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HOUSE JOINT RESOLUTION NO. 539

Offered January 8, 2003

Prefiled November 22, 2002

Providing for a Joint Assembly and establishing a schedule for the conduct of business coming before the 2003 Regular Session of the General Assembly of Virginia.

Patrons—Griffith, Callahan, Councill, Hall, Parrish, Putney and Wardrup; Senators: Stolle, Stosch and Trumbo

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 8, 2003, 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 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 reconsider the amendment or initiate proceedings for a committee of conference; 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 for purposes of the procedural deadlines established herein for the 2003 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.

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

60 "Budget Bill" shall mean the general appropriation bill introduced in each house, which authorizes
61 the biennial expenditure of public revenues for the period from July 1, 2002, through June 30, 2004.

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

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

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

70 "Prefiled legislation" shall mean any bill or joint resolution requested from the Division of
71 Legislative Services no later than 5:00 p.m., Tuesday, December 10, 2002, and prefiled no later than
72 10:00 a.m., Wednesday, January 8, 2003.

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

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

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

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

88 RESOLVED FINALLY, That the 2003 Regular Session of the General Assembly shall be governed
89 by the following procedural rules, which establish introduction limits and time limitations for elections
90 and for all legislation prefiled and introduced for or continued to the 2003 Regular Session except:

91 House and Senate resolutions;

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

94 bills or joint resolutions introduced with unanimous consent and, when applicable, introduced with
95 unanimous consent to exceed the introduction limits established in Rule 6;

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

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

99 bills and joint resolutions regarding elections held by the General Assembly during the 2003 Regular
100 Session; or

101 bills and joint resolutions requested in writing by the Governor, if the member offering such
102 legislation has not exceeded the introduction limits established in Rule 6.

103 Rule 1. Pursuant to House Joint Resolution No. 4 (2002), neither house of the General Assembly
104 shall receive from any committee any bill, joint resolution, or resolution that was continued on the
105 agenda of such committee and acted upon later than midnight, Monday, December 9, 2002. For
106 purposes of this rule, a motion to refer a measure to another committee shall be treated as an action by
107 a committee.

108 Rule 2. Requests for drafts of any bill or joint resolution to be prefiled shall be submitted to and
109 received by the Division of Legislative Services no later than 5:00 p.m., Tuesday, December 10, 2002,
110 and such drafts shall be returned for review no later than midnight, Friday, December 27, 2002.

111 Rule 3. Requests for the drafting, redrafting, or correction of any bill or joint resolution creating or
112 continuing a study shall be submitted to and received by the Division of Legislative Services no later
113 than 5:00 p.m., Friday, January 3, 2003.

114 Rule 4. Requests for redrafts and corrections of any draft prepared for prefiling shall be submitted to
115 and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 3, 2003.
116 The Division shall make available the covered legislation for prefiling no later than noon, Tuesday,
117 January 7, 2003.

118 Rule 5. Requests for the drafting, redrafting, or correction of any bill required to be introduced by
119 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 7, 2003.

Rule 6. Bills and joint resolutions offered for prefiling shall be prefiled in either house no later than 10:00 a.m., Wednesday, January 8, 2003. 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 7. 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 8, 2003.

Rule 8. No bill or joint resolution creating or continuing a study shall be offered in either house after adjournment of that house on Wednesday, January 8, 2003.

Rule 9. 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 10, 2003.

Rule 10. No later than Monday, January 13, 2003, 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 by a member of the Judicial Inquiry and Review Commission. In the event that the houses cannot agree on any such election before Tuesday, January 14, 2003, 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 11. 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 17, 2003.

Rule 12. No later than Friday, January 17, 2003, 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 13. No later than Monday, January 20, 2003, each house shall begin its consideration of an election to fill a vacancy on the Virginia Supreme Court due to the retirement of a justice. In the event that the houses cannot agree on any such election before Tuesday, January 21, 2003, 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 14. 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, January 30, 2003.

Rule 15. 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 2, 2003, and any amendments proposed by such committee shall be made available to their respective houses no later than noon, Tuesday, February 4, 2003.

Rule 16. Except for the Budget Bill, beginning Wednesday, February 5, 2003, 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 17. 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 6, 2003.

Rule 18. 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 11, 2003.

