

S E N A T E

R U L E S



2018



**RULES**

**OF THE**

**SENATE**

**OF THE**

**STATE OF NEW JERSEY**

Adopted as the permanent Rules by SR-1,  
passed on January 9, 2018.

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Stephen M. Sweeney  
President



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# SENATE RULES

ADOPTED JANUARY 9, 2018

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## 1-ORGANIZATION.

### 1:1. Organizational Meeting.

The Senate shall meet and organize at noon on the second Tuesday in January of each even numbered year.

### 1:2. Judging Members.

The Senate is the judge of the elections, returns and qualifications of its members.

### 1:3. Members' Oath.

Senators shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and that I will faithfully discharge the duties of Senator according to the best of my ability. So help me God." A person authorized by law shall administer the oath or affirmation.

### 1:4. Election of Officers.

At the organization meeting, the Senate shall elect a President, a President, *pro tempore*, and a Secretary, each of whom shall continue in office at the pleasure of the Senate. The votes of 21 or more members are required for the election of each of those officers and for their removal from office. Vacancies in those offices shall be filled at the next meeting of the Senate.

### 1:5. Appointment of Other Officers.

At the organization meeting, the Senate shall appoint by resolution, two Assistant Secretaries of the Senate, a Secretary to the President, Supervisor of Bills, Sergeant-at-Arms and other officers and employees as it deems advisable and necessary.

**1:6. Secretary and Sergeant-at-Arms, Term.**

The Secretary of the Senate and the Sergeant-at-Arms shall continue in office until their successors are chosen and qualified.

**1:7. Officers' Oath.**

Every officer of the Senate shall, before performing any duties, take and subscribe the following oath or affirmation: "I do solemnly promise and swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of . . . . . , to the best of my ability and understanding; that I will carefully preserve all records, papers, writings, or property entrusted to me for safekeeping by virtue of my office, and make such disposition of the same as may be required by law; that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people. So help me God." A person authorized by law shall administer the oath or affirmation.

**1:8. Assignment of Seats.**

Immediately after the election of a President, the Senators shall take the seats assigned to them by the President.

**2-SESSIONS AND MEETINGS.**

**2:1. Attendance.**

a. Every Senator shall promptly attend meetings of the Senate as required by the business of the Senate. When so required, no Senator shall be absent from the Senate for any period, unless excused by the President. In case of unexcused absence, the Senator may be admonished by the President.

b. A Senator shall not be considered absent from a meeting of the Senate if the Senator's attendance is not required by the business of the Senate as noticed by the President.

**2:2. Quorum.**

a. Twenty-one or more Senators shall constitute a quorum.

b. At meetings of the Senate where bills or resolutions are not being considered on final reading, reenactment, or veto override, a member shall be included in determining a quorum in any of the following manners:

(1) By a member's attendance at the meeting of the Senate and response to the quorum call;

(2) By a member's personal communication with the Office of the Secretary of the Senate, by communication equipment providing identification of the member. The member shall express the intent to be included in the quorum for that meeting of the Senate and state that the member is within the State of New Jersey in order to be included in the quorum. The President shall provide the members with written procedures for inclusion in the quorum by use of communication equipment; or

(3) By a member of the Senate's attendance at a meeting of a standing reference committee, as a voting member, during any portion of the time set forth in subsection c.

c. A quorum must be determined as in subsection b. during the span of four hours prior to and four hours after the time of the quorum call as scheduled by the President. The President may expand that time for good cause. Once included in the quorum, the member is not required to remain at the meeting of the Senate, a meeting of a standing reference committee, or in contact with the Office of the Secretary of the Senate by means of communication equipment in order for a quorum to be determined and the meeting of the Senate to continue until adjournment. By authorizing the Senate Secretary to include the member in determining a quorum, or by the member's attendance at a meeting of a standing reference committee as in subsection b.(3), the member authorizes staff to include the member in the quorum on the voting board.

### **2:3. Compelling Attendance.**

If at least 21 Senators are not present at the opening roll call of a meeting of the Senate, a majority of the Senators present may send the Sergeant-at-arms, or any other authorized person, with a warrant, for absent Senators and at the expense of absent Senators, unless an acceptable excuse for non-attendance is rendered to the Senate.

### **2:4. Less than Quorum, Meet and Adjourn.**

Less than a quorum may meet and adjourn the Senate when necessary. The names of the Senators present shall be entered in the Journal.

### **2:5. Recesses.**

The Senate may, by motion, take short recesses during any meeting.

### **2:6. Length of Sessions.**

Each annual or special session of the Senate shall continue until terminated by adjournment sine die with the consent of the General Assembly, or until the next annual session convenes.

**2:7. Adjourn for More than Three Days, General Assembly Consent.**

The Senate shall not adjourn for more than three days or meet in any place other than the Senate Chamber in the State House without the consent of the General Assembly.

**2:8. Employee Attendance.**

At each meeting of the Senate, employees shall sign the attendance sheet in the office of the Secretary of the Senate. Any employee who is absent more than three meetings, without being excused by the President, shall be terminated as an employee.

**2:9. Petition for Special Session.**

If the Legislature has adjourned sine die, 21 or more Senators may join with 41 or more members of the General Assembly in a written petition requesting the Governor to call special sessions of the Legislature whenever the public interest shall require.

**3-DUTIES OF THE PRESIDENT.**

**3:1. Opening of Meetings.**

The President shall open each meeting of the Senate, and immediately call the Senators to order. When a quorum is present, the President may proceed with the business of the Senate.

**3:2. Control of Chamber and Gallery; Safety.**

a. The President shall have general direction of and preserve order and decorum in the Senate Chamber, lobby, gallery, meeting rooms and offices, together with the rooms, corridors and passages in the State House and elsewhere as may be used by the Senate, its committees, commissions, officers, Senators and employees.

b. The President has authority to protect the safety of the Senators, officers and employees of the Senate in performance of their official duties, as well as that of the general public in connection with the conduct of the Senate's official business, and to preserve and protect property and records under the jurisdiction of the Legislature. In case of disturbance or disorderly conduct in the gallery or lobby, the President may clear the gallery or lobby or have the offending persons arrested and removed.

**3:3. Limit Debate to Question.**

During debate the President shall prevent personal reflections, and confine Senators to the question under discussion. The President shall not engage in debate, or propose an opinion on any question, without first calling on another Senator to preside. When two or more Senators arise at the same time, the President shall name the one entitled to the floor.

**3:4. Questions of Order, Appeal.**

The President shall decide questions of order without debate, subject to an appeal to the Senate, when demanded by any Senator. On appeal, unless it is an appeal pursuant to Rule 7:4., no Senator shall speak more than once, unless by leave of the Senate. The appeal shall be decided by the same number of votes as required for the original motion. All appeals from incidental questions of order arising after a motion is made for the previous question, and pending that motion, shall be decided without debate.

**3:5. Statement of Questions, Results.**

The President shall state all questions before the Senate and shall put the questions substantially in the following form: "All those in favor of (the question) signify by saying aye X opposed, no." If the President is uncertain of the result or if a motion for a roll call vote is adopted pursuant to Rule 13:2, a roll call vote shall be taken.

**3:6. Appoint Committees.**

a. The President shall appoint all committees, unless otherwise directed by the Senate. The chair, vice-chair and members of each committee shall serve at the pleasure of the President who may, during the inability of a committee member to serve, appoint another Senator to serve during that period.

b. In appointing Senators of the minority party to committees, the President shall solicit and consider recommendations submitted by the Minority Leader.

