;  
61 joint resolutions confirming appointments subject to the confirmation of the General Assembly;  
62 joint commending and memorial resolutions, except for the time limitations established in Rules 15  
63 and 17;  
64 bills and joint resolutions regarding elections held by the General Assembly during the 2005 Regular  
65 Session; or  
66 bills and joint resolutions requested in writing by the Governor, if the member offering such  
67 legislation has not exceeded the introduction limits established in Rule 1.
- 68 Rule 1. After the deadline for filing prefiled legislation established by House Joint Resolution No. 2  
69 (2004), no member of the House of Delegates shall introduce more than a combined total of five bills  
70 and joint resolutions and no member of the Senate shall introduce more than a combined total of eight  
71 bills and joint resolutions.
- 72 Rule 2. Neither house of the General Assembly shall receive from any committee any bill or joint  
73 resolution that was continued on the agenda of such committee and acted upon later than midnight,  
74 Friday, December 10, 2004. For purposes of this rule, a motion to refer a measure to another committee  
75 shall be treated as an action by a committee.
- 76 Rule 3. No retail sales and use tax exemption bill as defined in § 30-19.1:3 or any bill extending or  
77 delaying the effective date of a sales and use tax exemption shall be offered in either house after the  
78 adjournment of that house on Wednesday, January 12, 2005.
- 79 Rule 4. No bill or joint resolution creating or continuing a study shall be offered in either house after  
80 adjournment of that house on Wednesday, January 12, 2005.
- 81 Rule 5. Except for bills and resolutions required to be requested earlier, requests for the drafting,  
82 redrafting, or correction of any bill or joint resolution shall be submitted to and received by the Division  
83 of Legislative Services no later than 5:00 p.m., Friday, January 14, 2005.
- 84 Rule 6. No later than Monday, January 17, 2005, each house shall begin its consideration of any  
85 election to fill a seat (i) due to the expiration of a term of a justice or judge or the Auditor of Public  
86 Accounts, (ii) due to the retirement of a judge on the Court of Appeals of Virginia, (iii) currently held  
87 by a justice or judge serving under a pro tempore appointment of the Governor pursuant to Section 7 of  
88 Article VI of the Constitution of Virginia, and (iv) currently held by a judge serving under a pro  
89 tempore appointment of a circuit court pursuant to § 16.1-69.9:2 of the Code of Virginia. In the event  
90 that the houses cannot agree on any such election before Tuesday, January 18, 2005, such election shall  
91 become the subject of a special and continuing joint order in each house at the time such house  
92 completes its morning hour, and such special and continuing joint order shall have precedence over all  
93 other business of either house, until such time as both houses reach agreement on such election or agree  
94 to hold it at another specific time. The Rules of each house, as far as applicable, shall be the rules  
95 governing any such election.
- 96 Rule 7. Except for bills required to be filed earlier, no bill or joint resolution shall be offered in  
97 either house after 5:00 p.m., Friday, January 21, 2005.
- 98 Rule 8. No later than Friday, January 21, 2005, the Board of Trustees of the Virginia Retirement  
99 System shall submit, in accordance with § 30-19.1:7, impact statements for all Virginia Retirement  
100 System bills filed by the first day of session. For any Virginia Retirement System bill filed later than the  
101 first day of session, the Board of Trustees shall use due diligence in preparing the impact statement in  
102 time for review by the standing committees.
- 103 Rule 9. The committees responsible for the consideration of adult/juvenile correctional impact,  
104 appropriation, debt, revenue, and Virginia Retirement System bills in the houses of introduction shall  
105 complete their work on such bills no later than midnight, Thursday, February 3, 2005.
- 106 Rule 10. The committees responsible for the consideration of the Budget Bill in the houses of  
107 introduction shall complete their work on such bill no later than midnight, Sunday, February 6, 2005,  
108 and any amendments proposed by such committees shall be made available to their respective houses no  
109 later than noon, Tuesday, February 8, 2005.
- 110 Rule 11. Except for the Budget Bill, beginning Wednesday, February 9, 2005, the House of  
111 Delegates shall consider only Senate bills, Senate joint resolutions, House bills with Senate amendments,  
112 and House joint resolutions with Senate amendments; the Senate shall consider only House bills, House  
113 joint resolutions, Senate bills with House amendments, and Senate joint resolutions with House  
114 amendments; each house may consider conference reports and other privileged matters to the end that  
115 the work of each house may be disposed of by the other.
- 116 Rule 12. The houses of introduction shall complete their consideration of the Budget Bill, except for  
117 conference reports and other privileged matters relating thereto, no later than Thursday, February 10,  
118 2005.
- 119 Rule 13. The committees responsible for consideration of revenue bills of the other house shall

complete their consideration of such bills no later than midnight, Tuesday, February 15, 2005.