Rule 19. No later than midnight, Wednesday, February 12, 2003, each house shall complete consideration of the Budget Bill and all revenue bills of the other house, except for conference reports

181 and other privileged matters relating thereto, and the appointing authority shall appoint the conferees to
182 such bills.

183 Rule 20. Requests for the drafting, redrafting, or correction of any joint commending or memorial
184 resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00
185 p.m., Friday, February 14, 2003.

186 Rule 21. The first conference on any revenue bills shall complete its deliberations no later than
187 midnight, Saturday, February 15, 2003, and the report of such conference shall be made available to all
188 members of the General Assembly no later than noon, Monday, February 17, 2003.

189 Rule 22. No joint commending or memorial resolution shall be offered in either house after the
190 adjournment of that house on Monday, February 17, 2003.

191 Rule 23. Beginning Tuesday, February 18, 2003, neither house shall receive from any committee any
192 bill or joint resolution acted on by any committee later than midnight, Monday, February 17, 2003.

193 Rule 24. The first conference on the Budget Bill shall complete its deliberations no later than
194 midnight, Tuesday, February 18, 2003, and the report of such conference shall be made available to all
195 members of the General Assembly no later than noon, Thursday, February 20, 2003. No engrossment of
196 the Budget Bill shall be required in either house, and any conference on the Budget Bill shall consider,
197 as the basis of its deliberations, the Budget Bill as recommended by the Governor and introduced in the
198 House and the amendments thereto proposed by each house.

199 Rule 25. No later than Tuesday, February 18, 2003, each house shall begin consideration of joint
200 resolutions to fill any existing or pending vacancy on (i) the Supreme Court of Virginia, (ii) the Court
201 of Appeals of Virginia, (iii) any circuit or district court of the Commonwealth, (iv) the State Corporation
202 Commission, (v) the Virginia Workers' Compensation Commission, and (vi) the Judicial Inquiry and
203 Review Commission. In the event that the houses cannot agree on the filling of any such vacancy before
204 Wednesday, February 19, 2003, such vacancy shall become the subject of a special and continuing joint
205 order in each house at the time such house completes its morning hour, and such special and continuing
206 joint order shall have precedence over all other business of either house, until such time as both houses
207 reach agreement or either house votes to suspend or discharge the order. The Rules of each house, as far
208 as applicable, shall be the rules governing the filling of any such vacancy.

209 Rule 26. Except for joint resolutions affecting the rules of procedure or the schedule of business of
210 the General Assembly, beginning Friday, February 21, 2003, the House shall consider only Senate joint
211 resolutions and House joint resolutions with Senate amendments; the Senate shall consider only House
212 joint resolutions and Senate joint resolutions with House amendments; and each house may consider
213 conference reports or joint resolutions and other privileged matters relating thereto, to the end that the
214 work of each house may be disposed of by the other.

215 Rule 27. This session of the General Assembly shall be extended beyond the thirty-day period
216 provided in Section 6 of Article IV of the Constitution of Virginia and shall adjourn sine die no later
217 than Saturday, February 22, 2003.

218 Rule 28. Pursuant to Section 6 of Article IV of the Constitution of Virginia, the General Assembly
219 shall reconvene Wednesday, April 2, 2003, for the purpose of considering bills which may have been
220 returned by the Governor with recommendations for their amendment and bills and items of
221 appropriation bills, including the general appropriation act, which may have been returned by the
222 Governor with his objections.

223 Rule 29. The conduct of the business of any subcommittee of any House committee, any joint
224 subcommittee of House and Senate committees, and any interim study commission created pursuant to a
225 House measure shall be governed by the Rules of the House of Delegates; the conduct of the business
226 of any subcommittee of any Senate committee, any joint subcommittee of Senate and House committees,
227 and any interim study commission created pursuant to a Senate measure shall be governed by the Rules
228 of the Senate. If a House measure and a Senate measure create the same study, the conduct of business
229 of the study shall be governed by the rules of the house of the chairman of the study, or in the case of
230 co-chairmen, the rules of the house as agreed upon by the co-chairmen.

231 Rule 30. Any staff member assigned to work for, and support the efforts of, any committee of the
232 House or Senate, any subcommittee of any such committee, any joint subcommittee of House and
233 Senate committees, or any interim study commission shall work under the direction of the chairman of
234 such committee, subcommittee, joint subcommittee, or interim study commission.