**3:7. Calendar of Bills and Resolutions, Consent List; Notice.**

a. The President shall prepare a Calendar of Bills and Resolutions for consideration subject to the provisions of Rule 17:7. The President may include as part of the Calendar of Bills and Resolutions a consent list consisting of bills and resolutions which the Majority and Minority Leaders have jointly identified as not requiring debate.

b. The President, insofar as is practicable, shall give three State working days' notice of the bills and resolutions calendared for a particular day to the Senators and the news media. The notice shall also be posted on the legislative bulletin board. This provision shall not restrict the President or the Senate from proceeding, in accordance with the Rules, to consider other items on a particular day.

**3:8. Certification of Bills and Orders.**

The President shall sign certificates as to the passage by the Senate of all bills and joint resolutions; and all concurrent resolutions when directed by the Senate. All writs, warrants and subpoenas issued by the order of the Senate shall be signed by the President and attested by the Secretary.

**3:9. President, *Pro Tempore*.**

a. If the President desires to temporarily vacate the Chair during any meeting, the President shall request the President, *pro tempore*, or name another Senator to preside. While presiding the President, *pro tempore*, or other Senator shall exercise the powers and duties of the President.

b. When the President is absent, the President, *pro tempore*, shall possess all the powers and discharge all the duties of the President.

### **3:10. Persons Allowed on the Floor, Photography, Recordings.**

The President may allow representatives of the press and other persons whose official business may require their presence on the floor of the Senate. The taking of still or motion pictures during meetings and the recording of proceedings of the Senate require prior approval by the President.

### **3:11. Schedule of Meetings.**

The President shall periodically notify the Senators and the Office of Legislative Services, for distribution to the public, of the dates and times when the Senate is scheduled to meet during the succeeding two months. Changes in schedule shall likewise be noticed.

## **4-DUTIES OF THE SECRETARY AND ASSISTANT SECRETARIES.**

### **4:1. Chief Administrative Officer; Duties.**

The Secretary is the chief administrative officer of the Senate, subject to the supervision of the President. The Secretary shall:

a. at least 10 days prior to the second Tuesday in January of each even numbered year, notify the Senators or the Senators-elect, as the case may be, of the organization meeting at noon on that second Tuesday, in the Senate Chamber;

b. at the commencement of the annual session of each even numbered year, call the Senate to order, proceed to call the roll of Senators, and, pending the election of a President or President, *pro tempore*, preserve order and decorum, and decide all questions of order subject to appeal by any Senator;

c. keep a record of the entire proceedings at each meeting, including the action taken on bills, resolutions and motions, all business transacted and other pertinent activities, and personal appearances; and be responsible for the care, custody and accuracy of the record. This record shall constitute the official and permanent "Journal of the Senate;"

d. read the number, title and Committee reference of each bill and resolution delivered



to the Secretary by the President, and shall also read all petitions and communications addressed to the Senate;

e. record the votes on all motions, bills and resolutions and inform the President of the final vote;

f. deliver to the Office of Legislative Services all bills and resolutions after they have had first reading, been amended or replaced by a substitute;

g. deliver bills and resolutions which have had second reading, together with amendments, to the Supervisor of Bills;

h. supervise the various officers and employees, other than the President and Secretary to the President, provided for by these Rules;

i. keep on file the attendance sheet of all the employees supervised by the Secretary;

j. attest all writs, warrants and subpoenas issued by the order of the Senate; and

k. sign and send all messages from the Senate to the General Assembly.

#### **4:2. Assistant Secretaries, Duties.**

The Assistant Secretaries shall aid the Secretary in the performance of the Secretary's duties. One of the Assistant Secretaries shall, as directed by the President, perform the duties of the Secretary in the absence of the Secretary.

### **5-DUTIES OF THE SERGEANT-AT-ARMS AND ASSISTANT SERGEANTS-AT-ARMS.**

#### **5:1. Duties.**

The Sergeant-at-Arms, at the direction of the President, shall: serve the Senate during its meetings and public hearings of Senate committees; maintain order and execute the commands of the Senate and all processes issued by its authority; enforce the Rules relating to the privileges of the Chamber; see that the floor is cleared before each meeting of all persons except those privileged to remain, and kept clear until after the adjournment; and pending the election of a President or President, *pro tempore*, at the direction of the Secretary, execute the commands of the Senate and all processes issued by its authority.

**5:2. Assistants, Duties.**

The Assistant Sergeants-at-Arms shall aid the Sergeant-at-Arms and, in the absence of the Sergeant-at-Arms, perform the duties of the Sergeant-at-Arms.

**6-DUTIES OF OTHER OFFICERS AND EMPLOYEES.**

**6:1. Secretary to the President, Duties.**

The Secretary to the President shall: assist the President at the rostrum; prepare the list of bills ready for third reading; and perform other duties as requested by the President.

**6:2. Supervisor of Bills, Duties.**

After bills, joint resolutions and concurrent resolutions are passed, the Supervisor of Bills shall affix the jurat and official seal and deliver them to the Secretary for forwarding to the General Assembly.

**6:3. Other Employees, Duties.**

Other employees of the Senate shall perform those duties assigned to them.

**7-DECORUM AND DEBATE.**

**7:1. Persons Allowed on the Floor.**

No person is allowed on the floor of the Senate Chamber or in the adjacent offices and corridors during meetings of the Senate except as follows:

- a. Senators;
- b. Members of the General Assembly;
- c. Properly accredited representatives of the press upon approval of the President;
- d. Officers, staff and employees of the Senate and the General Assembly; and
- e. Other persons whose official business may require their presence on the floor, by permission of the President or by resolution.

**7:2. Addressing the Senate.**

Generally, only Senators may address the Senate. Individuals invited by the President to address the Senate shall not speak in favor of, or in opposition to, matters before the Senate or express political opinions or engage in personalities.

**7:3. Speaking in Debate.**

When a Senator is about to speak in debate, or communicate any matter to the Senate, the Senator shall, unless inhibited by health or physical impairment, rise and respectfully address the President. Remarks shall be confined to the question under debate, avoiding personalities. No Senator shall speak in debate or address the Senate until properly recognized by the President.

**7:4. Transgression of Rules by a Senator.**

If any Senator transgresses the Rules of the Senate, the President shall, or any Senator may, call the Senator to order. The Senator called to order shall immediately sit down, unless permitted to explain. The Senate shall, if appealed to, decide the question without debate, and the votes of a majority of those present and voting shall prevail.

**7:5. Exception to Words Spoken in Debate.**

If a Senator is called to order for words spoken in debate, the Senator calling the Senator to order shall repeat the words excepted to, and they shall be taken down in writing at the Secretary's table. No Senator shall be held to answer, or be subject to the censure of the Senate for words spoken in debate, if any other Senator has spoken, or other business has intervened after the words spoken and before exception to them has been taken.

**7:6. Punishment of Senators.**

The Senate may punish Senators for disorderly behavior. It may expel a Senator with the concurrence of 27 or more Senators after a public hearing.

**7:7. Speaking on a Bill, Time.**

No Senator shall speak on any bill or resolution more than three times, or longer than 15 minutes the first time, ten minutes the second time, and five minutes the third time without the permission of the President.

**7:8. Previous Question.**

No motion for the previous question is in order until at least one Senator each of the majority and minority parties has been given the opportunity to speak on the question at least once.

**7:9. Courtesy Toward the President.**

While the President is putting any question or addressing the Senate, no one shall walk out of or across the Chamber. When a Senator is speaking, no one shall walk between the Senator and the President or engage in conversation.

**8-SENATE UNDER CALL.**

**8:1. Vote on Motion for a Call; Votes Under Call.**

a. When a motion is made and seconded for a call of the Senate, every Senator present in the Chamber shall vote on the motion. If any Senator fails to vote, the President shall record the Senator as having voted in favor of the motion. If the motion carries, all Senators in the Chamber are under call until the call of the Senate is lifted by a motion.

b. With regard to all bills, resolutions, motions and other business transacted during the period that the Senate is under call, the President has the right to record in the negative the vote of any Senator who fails to vote. A motion to adjourn is not in order until the call of the Senate is lifted.

c. A motion to place the Senate under call is not in order after the previous question is ordered.

