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HOUSE JOINT RESOLUTION NO. 9

Offered January 13, 2010

Prefiled December 11, 2009

Providing for certain Joint Assemblies, establishing a schedule for the conduct of business coming before the 2010 Regular Session of the General Assembly of Virginia, and providing for legislative continuity between the 2010 and 2011 Regular Sessions of the General Assembly.

Patrons—Griffith, Cox, M.K., Howell, W.J., Joannou, Johnson and Putney; Senators: Colgan, Quayle, Saslaw 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 13, 2010, 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 the General Assembly shall meet in joint session in the Hall of the House of Delegates on Saturday, January 16, 2010, at such time as specified by the Speaker of the House of Delegates, to receive distinguished guests, and then proceed to the inaugural platform to witness the administration of the oath of office to the Attorney General-elect and the inauguration of the Lieutenant Governor-elect and the Governor-elect, and that the rules for the government of the House of Delegates and the Senate, when convened in joint session on that day, shall be the same as previously provided for the Joint Assembly; and, be it

RESOLVED FURTHER, That the General Assembly shall meet in joint session in the Hall of the House of Delegates on Monday, January 18, 2010, 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 purposes, shall be the same as previously provided for the Joint Assembly; 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

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58 shall require a vote of two-thirds of the members voting in the respective house; and, be it

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

62 RESOLVED FURTHER, That for purposes of the procedural deadlines established herein for the
63 2010 Regular Session of the General Assembly:

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

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

71 "Budget Bill" shall mean the general appropriation bill introduced in each house that authorizes the
72 biennial expenditure of public revenues for the period from July 1, 2008, through June 30, 2010, or July
73 1, 2010, through June 30, 2012.

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

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

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

82 "Prefiled legislation" shall mean any bill or joint resolution requested from the Division of
83 Legislative Services no later than 5:00 p.m., Monday, December 7, 2009, and prefiled no later than
84 10:00 a.m., Wednesday, January 13, 2010, or any bill or joint resolution not requested from the Division
85 of Legislative Services and prefiled no later than 10:00 a.m., Wednesday, January 13, 2010.

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

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

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

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

101 RESOLVED FINALLY, That the 2010 Regular Session of the General Assembly shall be governed
102 by the following procedural rules, which establish introduction limits and time limitations for elections
103 and for all legislation prefiled and introduced for the 2010 Regular Session except:

104 House and Senate resolutions;

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

107 bills and joint resolutions introduced with unanimous consent either to exceed the introduction limits
108 established in Rule 1 or to exceed the time limitations established in Rules 2, 3, 6, and 17;

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

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

112 bills and joint resolutions regarding elections held by the General Assembly during the 2010 Regular
113 Session; or

114 bills and joint resolutions requested in writing by the Governor.

115 Rule 1. After the deadline for filing prefiled legislation established by House Joint Resolution No.
116 646 (2009), no member of the House of Delegates shall introduce more than a combined total of five
117 bills and joint resolutions and no member of the Senate shall introduce more than a combined total of
118 eight bills and joint resolutions. Any legislation introduced with unanimous consent shall count toward
119 such introduction limit.

Rule 2. No retail sales and use tax exemption bill as defined in § 30-19.1:3 or any bill extending or delaying the effective date of a sales and use tax exemption shall be offered in either house after the adjournment of that house on Wednesday, January 13, 2010.

Rule 3. No bill or joint resolution creating or continuing a study shall be offered in either house after adjournment of that house on Wednesday, January 13, 2010.

Rule 4. Except for bills and joint resolutions required to be requested earlier, requests for the drafting, redrafting, or correction of any bill or joint resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 15, 2010.

Rule 5. 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 22, 2010.

Rule 6. No later than Monday, January 25, 2010, each house shall begin its consideration of any election to fill a seat (i) due to the expiration of a term of a judge, (ii) currently held by a justice or judge 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, and (iv) currently held by a member of the Virginia Workers' Compensation Commission or the State Corporation Commission. In the event that the houses cannot agree on any such election before Tuesday, January 26, 2010, 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. No later than Thursday, January 28, 2010, 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 8. The committees responsible for the consideration of appropriation, debt, revenue, and Virginia Retirement System bills in the houses of introduction shall complete their work on such bills no later than midnight, Tuesday, February 16, 2010.

Rule 9. Except for the Budget Bill(s), and appropriation, debt, revenue, and Virginia Retirement System bills, beginning Wednesday, February 17, 2010, 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 10. The houses of introduction shall complete their consideration of all appropriation, debt, revenue, and Virginia Retirement System bills, except for conference reports and other privileged matters relating thereto, no later than Friday, February 19, 2010.

Rule 11. The committees responsible for the consideration of the Budget Bill(s) in the houses of introduction shall complete their work on such bill(s) no later than midnight, Sunday, February 21, 2010, and any amendments proposed by such committees shall be made available to their respective houses no later than noon, Tuesday, February 23, 2010.

