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HOUSE JOINT RESOLUTION NO. 645

Offered January 14, 2009

Prefiled December 17, 2008

Providing for a Joint Assembly and establishing a schedule for the conduct of business coming before the 2009 Regular Session of the General Assembly of Virginia.

Patrons—Griffith, Cox, Hall, Hargrove, Johnson and Putney; Senators: Colgan, Houck, Norment, Quayle, Saslaw, Stolle and Whipple

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly shall meet in joint session in the Hall of the House of Delegates on Wednesday, January 14, 2009, at such time as specified by the Speaker of the House of Delegates, to receive the Governor of Virginia, and such address as he may desire to make, and that the rules for the government of the House of Delegates and the Senate, when convened in joint session for such purpose, shall be as follows:

Rule I. At the hour fixed for the meeting of the Joint Assembly, the Senators, accompanied by the President and the Clerk of the Senate, shall proceed to the Hall of the House of Delegates and shall be received by the Delegates standing. Appropriate seats shall be assigned to the Senators by the Sergeant at Arms of the House. The Speaker of the House of Delegates shall assign an appropriate seat for the President of the Senate.

Rule II. The Speaker of the House of Delegates shall be President of the Joint Assembly. In case it shall be necessary for the Speaker to vacate the Chair, the President of the Senate shall serve as the presiding officer.

Rule III. The Clerk of the House of Delegates shall be Clerk of the Joint Assembly and shall be assisted by the Clerk of the Senate. The Clerk of the Joint Assembly shall enter the proceedings of the Joint Assembly in the Journal of the House and shall certify a copy of the same to the Clerk of the Senate, who shall enter the same in the Journal of the Senate.

Rule IV. The Sergeant at Arms and Doorkeepers of the House shall act as such for the Joint Assembly.

Rule V. The Rules of the House of Delegates, as far as applicable, shall be the rules of the Joint Assembly.

Rule VI. In calling the roll of the Joint Assembly, the names of the Senators shall be called in alphabetical order, then the names of the Delegates in like order, except that the name of the Speaker of the House shall be called last.

Rule VII. If, when the Joint Assembly meets, it shall be ascertained that a majority of each house is not present, the Joint Assembly may take measures to secure the attendance of absentees, or adjourn to a succeeding day, as a majority of those present may determine.

Rule VIII. When the Joint Assembly adjourns, the Senators, accompanied by the President and the Clerk of the Senate, shall return to their chamber, and the business of the House shall be continued in the same order as at the time of the entrance of the Senators; and, be it

RESOLVED FURTHER, That notwithstanding any other provision of this resolution and in accordance with the practices of each house, a request to be added or removed as a co-patron must be received prior to the first vote on the passage of a bill or agreement to a joint resolution or, if the bill or joint resolution is not reported from committee, then prior to the last action on such legislation; 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 FURTHER, That for purposes of the procedural deadlines established herein for the 2009 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.

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58 "Budget Bill" shall mean the general appropriation bill introduced in each house that authorizes the
59 biennial expenditure of public revenues for the period from July 1, 2008, through June 30, 2010.

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

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

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

68 "Prefiled legislation" shall mean any bill or joint resolution requested from the Division of
69 Legislative Services no later than 5:00 p.m., Monday, December 8, 2008, and prefiled no later than
70 10:00 a.m., Wednesday, January 14, 2009, and any bill or joint resolution not requested from the
71 Division of Legislative Services and prefiled no later than 10:00 a.m., Wednesday, January 14, 2009.

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

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

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

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

87 RESOLVED FINALLY, That the 2009 Regular Session of the General Assembly shall be governed
88 by the following procedural rules, which establish introduction limits and time limitations for elections
89 and for all legislation prefiled and introduced for or continued to the 2009 Regular Session except:

90 House and Senate resolutions;

91 bills and joint resolutions affecting the rules of procedure or the schedule of business of the General
92 Assembly, either of its houses, or any of its committees;

93 bills and joint resolutions introduced with unanimous consent either to exceed the introduction limits
94 established in Rule 1 or to exceed the time limitations established in Rules 3, 4, 7, and 17;

95 joint resolutions confirming appointments subject to the confirmation of the General Assembly;

96 joint commending and memorial resolutions, except for the time limitations established in Rules 15
97 and 17;

98 bills and joint resolutions regarding elections held by the General Assembly during the 2009 Regular
99 Session; or

100 bills and joint resolutions requested in writing by the Governor, if the member offering such
101 legislation has not exceeded the introduction limits established in Rule 1.