**9-VOTING.**

**9:1. Presence Required; No Explanation.**

- a. No Senator's vote shall be recorded unless the Senator is personally present.
- b. Once a vote begins, no Senators are permitted to explain their votes.

**9:2. Vote Changes, Time.**

Senators may change their votes before the results of the vote are announced by the President. The President may correct votes that have been erroneously recorded upon the prompt request of the Senator.

**9:3. Incidental Questions of Order.**

All incidental questions of order arising after a motion is made for the previous question, and pending that motion, shall be decided without debate.

**10-PETITIONS, MEMORIALS AND MESSAGES.**

**10:1. Petitions and Memorials.**

Petitions, memorials and other papers addressed to the Senate shall be presented by the President.

**10:2. Messages Sent to General Assembly.**

All messages shall be sent to the General Assembly by the Secretary, at the direction of the President.

**10:3. Messages Received.**

Messages may be received or delivered at any stage of the business, except when a vote is being taken.

**11-ORDER OF BUSINESS.**

**11:1. Order of Business.**

The order of business, unless the President determines otherwise, shall be as follows:

- a. Prayer.
- b. Salute to the flag of the United States of America.
- c. Quorum call.
- d. Reading of the Open Public Meetings Act notice.
- e. Reading of the Journal, unless dispensed with by order of the Senate. The Journal may be corrected by direction of the President or on motion.
- f. Presentation and consideration of petitions, memorials and communications.
- g. Bills and resolutions on third reading.
- h. Unfinished business.
- i. Introduction of bills.
- j. Reports of standing and other committees.
- k. Bills and resolutions on second reading.

1. Other business.

## **11:2. Journal.**

The Senate shall keep a Journal of its proceedings and publish it annually or more frequently. The Journal is the official record of the proceedings of the Senate.

## **12-COMMITTEES.**

### **12:1. Committees and Membership.**

The following Standing Reference, Administrative and Joint Committees shall be appointed by the President. The number of Senators on each committee is indicated by the number following the name of the committee. The Majority and Minority Leaders are ex-officio members, without vote, on all standing reference committees.

#### **SENATE STANDING REFERENCE COMMITTEES.**

1. Budget and Appropriations Committee - 13
2. Commerce Committee - 5
3. Community and Urban Affairs Committee - 5
4. Economic Growth Committee - 5
5. Education Committee - 6
6. Environment and Energy Committee - 5
7. Health, Human Services and Senior Citizens Committee - 10
8. Higher Education Committee - 5
9. Judiciary Committee - 11
10. Labor Committee - 5
11. Law and Public Safety Committee - 6
12. Military and Veterans' Affairs Committee - 5
13. State Government, Wagering, Tourism and Historic Preservation Committee - 5
14. Transportation Committee - 6

#### **SENATE STANDING ADMINISTRATIVE COMMITTEES.**

1. Intergovernmental Relations Committee - 5
2. Legislative Oversight Committee - 6
3. Rules and Order Committee - 5

#### **SENATE JOINT COMMITTEES.**

1. Budget Oversight Committee - 3

2. Housing Affordability Committee - 5
3. Public Schools Committee - 7
4. State Library Committee - 4

**12:2. Appointment of Other Bodies.**

The Senate may appoint any commission, committee or other body to aid or assist the Senate in performing its functions. Senators may be appointed to serve on these bodies.

**12:3. Reference Committees' Meetings, Duties; Notice; Agenda.**

a. Each reference committee shall meet at the call of its chair. Reference committees may consider bills, resolutions, nominations and other matters referred to them by the President or by Senate Resolution; review the functions, duties and operations of agencies of the State, and its political subdivisions, relevant to their subject areas; and investigate any matter within their subject areas, which investigations shall conclude with a written report to the Senate which may include findings and recommendations.

b. The chair shall notify the Senate and the Office of Legislative Services, for posting and distribution to the public, of the date, time, location and agenda of each meeting or public hearing. The notice shall be distributed to the public at least five State working days prior to the meeting or public hearing, except in the case of an emergency.

c. No committee agenda shall list more than 12 bills except by permission of the President. After notice of the agenda is given, no bill or resolution may be added to it unless authorized by the President. No bill or resolution may be reported from committee unless it was included on an agenda. A majority of the committee may direct that a bill or resolution be included on the agenda for the next meeting of the committee.

**12:4. Report of Bills and Resolutions, Committee Substitutes.**

Reference committees may report a bill or resolution in the form received, as amended by the committee or by committee substitute. A committee substitute shall cover substantially the same subject matter as contained in the original bill.

**12:5. Reports, Minority Statements.**

A reference committee may report a bill favorably, unfavorably or without recommendation. All committee reports shall be in writing and accompanied by a signed concurrence of a majority of the Senators serving on the committee. Senators serving on the committee and not concurring with the majority may issue a minority statement.

**12:6. Relieve Committee of a Bill or Resolution.**

The prime sponsor, or first co-prime sponsor of any Senate bill or resolution, or a Senator acting on behalf of the prime sponsor or first co-prime sponsor of an Assembly bill or resolution

may move to relieve a reference committee of a bill or resolution. The motion shall not be in order unless 60 days have elapsed since the bill was referred to committee and 24 hours' notice of the motion has been given to the Senate. The motion shall not prevail unless it receives at least 21 votes.

**12:7. Adopt Rules, Subcommittees.**

Each committee may adopt rules for its operation and conduct of business, including rules governing the operation and conduct of any subcommittee, provided the rules are consistent with these rules. The committee may, with the approval of the President, establish temporary subcommittees. The committee chair shall appoint the members and chair of each subcommittee who shall serve at the pleasure of the committee chair.

**12:8. No Committee Meetings During Senate Meeting.**

No committee shall meet while the Senate is meeting without the permission of the President.

**12:9. Chair Files Reports, Contents.**

The chair of each committee shall file a written report of each meeting with the Secretary indicating (1) the date of the meeting, (2) the names of the committee members in attendance, and (3) the vote of each member present on every motion considered by the committee.

**12:10. Committee Statements; Contents, Minority Statements.**

a. A committee shall provide a written statement for each bill and resolution which it reports. One copy shall be delivered to the Secretary and another to the Office of Legislative Services. The Secretary shall not accept a bill or resolution reported from committee without a committee statement, except with permission of the President.

b. A committee statement shall contain a digest of the provisions of the bill or resolution, an explanation of amendments adopted by the committee, a statement of the motion by which the bill or resolution was reported, an analysis of any provision of the bill which amends or supersedes current law, and a summary of the provisions of any law to be repealed. The statement may also contain supporting or background information which the committee wishes to provide. Each committee member who voted against the motion to report the bill or resolution may offer a minority statement. Minority statements shall be included within the committee statement under a separate designation.



**12:11. Second Reference to Budget and Appropriations Committee.**

Any bill which appropriates or involves an actual or potential appropriation or increased expenditure of \$100,000 or more of State or other public funds, shall upon being reported by committee be referred to the Budget and Appropriations Committee for further fiscal study, evaluation and report.

**13-CALL OF THE ROLL.**

**13:1. Roll Call Votes.**

Roll call votes shall be recorded on the electronic voting system or taken by calling the names of the Senators alphabetically and recording of the yeas and nays. No Senator's vote shall be recorded unless the Senator is present to respond to a roll call or vote using the electronic voting system.

**13:2. Ordered by President, On Demand of One-Fifth of Senators.**

A roll call vote shall be taken when ordered by the President, or on demand of one-fifth of the Senators present.

