

## 2002 SESSION

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### HOUSE JOINT RESOLUTION NO. 4

*Providing for certain Joint Assemblies, establishing a schedule for the conduct of business coming before the 2002 Regular Session of the General Assembly of Virginia, and providing for legislative continuity between the 2002 and 2003 Regular Sessions of the General Assembly.*

Agreed to by the House of Delegates, January 9, 2002

Agreed to by the Senate, January 9, 2002

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 9, 2002, 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 12, 2002, at such time as specified by the Speaker of the House of Delegates, to receive certain 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 14, 2002, at such time as specified by the Speaker of the House of Delegates, to receive the Governor of Virginia and such communication 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 the same as previously provided for the Joint Assembly; and, be it

RESOLVED FURTHER, 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, Notwithstanding any other provision of this resolution, each presiding officer in accordance with the rules of his house may determine questions of germaneness relevant to any amendment offered to such house's legislation by the other house. If it is determined that such amendment is not germane, the measure shall be returned to the other house with the request to

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reconsider the amendment or initiate proceedings for a committee of conference; and, be it

RESOLVED FURTHER, That for purposes of the procedural deadlines established herein for the 2002 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, which authorizes the biennial expenditure of public revenues for the period from July 1, 2000, through June 30, 2002, or July 1, 2002, through June 30, 2004.

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

"Legislative day" shall mean the period of time that begins with a 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 10, 2001, and prefiled no later than 10:00 a.m., Wednesday, January 9, 2002.

"Revenue bill" shall mean any 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 stamped upon 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 FINALLY, That the 2002 Regular Session of the General Assembly shall be governed by the following procedural rules, which establish introduction limits and time limitations for elections and for all legislation prefiled and introduced for the 2002 Regular Session except:

House and Senate resolutions;

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

bills or joint resolutions introduced with unanimous consent and, when applicable, introduced with unanimous consent to exceed the introduction limits established in Rule 5;

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

joint commending and memorial resolutions, except for the time limitations established in Rules 20 and 22;

bills and joint resolutions regarding elections held by the General Assembly during the 2002 Regular Session; or

bills and joint resolutions requested in writing by the Governor, if the member offering such legislation has not exceeded the introduction limits established in Rule 5.

Rule 1. Requests for drafts of any bill or joint resolution to be prefiled shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Monday, December 10, 2001, and such drafts shall be returned for review no later than midnight, Friday, December 28, 2001.

Rule 2. Requests for redrafts and corrections of any draft prepared for prefiling shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 4, 2002. The Division shall make available the covered legislation for prefiling no later than noon, Tuesday, January 8, 2002.

Rule 3. Requests for the drafting, redrafting, or correction of any bill or joint resolution creating or continuing a study shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Monday, January 7, 2002.

Rule 4. Requests for the drafting, redrafting, or correction of any bill required to be introduced by the first day of the session shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Tuesday, January 8, 2002.

Rule 5. Bills and joint resolutions offered for prefiling shall be prefiled in either house no later than 10:00 a.m., Wednesday, January 9, 2002. After the deadline for filing prefiled legislation under this resolution, no member of the House of Delegates shall introduce more than a combined total of five bills and joint resolutions and no member of the Senate shall introduce more than a combined total of eight bills and joint resolutions.

Rule 6. No retail sales and use tax exemption bill as defined in § 30-19.1:3, property tax exemption bill as defined in § 30-19.1:2, 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 9, 2002.

Rule 7. No bill or joint resolution creating or continuing a study shall be introduced in either house after 5:00 p.m., Friday, January 11, 2002.

Rule 8. Except for bills and 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 11, 2002.

Rule 9. 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 18, 2002.

Rule 10. No later than Thursday, January 24, 2002, 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 11. No later than Monday, January 28, 2002, 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 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, or (iv) currently held or vacated by a member of the State Corporation Commission or the Virginia Workers' Compensation Commission. In the event that the houses cannot agree on any such election before Tuesday, January 29, 2002, 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 12. 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 12, 2002.

Rule 13. Except for the Budget Bill(s), and appropriation, debt, revenue, and Virginia Retirement System bills, beginning Wednesday, February 13, 2002, 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; each house may consider conference reports and other privileged matters to the end that the work of each house may be disposed of by the other.

Rule 14. 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 15, 2002.

Rule 15. 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 17, 2002, and any amendments proposed by such committee shall be made available to their respective houses no later than noon, Tuesday, February 19, 2002.

Rule 16. 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 21, 2002.

Rule 17. 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 26, 2002.

Rule 18. No later than midnight, Wednesday, February 27, 2002, 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 19. No later than Wednesday, February 27, 2002, 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 Thursday, February 28, 2002, 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. 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 1, 2002.

Rule 21. The first conference on any revenue bills shall complete its deliberations no later than midnight, Saturday, March 2, 2002, and the report of such conference shall be made available to all members of the General Assembly no later than noon, Monday, March 4, 2002.

Rule 22. No joint commending or memorial resolution shall be offered in either house after the adjournment of that house on Monday, March 4, 2002.

Rule 23. Beginning Tuesday, March 5, 2002, neither house shall receive from any committee any bill or joint resolution acted on by any committee later than midnight, Monday, March 4, 2002.

Rule 24. The first conference on the Budget Bill(s) shall complete its deliberations no later than midnight, Tuesday, March 5, 2002, and the report of such conference shall be made available to all members of the General Assembly no later than noon, Thursday, March 7, 2002. No engrossment of the Budget Bill(s) shall be required in either house, and any conference on the Budget Bill(s) shall consider, as the basis of its deliberations, the Budget Bill(s) as recommended by the Governor and introduced in the House and the amendments thereto proposed by each house.

Rule 25. Except for joint resolutions affecting the rules of procedure or the schedule of business of the General Assembly, beginning Friday, March 8, 2002, 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 26. This session of the General Assembly shall adjourn sine die no later than the legislative day of Saturday, March 9, 2002.

Rule 27. Pursuant to Section 6 of Article IV of the Constitution of Virginia, the General Assembly shall reconvene Wednesday, April 17, 2002, 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 28. Pursuant to Section 7 of Article IV of the Constitution of Virginia, legislative continuity is hereby provided for between sessions occurring during the terms for which members of the House of Delegates are elected, in conformity with the Rules of the House of Delegates and the Rules of the Senate.

Rule 29. 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 co-chairmen, the rules of the house as agreed upon by the co-chairmen.

Rule 30. 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.

Rule 31. The standing committees of the General Assembly shall complete their consideration of all legislation continued by them from the 2002 Regular Session no later than midnight, Monday, December

9, 2002.