Rule 12. The houses of introduction shall complete their consideration of the Budget Bill(s), except for conference reports and other privileged matters relating thereto, no later than Thursday, February 25, 2010.

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, March 2, 2010.

Rule 14. No later than midnight, Wednesday, March 3, 2010, each house shall complete consideration of the Budget Bill(s) 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, March 5, 2010.

Rule 16. The first conference on any revenue bills shall complete its deliberations no later than midnight, Saturday, March 6, 2010, and the report of such conference shall be made available to all members of the General Assembly no later than noon, Monday, March 8, 2010.

Rule 17. No joint commending or memorial resolution shall be offered in either house after 5:00 p.m., Monday, March 8, 2010.

181 Rule 18. Beginning Tuesday, March 9, 2010, neither house shall receive from any committee any
182 bill or joint resolution acted on by any committee later than midnight, Monday, March 8, 2010.

183 Rule 19. No later than Tuesday, March 9, 2010, each house shall begin consideration of joint
184 resolutions to fill any existing or pending vacancy on (i) the Supreme Court of Virginia, (ii) the Court
185 of Appeals of Virginia, (iii) any circuit or district court of the Commonwealth, (iv) the State Corporation
186 Commission, (v) the Virginia Workers' Compensation Commission, and (vi) the Judicial Inquiry and
187 Review Commission. In the event that the houses cannot agree on the filling of any such vacancy before
188 Wednesday, March 10, 2010, such vacancy shall become the subject of a special and continuing joint
189 order in each house at the time such house completes its morning hour, and such special and continuing
190 joint order shall have precedence over all other business of either house, until such time as both houses
191 reach agreement or either house votes to suspend or discharge the order. The Rules of each house, as far
192 as applicable, shall be the rules governing the filling of any such vacancy.

193 Rule 20. The first conference on the Budget Bill(s) shall complete its deliberations no later than
194 midnight, Tuesday, March 9, 2010, and the report of such conference shall be made available to all
195 members of the General Assembly no later than noon, Thursday, March 11, 2010. No engrossment of
196 the Budget Bill(s) shall be required in either house, and any conference on the Budget Bill(s) shall
197 consider, as the basis of its deliberations, the Budget Bill(s) as recommended by the Governor and
198 introduced in the House and the amendments thereto proposed by each house.

199 Rule 21. Except for joint resolutions affecting the rules of procedure or the schedule of business of
200 the General Assembly, beginning Friday, March 12, 2010, the House shall consider only Senate joint
201 resolutions and House joint resolutions with Senate amendments; the Senate shall consider only House
202 joint resolutions and Senate joint resolutions with House amendments; and each house may consider
203 conference reports or joint resolutions and other privileged matters relating thereto, to the end that the
204 work of each house may be disposed of by the other.

205 Rule 22. This session of the General Assembly shall adjourn sine die no later than the legislative
206 day of Saturday, March 13, 2010.

207 Rule 23. Pursuant to Section 6 of Article IV of the Constitution of Virginia, the General Assembly
208 shall reconvene Wednesday, April 21, 2010, for the purpose of considering bills that may have been
209 returned by the Governor with recommendations for their amendment and bills and items of
210 appropriation bills, including the general appropriation act, that may have been returned by the Governor
211 with his objections.

212 Rule 24. Pursuant to Section 7 of Article IV of the Constitution of Virginia, legislative continuity is
213 hereby provided for between sessions occurring during the terms for which members of the House of
214 Delegates are elected, in conformity with the Rules of the House of Delegates and the Rules of the
215 Senate.

216 Rule 25. The conduct of the business of any subcommittee of any House committee, any joint
217 subcommittee of House and Senate committees, and any interim study commission created pursuant to a
218 House measure shall be governed by the Rules of the House of Delegates; the conduct of the business
219 of any subcommittee of any Senate committee, any joint subcommittee of Senate and House committees,
220 and any interim study commission created pursuant to a Senate measure shall be governed by the Rules
221 of the Senate. If a House measure and a Senate measure create the same study, the conduct of business
222 of the study shall be governed by the rules of the house of the chairman of the study, or in the case of
223 co-chairmen, the rules of the house as agreed upon by the co-chairmen.

224 Rule 26. Interim meetings of any standing committee, joint committee, joint subcommittee,
225 legislative commission, or any other interim study subcommittee or study commission shall be held on
226 Monday, Tuesday or Wednesday during the first and third full weeks of the month, unless otherwise
227 authorized by the Speaker of the House of Delegates or the Chairman of the Senate Committee on
228 Rules, as may be appropriate for the house in which the chairman serves.

229 Rule 27. Any staff member assigned to work for, and support the efforts of, any committee of the
230 House or Senate, any subcommittee of any such committee, any joint subcommittee of House and
231 Senate committees, or any interim study commission shall work under the direction of the chairman of
232 such committee, subcommittee, joint subcommittee, or interim study commission.

233 Rule 28. The standing committees of the General Assembly shall complete their consideration of all
234 legislation continued by them from the 2010 Regular Session no later than midnight, Thursday,
235 December 2, 2010.