**13:3. No Motions During Roll Call Vote.**

After the roll call vote has commenced, no motion, other than that the bill or resolution lie over, shall be in order until the results are announced by the President.

**13:4. Votes Recorded in Journal.**

All roll call votes shall be recorded in the Journal.

**14-MOTIONS AND THEIR PRECEDENCE.**

**14:1. Motions in Writing at Direction of President.**

The President may direct that any motion be reduced to writing, delivered to the Secretary and read before the motion is considered.

**14:2. Motions Entered in Journal.**

All motions entered in the Journal shall include the names of the Senators who make them.

**14:3. Division of Question.**

If the question in debate contains several points, any Senator may have the question divided. But, a motion to strike out and insert, or to commit to committee with instructions, shall not be divided.

**14:4. Strike Out and Insert.**

The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, or a motion simply to strike out or to simply insert. Nor shall the rejection of a motion simply to strike out or simply to insert prevent a subsequent motion to strike out and insert.

**14:5. Motions Allowed During Debate, Precedence.**

When a question is before the Senate, no motion shall be received except-

- a. To adjourn.
- b. To proceed to the consideration of Executive business.
- c. To lay on the table.
- d. For the previous question.
- e. To postpone indefinitely.
- f. To postpone to a certain day.
- g. To commit to a committee.
- h. To return a bill to second reading for the purpose of amendment.
- i. To amend.

These motions shall have precedence in the above order.

**14:6. Motion to Adjourn.**

A motion to adjourn is in order, except during a vote, when the Senate is under call, while a Senator is addressing the Senate, or immediately after a motion to adjourn has been lost.

**14:7. Certain Motions Decided Without Debate.**

Motions to adjourn, to consider Executive business, to reconsider a bill or resolution, to lay on the table, and for the previous question, shall be decided without debate.

**14:8. Filling Blanks.**

When a blank is to be filled, the question shall first be taken on the largest sum, greatest number, or remotest day.

**14:9. Approval of Motions.**

A majority of Senators voting on any motion, unless otherwise specified in these rules, shall be sufficient to adopt or reject the motion.

**14:10. Reconsideration.**

When a motion has been carried or lost, or a bill or resolution has been passed or lost, it shall be in order for any Senator who voted on the prevailing side to move for reconsideration in accordance with Rule 17:11.

**15-QUESTIONS OF PRIVILEGE.**

**15:1. Questions of Privilege.**

Questions of privilege are those affecting the:

- a. rights of the Senate collectively, its safety, dignity and the integrity of its proceedings; and
- b. rights, reputation and conduct of Senators, individually, in their representative capacity only.

**15:2. Precedence.**

Questions of privilege shall have precedence over all other questions, except motions to adjourn, but shall not be raised during debate on a question unrelated to the privilege.

## **16-BILLS AND RESOLUTIONS (PROCESSING, ETC.).**

### **16:1. Introduction.**

- a. Each bill and resolution shall be proposed for introduction by presenting three typewritten copies to the Secretary. The signature copy of each bill and resolution shall be signed by the sponsoring Senators. The copies shall be marked as the House copy, the Office of Legislative Services' copy and the Public copy. A "Statement," concisely explaining the object, localities, entities or persons it will affect shall be printed at the end of the bill or resolution under the caption "Statement."
- b. Any Senator may be added as a co-sponsor of a bill or resolution by filing with the Secretary a written notice to that effect signed by the prime sponsor, or first co-prime sponsor, and the Senator to be added as a co-sponsor.
- c. The Secretary shall number and list all bills and resolutions introduced or proposed for introduction. Bills and resolutions introduced or proposed for introduction in the second annual session of a Legislature may be numbered in a manner to distinguish them from those introduced in the first annual session.
- d. After numbering and listing each bill and resolution, the Secretary shall deliver the copies to the Office of Legislative Services for examination as to form.
- e. After examination as to form, the Office of Legislative Services shall return the House copy of the bill or resolution to the Secretary, retain the Office of Legislative Services' copy and deliver the Public copy to the Office of Public Information.
- f. The Secretary shall present the House copy to the President for endorsement, Committee reference, if any, and return to the Secretary for introduction.
- g. The reading by the Secretary of the number, title and committee reference, if any, of each bill and resolution shall constitute introduction and first reading.
- h. All bills and resolutions shall, after first reading, be referred to appropriate committees, unless the President directs otherwise.

### **16:2. Co-Prime Sponsors.**

The prime sponsor of a bill or resolution may permit a Senator to become the co-prime sponsor by signing the bill or resolution adjacent to the signature of the prime sponsor, or by proposing a resolution designating a Senator as the co-prime sponsor, with the consent of the proposed co-prime sponsor. The first and second co-prime sponsors of a bill or resolution acting jointly may exercise all rights of a prime sponsor under these rules. However, in the absence of an accord the rights of the first co-prime sponsor shall prevail.

### **16:3. Bills and Resolutions Available in Bill Room.**

Copies of all introduced bills and resolutions, and approved amendments, shall be available to the Senators, members of the General Assembly and the public, in the Office of Legislative Services' Bill Room.

**16:4. Amendatory Bills, Form.**

When a bill proposes to amend an existing statute, new matter shall be underlined, and matter to be deleted shall be enclosed in bold-faced brackets.

**16:5. Failure to Comply with Rules.**

Bills and resolutions not complying with these rules shall not be introduced or receive first reading.

**16:6. Drafting Form.**

In drafting bills and resolutions:

a. The numbers 10 and above shall be expressed in Arabic figures, except where a number begins a sentence. Words shall be used for the numbers one through nine except that Arabic figures shall be used when any of these numbers is used as a section or paragraph number of legislation, as part of a date or in a statement of dollars and cents, time of day or measurement or as part of an authorized abbreviation or citation.

b. Material enclosed in bold-faced brackets shall be printed without change in all copies of the bills and resolutions even if a subsequent amendment restores a portion of the bracketed material.

c. The following footnote shall be annexed to the first page of text of each bill or resolution which contains material enclosed in bold-faced brackets:

"Explanation--Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law."

d. Material underlined shall be printed as underlined material.

e. Amendments to bills and resolutions shall be included in a reprint of the bill or resolution. Reprints shall be identified in sequential order as "First Reprint," "Second Reprint," and so on.

f. Reprints of bills and resolutions shall contain all amendments, including all material intended to be omitted by the amendments, in its proper place enclosed in superscript numbers corresponding to the reprint number and bold-face brackets--

<sup>1</sup>**[thus]**<sup>1</sup>

and all material intended to be added to a section by the amendment shall be underlined and enclosed in superscript numbers corresponding to the reprint number--

<sup>1</sup>thus<sup>1</sup>

Where the amendment adds a new supplementary section it shall be underlined and enclosed in superscript numbers corresponding to the reprint number--

<sup>1</sup> 4. (New section) . . . . .<sup>1</sup>

Where the amendment adds a new section which is an amendment to the existing law, the section, including an amendatory clause, shall be enclosed in superscript numbers corresponding to the reprint number with material to be deleted enclosed in bold-faced brackets and new material underlined. If the bill or resolution is amended a second time, the superscript number 2 shall be used and additional superscript numbers shall be used in the same manner as successive amendments are adopted.

g. The form of amendment shall be consistent with these rules when including the amendments in reprints of bills or resolutions.

h. Underlining shall not be used except as provided in these rules.

i. In any bill which both amends and supplements existing law, each supplementary section shall be designated "(New section)" immediately following its section number.

j. If a bill or resolution has co-prime sponsors, the names of the co-prime sponsors shall be indicated on the bill or resolution in a manner distinct from the co-sponsors.

**16:7. Reprints.**

Reprints of bills or resolutions, which have been amended, shall include a legend at the bottom of the first page of text indicating the House or committee making the amendment and the date of each amendment.