102 Rule 1. After the deadline for filing prefiled legislation established by House Joint Resolution No. 32
103 (2008), no member of the House of Delegates shall introduce more than a combined total of five bills
104 and joint resolutions and no member of the Senate shall introduce more than a combined total of eight
105 bills and joint resolutions. Notwithstanding the provisions of this rule and in accordance with House
106 Rule 37, no member of the House of Delegates may introduce more than 15 bills during the 2009
107 Regular Session.

108 Rule 2. Neither house of the General Assembly shall receive from any committee any bill or joint
109 resolution that was continued on the agenda of such committee and acted upon later than midnight,
110 Thursday, December 4, 2008. For purposes of this rule, a motion to refer a measure to another
111 committee shall be treated as an action by a committee.

112 Rule 3. No retail sales and use tax exemption bill, as defined in § 30-19.1:3, or any bill extending or
113 delaying the effective date of a sales and use tax exemption shall be offered in either house after the
114 adjournment of that house on Wednesday, January 14, 2009.

115 Rule 4. No bill or joint resolution creating or continuing a study shall be offered in either house after
116 the adjournment of that house on Wednesday, January 14, 2009.

117 Rule 5. Except for bills and resolutions required to be requested earlier, requests for the drafting,
118 redrafting, or correction of any bill or joint resolution shall be submitted to and received by the Division
119 of Legislative Services no later than 5:00 p.m., Friday, January 16, 2009.

Rule 6. No later than Wednesday, January 21, 2009, each house shall begin its consideration of any election to fill a seat (i) due to the expiration of a term of a justice or judge; (ii) currently held by a justice, judge, or member of the State Corporation Commission serving under a pro tempore appointment of the Governor pursuant to Section 7 of Article VI of the Constitution of Virginia; (iii) currently held by a judge serving under a pro tempore appointment of a circuit court pursuant to § 16.1-69.9:2 of the Code of Virginia; (iv) due to any existing or pending vacancy on the Supreme Court of Virginia, the Court of Appeals of Virginia or any circuit or district court of the Commonwealth; and (v) due to the expiration of the term of the Auditor of Public Accounts. In the event that the houses cannot agree on any such election before Thursday, January 22, 2009, such election 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 on such election or agree to hold it at another specific time. The Rules of each house, as far as applicable, shall be the rules governing any such election.

Rule 7. Except for bills required to be filed earlier, no bill or joint resolution shall be offered in either house after 5:00 p.m., Friday, January 23, 2009.

Rule 8. No later than Friday, January 23, 2009, the Board of Trustees of the Virginia Retirement System shall submit, in accordance with § 30-19.1:7, impact statements for all Virginia Retirement System bills filed by the first day of session. For any Virginia Retirement System bill filed later than the first day of session, the Board of Trustees shall use due diligence in preparing the impact statement in time for review by the standing committees.

Rule 9. The committees responsible for the consideration of adult/juvenile correctional impact, appropriation, debt, revenue, and Virginia Retirement System bills in the houses of introduction shall complete their work on such bills no later than midnight, Thursday, February 5, 2009.

Rule 10. The committees responsible for the consideration of the Budget Bill in the houses of introduction shall complete their work on such bill no later than midnight, Sunday, February 8, 2009, and any amendments proposed by such committees shall be made available to their respective houses no later than noon, Tuesday, February 10, 2009.