Rule 14. No later than midnight, Wednesday, February 16, 2005, each house shall complete consideration of the Budget Bill and all revenue bills of the other house, except for conference reports and other privileged matters relating thereto, and the appointing authority shall appoint the conferees to such bills.

Rule 15. Requests for the drafting, redrafting, or correction of any joint commending or memorial resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, February 18, 2005.

Rule 16. The first conference on any revenue bills shall complete its deliberations no later than midnight, Saturday, February 19, 2005, and the report of such conference shall be made available to all members of the General Assembly no later than noon, Monday, February 21, 2005.

Rule 17. No joint commending or memorial resolution shall be offered in either house after 5:00 p.m., Monday, February 21, 2005.

Rule 18. Beginning Tuesday, February 22, 2005, neither house shall receive from any committee any bill or joint resolution acted on by any committee later than midnight, Monday, February 21, 2005.

Rule 19. No later than Tuesday, February 22, 2005, each house shall begin consideration of joint resolutions to fill any existing or pending vacancy on (i) the Supreme Court of Virginia, (ii) the Court of Appeals of Virginia, (iii) any circuit or district court of the Commonwealth, (iv) the State Corporation Commission, (v) the Virginia Workers' Compensation Commission, and (vi) the Judicial Inquiry and Review Commission. In the event that the houses cannot agree on the filling of any such vacancy before Wednesday, February 23, 2005, such vacancy shall become the subject of a special and continuing joint order in each house at the time such house completes its morning hour, and such special and continuing joint order shall have precedence over all other business of either house, until such time as both houses reach agreement or either house votes to suspend or discharge the order. The Rules of each house, as far as applicable, shall be the rules governing the filling of any such vacancy.

Rule 20. The first conference on the Budget Bill shall complete its deliberations no later than midnight, Tuesday, February 22, 2005, and the report of such conference shall be made available to all members of the General Assembly no later than noon, Thursday, February 24, 2005. No engrossment of the Budget Bill shall be required in either house, and any conference on the Budget Bill shall consider, as the basis of its deliberations, the Budget Bill as recommended by the Governor and introduced in the House and the amendments thereto proposed by each house.

Rule 21. Except for joint resolutions affecting the rules of procedure or the schedule of business of the General Assembly, beginning Friday, February 25, 2005, the House shall consider only Senate joint resolutions and House joint resolutions with Senate amendments; the Senate shall consider only House joint resolutions and Senate joint resolutions with House amendments; and each house may consider conference reports or joint resolutions and other privileged matters relating thereto, to the end that the work of each house may be disposed of by the other.

Rule 22. This session of the General Assembly shall be extended beyond the thirty-day period provided in Section 6 of Article IV of the Constitution of Virginia and shall adjourn sine die no later than Saturday, February 26, 2005.

Rule 23. Pursuant to Section 6 of Article IV of the Constitution of Virginia, the General Assembly shall reconvene Wednesday, April 6, 2005, for the purpose of considering bills which may have been returned by the Governor with recommendations for their amendment and bills and items of appropriation bills, including the general appropriation act, which may have been returned by the Governor with his objections.

Rule 24. The conduct of the business of any subcommittee of any House committee, any joint subcommittee of House and Senate committees, and any interim study commission created pursuant to a House measure shall be governed by the Rules of the House of Delegates; the conduct of the business of any subcommittee of any Senate committee, any joint subcommittee of Senate and House committees, and any interim study commission created pursuant to a Senate measure shall be governed by the Rules of the Senate. If a House measure and a Senate measure create the same study, the conduct of business of the study shall be governed by the rules of the house of the chairman of the study, or in the case of cochairmen, the rules of the house as agreed upon by the cochairmen.

Rule 25. Any staff member assigned to work for, and support the efforts of, any committee of the House or Senate, any subcommittee of any such committee, any joint subcommittee of House and Senate committees, or any interim study commission shall work under the direction of the chairman of such committee, subcommittee, joint subcommittee, or interim study commission.