**16:8. Delivery to OLS for Printing.**

All bills and resolutions that are to be printed, shall be delivered to the Office of Legislative Services, which shall cause them to be printed and reprinted as necessary.

**16:9. Copies on Third Reading.**

Printed copies of bills and resolutions on third reading, together with their fiscal notes and committee statements, shall be provided to the Senators prior to voting.

**16:10. Official Stamp, Official Copy.**

The Supervisor of Bills shall affix the official stamp to each page of the copy of the bill or resolution to be used as the official copy and intended to be submitted to the Governor for approval.

**16:11. Bills Maintain Status in Second Annual Session.**

All Senate and Assembly bills pending before the Senate upon the expiration of the first annual session of a Legislature shall maintain their status in the second annual session of the Legislature.

**16:12. Legislative Counsel Corrections.**

The Legislative Counsel is authorized to correct in the text of a bill or resolution, or an amendment thereto, prior to passage by the Senate, any error or omission in legal reference, text, punctuation, spelling, grammar and form, the correction of which will not affect the substance of the text.

**17-CONSIDERATION AND ENACTMENT.**

**17:1. Second Reading Upon Report by Committee.**

Whenever a bill or resolution is reported by a committee it may be given second reading.

**17:2. Floor Amendments.**

Bills and resolutions may only be amended on second reading. No floor amendment of a bill on second reading and no motion to return to second reading for the purpose of amendment shall be in order unless the sponsor of the amendment, at least one hour prior to the calling of the bill delivers 50 copies of the proposed amendment to the Secretary. The Secretary shall immediately deliver a copy of the proposed amendment to the President, Majority and Minority Leaders, and place a copy on the desk of each Senator. Floor amendments shall include a sponsor's statement concisely describing their contents and effects.

**17:3. Substitution; Identical Bill Rule.**

a. Whenever, a General Assembly bill or resolution is passed by the General Assembly, delivered to the Senate, and an identical Senate bill or resolution has received second reading, is in the possession of the Senate, and at least one full calendar day has intervened since either or both of the identical bills or resolutions received second reading, the General Assembly bill or resolution may be substituted for the Senate bill or resolution and immediately moved to third reading. Prime sponsors of the Senate bill or resolution shall be added as prime sponsors of the substituted bill or resolution. Co-sponsors of the Senate bill or resolution shall be added as co-sponsors of the substituted bill or resolution.

b. Two bills or resolutions shall be deemed identical despite having technical differences with respect to legal reference, text, punctuation, spelling, grammar or form, so long as these differences may be corrected by Legislative Counsel pursuant to Rule 16:12.

**17:4. Emergency.**

No bill or joint resolution shall be considered on third reading until after the intervention of one full calendar day following second reading. However, if on motion, at least 30 Senators agree that a bill or joint resolution is an emergency measure it may proceed immediately from second to third reading.

**17:5. Three Readings, Not Required for Concurrent Resolutions.**

Every bill and joint resolution, and every concurrent resolution proposing to amend the Constitution, shall be read three times in the Senate before final passage. No bill or resolution requiring three readings shall have a first and second reading on the same day without the permission of the President. A concurrent resolution, other than one proposing to amend the Constitution, may be acted upon at any time after its introduction or release by committee.

**17:6. Amendments to U.S. Constitution.**

A concurrent resolution ratifying an amendment to the Constitution of the United States proposed by the Congress, or applying for a constitutional convention for proposing amendments to the Constitution of the United States shall require the affirmative vote of at least 21 Senators.

**17:7. Order of the Day; Limitations on Bills and Resolutions Considered.**

a. Any bill or resolution may, on motion with the consent of its sponsor, be made the order of the day, and shall be considered whether or not it is on the Calendar for that day, and in preference to all other business of the Senate.

b. At any meeting, the total number of bills and joint and concurrent resolutions considered for final passage shall not exceed 30. The consideration of concurrences with General Assembly amendments shall not be included in this limit. The reconsideration of bills vetoed by the Governor, through either concurrence with the Governor's recommendations or veto override, shall



not be included in the 30 bill limit.

c. On the recommendation of the President, the Senate may adopt a resolution limiting the consideration of bills and resolutions at its next meeting to those listed in the resolution.

**17:8. Committee Reference; Second Reference.**

a. All bills and resolutions, prior to final passage, and all petitions, motions and reports, may be referred to committee. Any bill or resolution that has received second reading and is then referred to committee shall be placed back on second reading.

b. Prior to final passage, any Senator may move to refer any bill or resolution back to committee.

**17:9. Withdraw a Bill or Resolution.**

No Senate bill or resolution may be withdrawn from the files of the Senate except on motion of the sponsor, co-prime sponsors or first co-prime sponsor, acting under Rule 16:2. The motion must be made and adopted prior to the bill or resolution being moved on third reading.

**17:10. Continuation of Roll Call.**

If a sufficient number of affirmative votes are not cast to pass a bill or resolution, a Senator may request that the roll call be continued. If, upon the continuation, sufficient affirmative votes are not cast to pass the bill or resolution, it shall be lost, unless prior to announcement of the decision on the question a motion is made and adopted to lay the bill or resolution on the table.

**17:11. Reconsideration.**

a. When a motion has carried or failed, it shall be in order for any Senator who voted on the prevailing side to move a reconsideration at any time. No motion for reconsideration of a bill or resolution, which lost, is in order until a motion to proceed to reconsideration has been carried. A motion for reconsideration of a bill or resolution is not in order if the bill or resolution did not receive at least 15 affirmative votes. No motion for reconsideration shall be in order unless the bill, resolution, message, report, amendment or motion is in the possession of the Senate. Every motion for reconsideration shall be decided by a majority of Senators voting, except a motion to reconsider the vote on the final passage of a bill or resolution, which shall require the same majority as is necessary for final passage.

b. Whenever a bill submitted by petition of the governing body of a county or municipality which, pursuant to Article IV, Section VII, paragraph 10 of the Constitution, requires at least 27 affirmative votes for passage, receives 21 or more affirmative votes, but fewer than 27, the bill shall not be delivered to the General Assembly as a passed bill and a further vote on the bill may be taken at any time, without adoption of a motion for reconsideration.

**17:12. Annual Appropriations Bill.**

When the annual appropriation bill and its accompanying supplemental appropriation bill originate in the Senate, they shall not be considered until they have been introduced and placed upon the desks of the Senators.

**17:13. President's Certification; Secretary's Endorsement; Message.**

When a bill or resolution requiring three readings has passed third reading in the Senate,

a. the President shall certify on the bill or resolution the date it passed third reading as follows:

Senate . . . . . 20 . .

This (bill, joint resolution or concurrent resolution), having been three times read in the Senate,

Resolved, That the same do pass.

By order of the Senate.

.....

President of the Senate.

unless the bill or resolution passed amended, in which case the President shall note the amendments in the certification;

b. the Secretary shall endorse on the bill or resolution the date the bill or resolution was introduced in the Senate, whether it originated in the Senate or General Assembly, the date it had each of the three readings in the Senate and the number of votes cast for and against passage; and

c. the Secretary shall forward the bill or resolution to the General Assembly with a written message informing the General Assembly that the Senate has passed it. If the bill or resolution originated in the Senate, or if it originated in the General Assembly and was amended in the Senate, the Secretary's message shall also request the concurrence of the General Assembly.