Rule 11. Except for the Budget Bill, beginning Wednesday, February 11, 2009, the House of Delegates shall consider only Senate bills, Senate joint resolutions, House bills with Senate amendments, and House joint resolutions with Senate amendments; the Senate shall consider only House bills, House joint resolutions, Senate bills with House amendments, and Senate joint resolutions with House amendments; and each house may consider conference reports and other privileged matters relating thereto to the end that the work of each house may be disposed of by the other.

Rule 12. The houses of introduction shall complete their consideration of the Budget Bill, except for conference reports and other privileged matters relating thereto, no later than Thursday, February 12, 2009.

Rule 13. The committees responsible for the consideration of revenue bills of the other house shall complete their consideration of such bills no later than midnight, Tuesday, February 17, 2009.

Rule 14. No later than midnight, Wednesday, February 18, 2009, each house shall complete its 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 20, 2009.

Rule 16. The first conference on any revenue bills shall complete its deliberations no later than midnight, Saturday, February 21, 2009, and the report of such conference shall be made available to all members of the General Assembly no later than noon, Monday, February 23, 2009.

Rule 17. No joint commending or memorial resolution shall be offered in either house after 5:00 p.m., Monday, February 23, 2009.

Rule 18. Beginning Tuesday, February 24, 2009, neither house shall receive from any committee any bill or joint resolution acted on by any committee later than midnight, Monday, February 23, 2009.

Rule 19. No later than Tuesday, February 24, 2009, each house shall begin its 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; or to fill a seat due to the expiration of a term of a member of the Judicial Inquiry and Review Commission. In the event that the houses cannot agree on the filling of any such vacancy before Wednesday, February 25, 2009, 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

181 special and continuing joint order shall have precedence over all other business of either house, until
182 such time as both houses reach agreement on the filling of such vacancy or either house votes to
183 suspend or discharge the order. The Rules of each house, as far as applicable, shall be the rules
184 governing the filling of any such vacancy.

185 Rule 20. The first conference on the Budget Bill shall complete its deliberations no later than
186 midnight, Tuesday, February 24, 2009, and the report of such conference shall be made available to all
187 members of the General Assembly no later than noon, Thursday, February 26, 2009. No engrossment of
188 the Budget Bill shall be required in either house, and any conference on the Budget Bill shall consider,
189 as the basis of its deliberations, the Budget Bill as recommended by the Governor and introduced in the
190 House and the amendments thereto proposed by each house.

191 Rule 21. Except for joint resolutions affecting the rules of procedure or the schedule of business of
192 the General Assembly, beginning Friday, February 27, 2009, the House of Delegates shall consider only
193 Senate joint resolutions and House joint resolutions with Senate amendments; the Senate shall consider
194 only House joint resolutions and Senate joint resolutions with House amendments; and each house may
195 consider conference reports or joint resolutions and other privileged matters relating thereto, to the end
196 that the work of each house may be disposed of by the other.

197 Rule 22. This session of the General Assembly shall be extended beyond the thirty-day period
198 provided in Section 6 of Article IV of the Constitution of Virginia and shall adjourn sine die no later
199 than Saturday, February 28, 2009.

200 Rule 23. Pursuant to Section 6 of Article IV of the Constitution of Virginia, the General Assembly
201 shall reconvene Wednesday, April 8, 2009, for the purpose of considering bills which may have been
202 returned by the Governor with recommendations for their amendment and bills and items of
203 appropriation bills, including the general appropriation act, which may have been returned by the
204 Governor with his objections.

205 Rule 24. The conduct of the business of any subcommittee of any House committee, any joint
206 subcommittee of House and Senate committees, and any interim study commission created pursuant to a
207 House measure shall be governed by the Rules of the House of Delegates; the conduct of the business
208 of any subcommittee of any Senate committee, any joint subcommittee of Senate and House committees,
209 and any interim study commission created pursuant to a Senate measure shall be governed by the Rules
210 of the Senate. If a House measure and a Senate measure create the same study, the conduct of business
211 of the study shall be governed by the rules of the house of the chairman of the study, or in the case of
212 co-chairmen, the rules of the house as agreed upon by the co-chairmen.

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