**17:14. Concur in General Assembly Amendments.**

a. When a Senate bill or joint resolution is returned, amended by the General Assembly, the message or report by the Clerk of the General Assembly shall be read by the Secretary. The amendments shall not be referred to committee, except upon motion, and may be concurred in at any time, upon motion, with or without amendments. The bill or joint resolution itself shall not be amended.

b. If the motion is for the Senate to concur in the Assembly amendments without amendment, the motion shall be, "Will the Senate concur in the Assembly amendments to Senate Bill or Joint Resolution No. \_\_\_?" The motion to concur in Assembly amendments requires the affirmative vote of at least 21 Senators to approve the motion.

c. If the motion is to concur in the amendments by amending them, the proposed amendments to the amendment shall be read by the Secretary and the motion shall be, "Will the Senate concur in the Assembly amendments to Senate Bill or Joint Resolution No.\_\_\_\_, by amendment?" The motion to concur in Assembly amendments, by amendment, requires the affirmative vote of at least 21 Senators to approve the motion.

**17:15. Recede From Amendments.**

When an Assembly bill or joint resolution has been amended by the Senate and the General Assembly refuses to concur, the message and report by the Clerk of the General Assembly shall be read by the Secretary and entered in the Journal. If the Senate desires to recede from the amendment, the motion shall be, "Will the Senate recede from the Senate Amendments to Assembly Bill or Joint Resolution No. \_\_\_?" If 21 or more Senators vote to approve the motion, that vote shall constitute the final passage of the bill or joint resolution.

**17:16. Conference With General Assembly.**

In lieu of the action provided in Rules 17:14 and 17:15, the Senate may adhere to its prior action and, on motion, ask the General Assembly for a conference.

**17:17. General Assembly Bills and Resolutions, First Reading.**

When a bill or resolution requiring three readings and originating in the General Assembly, has been delivered to the Senate with a message that the General Assembly has passed the bill or resolution and requesting the concurrence of the Senate, the reading of the message constitutes the introduction and first reading in the Senate.

**17:18. General Assembly Concurrent Resolutions, First Reading, Passage.**

When a concurrent resolution, other than one proposing to amend the Constitution, is returned amended by the General Assembly, the reading of the message or report of the Clerk of the General Assembly shall constitute its first reading and, unless it is referred to a committee, it may receive final reading on the same day.

**17:19. Private, Special or Local Bills, Proof of Publication, Passage.**

When any bill that requires public notice of intention to apply for passage is proposed for introduction, the proof of publication of notice of intention to apply for passage shall be presented to the Secretary with the bill. The Secretary shall forward the bill and proof of publication to the Office of Legislative Services for examination as to form, after which they shall be returned to the Secretary. The affirmative vote of at least 27 Senators is required to pass a private, special or local bill regulating the internal affairs of a municipality or county introduced by petition pursuant to Article IV, Section VII, paragraph 10 of the Constitution and P.L. 1948, c. 199 (C. 1:6-10 et seq.).

**17:20. Local Mandates; Notice, Hearing, Passage.**

a. Bills containing local spending mandates which if unfunded, would fall within the purview of Art. VIII, Sec. II, par. 5 of the Constitution shall contain provision for funding, or shall state which of the six exceptions listed in Art. VIII, Sec. II, par. 5c applies. A statement of the applicable exception shall be included in the appropriate statement to the bill.

b. If the intent of the Senate bill is not to fund the local mandate contained in the bill, consistent with Art. VIII, Sec. II, par. 5c(6), the following procedure shall be employed.

(1) Prior to final reading, there must be a public hearing. The public hearing shall be held and notice shall be given consistent with the provisions of Chapter 22 of these Rules. The notice shall further expressly state that the particular bill or resolution contains an unfunded local mandate. The public hearing shall be held by any reference committee to which the bill has been referred. That reference committee may report the bill on the same day as the public hearing. A written fiscal analysis of the bill, prepared by the Office of Legislative Services, shall be available to the Senators and the public at the time of the public hearing.

(2) If the bill is amended at any time after notice of the public hearing has been given, a new public hearing shall be held if the amendments would affect the fiscal analysis or cause different local governmental units to be affected by the bill. Otherwise, a further public hearing is not required.

(3) All other constitutional requirements with regard to the passage of laws must be met except that the bill containing the unfunded local mandate shall not be considered on third reading and voted on final passage until at least 20 calendar days after the public hearing at which the bill was in its final form and the bill must receive at least 30 affirmative votes in the Senate.

(4) Assembly bills containing unfunded local mandates and requiring a public hearing pursuant to Art. VIII, Sec. II, par. 5c(6), should have received the public hearing in the General Assembly and are not required to have a further public hearing in the Senate unless the Senate amends the bill as in subsection b(2) of this rule.

## **18-FISCAL NOTES.**

### **18:1. When Required.**

When a Senator introduces a bill, which would increase or decrease State, county, municipal, school or special district revenues or require an increase in expenditure by any of these entities or would require the appropriation of State funds not set forth in dollars in the bill, the Senator may request, in writing, a fiscal note from the Legislative Budget and Finance Officer. The fiscal note shall contain an analysis of the amount by which revenues would be increased or decreased, or by which State expenditures would be increased or the amount of State funds which would be required to carry out its purposes.

## **19-RESOLUTIONS.**

**19:1. Resolutions; Passage; Entry in Journal.**

- a. A resolution of the Senate which requires no action by the General Assembly shall be in writing and presented to the Secretary at which time it shall be in the possession of the Senate and open to debate. It may be withdrawn at any time before it is approved by the Senate.
- b. A majority of the Senators voting shall be sufficient to adopt the resolution.
- c. Approved resolutions shall be entered in the Journal.

**19:2. Citations, Memorials, Ceremonial Resolutions.**

Action by the Senate to congratulate a person or organization upon the occasion of a significant event, anniversary or accomplishment or to memorialize the death of a person shall be by issuance of a formal Citation, Memorial certificate, or ceremonial Senate Resolution.

**20-NOMINATIONS.**

**20:1. Reference to Committee.**

When nominations are made by the Governor and submitted to the Senate, they shall, unless otherwise ordered by the Senate President, be referred to the Judiciary Committee. If referred to another appropriate committee, they shall receive a second reference to the Judiciary Committee.

**20:2. Report of Judiciary Committee, Contents.**

The report of the Judiciary Committee concerning any nomination made by the Governor shall be in writing, show whether the nomination is reported with a recommendation for confirmation or rejection, or without any recommendation, and how each member signing the report voted on the nomination.

**20:3. Voting.**

The final question to be placed before the Senate in public session on every nomination shall be, "Will the Senate advise and consent to this nomination (or these nominations, if more than one is to be voted on by a single roll call)?" This question shall not be considered on the same day the nomination is received, or on the day it is reported by Committee, unless the Senate shall so resolve by the affirmative vote of at least 30 Senators. The affirmative vote of at least 21 Senators is necessary to advise and consent to any nomination. The President may call for a single roll call on more than one nomination unless a Senator requests a separate roll call on particular nominations. The names of the Senators voting for and against the nomination and the report, if any, of the Senate Judiciary Committee with respect to the nomination, shall be entered in the Journal. Notwithstanding any of the provisions of this rule, consideration of the question whether the Senate

will advise and consent to the nomination of any person for the office of Attorney General or Secretary of State, may be considered on the same day the nomination is received from the Governor.

**20:4. Confidentiality, Hearing, Respond to Objections.**

All information or remarks concerning the character or qualifications of any person nominated by the Governor which are brought to the attention of the Judiciary Committee or other appropriate committee during its consideration of the nomination shall not be made public. However, any nominee, upon written request, shall be granted a hearing by the Judiciary Committee in public or private session, at the discretion of the committee which shall then advise the nominee of any objections raised to confirmation and shall afford the nominee an opportunity to respond to the objections, in public or private.

**20:5. Confirmation or Rejection; Not Considered in Subsequent Two-year Legislative Session.**

a. All nominations confirmed or rejected by the Senate shall be promptly transmitted by the Secretary to the Governor, together with the determination of the Senate and the number of Senators voting for and against the nomination. The names of the Senators voting for and against confirmation and the report, if any, of the Judiciary Committee, are the only records of the proceedings on the nomination that will be made public; except when otherwise authorized by the Senate.

b. All nominations neither confirmed nor rejected during a two-year session of the Senate shall not be considered in a subsequent two-year session unless the Governor resubmits the nomination.

**21-EXECUTIVE SESSION.**

**21:1. Who May Attend; Record.**

a. When a motion to go into executive session is adopted the President shall direct that the Senate be cleared of all persons, except Senators and the Secretary, and the doors shall remain shut for the executive session.

b. A record of the executive session proceedings of the Senate shall be kept in a separate and distinct journal from the Journal containing the other proceedings of the Senate.

**22-PUBLIC HEARINGS.**

**22:1. Participation by Members of the General Assembly.**

When a Senate standing reference committee holds a public hearing on a bill or

resolution, members of the General Assembly committee that considered the bill or resolution, or that would be likely to consider the bill or resolution may be invited to sit with the Senate committee. Those members of the General Assembly may participate in the public hearing, but they shall not be entitled to participate in the deliberations of the committee. The chair of the Senate committee holding the hearing shall preside.

**22:2. Public Attendance, Comment; Notice, Recording.**

a. The public is permitted to attend meetings of any Senate committee to the extent that space is available in the committee room, except when the committee goes into executive session. All bills, resolutions and other matters shall be voted upon only at a public session. Citizens present who wish to be heard on a matter under consideration by the committee shall be afforded an opportunity to speak, subject to reasonable limitations as may be set by the chair.

b. At the direction of the chair or by vote of a majority of the members of a standing reference committee, the chair may schedule a public hearing in connection with any bill or resolution then pending before the committee on not less than five State working days' notice. All interested parties shall have an opportunity to be heard, subject to reasonable limitations as set by the chair. All stenographically recorded public hearings shall be conducted in the State House or State House Annex, Trenton, unless the President approves another location.

**23-VETOED BILLS.**

**23:1. Governor's Objections Entered in the Journal.**

When a bill is returned by the Governor with objections and with or without recommendation for amendment, the objections shall be entered in the Journal.

**23:2. Absolute Veto - Senate Bills.**

On or after the third day following the return of a bill absolutely vetoed by the Governor, the Senate may move to override the veto. If 27 or more Senators vote to override the veto, the override shall pass the Senate.

If the motion to override passes, the President shall certify:

- the date the bill was returned to the Senate by the Governor with objections;
- that the objections were entered in the Journal;
- the date the Senate passed the motion to override the veto; and
- the tally on the vote to override.

The passed bill, together with the President's certification and Governor's objections, shall be sent to the General Assembly.

**23:3. Absolute Veto - General Assembly Bills.**

After the General Assembly has passed a motion to override an absolute veto and forwarded the bill to the Senate with the Speaker's certification and the Governor's objections, the Senate may, at any time after receipt of the bill, move to override the veto. If 27 or more Senators vote to override the veto, the override shall pass the Senate.

If the motion to override passes, the President shall certify:

- the date the Senate passed the motion to override the veto; and
- the tally on the vote to override.

The passed bill, together with certifications of the presiding officers and Governor's objections, shall be returned to the General Assembly.

#### **23:4. Conditional Veto - Senate Bills.**

a. Amended in accordance with the Governor's recommendations. If the Governor conditionally vetoes a bill and returns it to the Senate, the Senate may amend the bill in accordance with all of the Governor's recommendations. No other or partial amendments are permitted either in committee or on the floor.

To approve a conditionally vetoed bill which has been amended in accordance with the Governor's recommendations, the bill must be read three times in the Senate, with the intervention of one full calendar day between second reading, after the adoption of the Governor's recommendations, and third reading, unless it is declared an emergency measure under Rule 17:4. No conditionally vetoed bill shall receive first reading or be referred to committee unless directed by the President. The affirmative vote of at least 21 Senators is required to pass the bill as amended.

The passed bill, together with the Governor's recommendations, shall be forwarded to the General Assembly.

b. Override. The Senate may override a conditional veto in the same manner and subject to the same requirements as necessary to override an absolute veto of a Senate bill.

#### **23:5. Conditional Veto - General Assembly Bills.**

a. Amended in accordance with the Governor's recommendations. After the General Assembly has passed a motion to approve a bill conditionally vetoed by the Governor by amending it in accordance with the Governor's recommendations, the General Assembly shall forward the amended bill, together with the Governor's recommendations, to the Senate.

To approve a conditionally vetoed bill which has been amended in accordance with the Governor's recommendations, the bill must be read three times in the Senate, with the intervention of one full calendar day between second and third readings, unless it is declared an emergency measure under Rule 17:4. No conditionally vetoed bill shall receive first reading or be referred to committee unless directed by the President. The affirmative vote of at least 21 Senators is required to pass the



bill.

The passed bill, together with the Governor's recommendations, shall be returned to the General Assembly.

b. Override. If the General Assembly has voted to override a conditional veto and forwards the bill to the Senate, the Senate may, at any time after receipt of the bill, move to override the conditional veto in the same manner and subject to the same requirements as necessary to override an absolute veto of a General Assembly bill.

### **23:6. Line-Item Veto - Senate Bills.**

On or after the third day following receipt of the Governor's statement of one or more line-item vetoes, the Senate may separately move to override any of the vetoes. A concurrent resolution shall be the form of legislation used to override a line-item veto. A separate concurrent resolution shall be used for each line-item veto for which a motion is made to override. If 27 or more Senators vote to approve the concurrent resolution to override the veto, the override shall pass the Senate.

If the motion to approve the concurrent resolution to override passes, the President shall certify:

- the date the Governor's line-item veto statement was received by the Senate;
- that the statement was entered in the Journal;
- the date the Senate passed the motion to approve the concurrent resolution to override the line-item veto; and
- the tally on the vote to override.

The passed concurrent resolution, together with the President's certification and Governor's line-item veto statement, shall be sent to the General Assembly.

### **23:7. Line-Item Veto - General Assembly Bills.**

After the General Assembly has passed a concurrent resolution to override a line-item veto and forwarded the concurrent resolution to the Senate with the Speaker's certification and the Governor's line-item veto statement, the Senate may, at any time after receipt of the concurrent resolution, move to override the line-item veto set forth in the concurrent resolution. If 27 or more Senators vote to approve the concurrent resolution to override the veto, the override shall pass the Senate.

If the motion to approve the concurrent resolution to override passes, the President shall certify:

- the date the Senate passed the motion to approve the concurrent resolution to override the line-item veto; and
- the tally on the vote to override.

The passed concurrent resolution, together with certifications of the presiding officers and Governor's line-item veto statement, shall be returned to the General Assembly.

**23:8. Veto Override - Delivery to the Secretary of State.**

a. When the Senate has voted to override a veto of a Senate bill, the General Assembly has likewise voted to override the veto and has returned the bill, the Governor's objections and the certifications of the presiding officers to the Senate, the President shall deliver the bill, certifications and the Governor's objections to the Secretary of State.

b. When the Senate has voted to override a line-item veto on a Senate bill, the General Assembly has likewise voted to override the veto and has returned the concurrent resolution, the Governor's line-item veto statement and the certifications of the presiding officers to the Senate, the President shall deliver the concurrent resolution, certifications and Governor's line-item veto statement to the Secretary of State.

**23:9. Special Session to Accept and Consider Vetoed Bills.**

In accordance with Art. V, Sec. I, par. 14(d) of the Constitution, the Senate shall hold a special session to accept and consider bills returned by the Governor. All bills returned to the Senate at or prior to that special session may be accepted and finally acted upon at the special session without receiving three readings. Final action includes override and approval in accordance with the Governor's recommendations. Overrides require the affirmative vote of 27 or more Senators and approval in accordance with the Governor's recommendations requires the affirmative vote of 21 or more Senators.

This special session shall be held on the earlier of the 45th day following adjournment sine die, or on the Monday preceding the expiration of the second year of a Legislature.

**23:10. Votes Entered in the Journal.**

Whenever a vote is taken to override a veto or to approve a bill in accordance with the Governor's recommendations, the names of all Senators voting on the motion and how each Senator voted shall be entered in the Journal.

**24-PROPOSALS TO AMEND THE CONSTITUTION  
ORIGINATING IN THE SENATE.**

**24:1. Proposed by Concurrent Resolution.**

Amendments to the Constitution shall be proposed in the Senate by concurrent resolution, which shall be introduced in the same manner, and shall take the same course as bills and joint resolutions originating in the Senate. Concurrent resolutions to amend the Constitution shall be considered in accordance with the provisions of paragraphs 1 and 2 of Article IX of the Constitution and with these Rules.

**24:2. Copies Placed on Desks.**

When a concurrent resolution to amend the Constitution receives second reading in the Senate, printed copies shall be placed on the Senators' desks, in open meeting, which shall be noted in the Journal. Copies of the concurrent resolution shall also be forwarded by the Secretary to the General Assembly with the request that they be placed on the desks of the members of that House in open meeting.

**24:3. Public Hearing.**

After printed copies of the concurrent resolution are placed on the desks of the members of each House, in open meeting, a public hearing on the concurrent resolution shall be held before a Senate Committee, when and as ordered by the Senate.

**24:4. Written Report of Public Hearing, Final Passage.**

After the public hearing, the committee shall issue a written report on the hearing to the Secretary who shall enter the date and location of the hearing and the number of the concurrent resolution in the Journal. After the hearing and at least 20 calendar days after the copies of the concurrent resolution have been placed on the desks of the members of each house, the Senate may give the concurrent resolution third reading and vote on final passage.

**24:5. Information Entered in Journal on Third Reading.**

Whenever a concurrent resolution proposing to amend the Constitution is voted on at third reading, the following information shall be entered in the Journal:

- the proposed amendments;
- the names of all Senators voting on the concurrent resolution; and
- how each Senator voted.

**24:6. President's Certificate of Passage.**

If a concurrent resolution proposing to amend the Constitution is passed by the Senate, a certificate shall be signed by the Secretary and the President, annexed to the concurrent resolution, and transmitted to the General Assembly with the concurrent resolution. The certificate shall include:

- whether the concurrent resolution was amended after introduction;
- that printed copies of the concurrent resolution, in the form it was passed were placed on the Senators' desks, in open meeting, and the date of the placement;
- that a public hearing was held on the concurrent resolution, the date of the hearing, the location, and the committee that held the hearing;
- that the concurrent resolution was read three times in the Senate, was passed on third reading and the dates of the readings; and
- the tally on the vote on final passage.

**24:7. Passage by Both Houses, Procedure.**

If a concurrent resolution proposing to amend the Constitution passed the Senate and is returned from the General Assembly with a certificate signed by the Clerk and Speaker of the General Assembly, reciting:

- that printed copies of the concurrent resolution, in the form it passed the General Assembly, were placed on the desks of the members of the General Assembly, in open meeting, and the date of the placement;
- that the concurrent resolution was read three times in the General Assembly, was passed on third reading in the form it was received from the Senate, and the dates of the readings; and
- the tally on the vote on final passage,

the concurrent resolution shall be received by the Senate, in open meeting, and transmitted by the Secretary to the Secretary of State with the certificates of the presiding officers. The constitutional amendments proposed in the concurrent resolution shall be proceeded upon as prescribed by the Constitution and as may be provided by the Legislature.

**24:8. Deemed Lost if Amended in the General Assembly.**

If a concurrent resolution, which was passed by the Senate, is returned from the General Assembly with a certificate reciting that the concurrent resolution was amended in the General Assembly, the concurrent resolution is deemed to have been lost and no further action shall be taken on the concurrent resolution.

## **25-PROPOSALS TO AMEND THE CONSTITUTION ORIGINATING IN THE GENERAL ASSEMBLY.**

### **25:1. Receipt of Proposed General Assembly Amendment, Entry in Journal.**

Whenever copies of a concurrent resolution introduced in the General Assembly proposing to amend the Constitution are received from that House, the Secretary shall cause the copies to be placed on the Senators' desks, in open meeting, at the earliest opportunity after receipt. The Secretary shall enter in the Journal the date the copies of the concurrent resolution were received and the date they were placed on the Senators' desks, in open meeting, and certify the information to the Clerk of the General Assembly.

### **25:2. Same Procedure as General Assembly Bills, May Not Be Amended.**

Whenever the Senate receives a concurrent resolution proposing to amend the Constitution which originated in and was passed by the General Assembly and is accompanied by a certificate signed by the Speaker and Clerk of the General Assembly reciting that it was considered and passed in accordance with the provisions of Article IX, paragraphs 1 and 2, of the Constitution, the receipt of the concurrent resolution and certificate, by the Senate, shall constitute the first reading of the concurrent resolution. The concurrent resolution shall then take the same course as General Assembly bills and joint resolutions that are received in the Senate. No General Assembly concurrent resolution proposing to amend the Constitution shall be amended in the Senate.

### **25:3. President's Certificate.**

If a concurrent resolution originating in the General Assembly and proposing to amend the Constitution is passed by the Senate on third reading, a certificate, signed by the Secretary and the President of the Senate, shall be annexed to the concurrent resolution and transmitted to the General Assembly with the concurrent resolution. The certificate shall include:

- that printed copies of the concurrent resolution, in the form it passed the Senate, were placed on the Senators' desks, in open meeting, and the date of the placement;
- that the concurrent resolution was read three times in the Senate, was passed on third reading and the dates of the readings; and
- the tally on the vote on final passage.

## **26-VOTES REQUIRED TO SUBMIT CONSTITUTIONAL AMENDMENTS TO THE VOTERS.**

### **26:1. Votes to Approve.**

a. A concurrent resolution proposing to amend the Constitution may be considered on third reading at any time during a two-year legislative session after compliance with the procedures set forth in Chapter 24 or 25, as applicable, of these Rules.

b. If the concurrent resolution receives at least 24 affirmative votes in the Senate and at least 48 affirmative votes in the General Assembly, it is approved for submission to the voters and must be delivered to the Secretary of State together with the certificates as required by these Rules.

c. If the concurrent resolution receives fewer than the number of affirmative votes specified in subsection b., in either House, but receives at least 21 affirmative votes in the Senate and at least 41 affirmative votes in the General Assembly, each House must again approve the concurrent resolution with at least 21 affirmative votes in the Senate and at least 41 affirmative votes in the General Assembly, as follows:

(1) If approved by both Houses in the first year of a two-year legislative session, both Houses must again approve the concurrent resolution in the second year of the two-year legislative session.

(2) If approved by both Houses, but the approval in one or both Houses does not occur until the second year of the two-year legislative session, the concurrent resolution must be introduced in the next two-year legislative session, and approved again by both Houses during that two-year legislative session.

d. If the concurrent resolution is approved under either method in subsection c., it is approved for submission to the voters and must be forwarded to the Secretary of State together with the certificates as required by these Rules.

## **27-GENERAL PROVISIONS.**

### **27:1. Mason's Manual.**

Mason's Manual of Legislative Procedure shall in all cases, when not in conflict with these Rules, be considered and held as standard authority.

### **27:2. Rescind, Change or Suspend Rules.**

No Rule (or Order) of the Senate shall be rescinded or changed except by the affirmative vote of at least 21 Senators. If a Senator objects to the motion to rescind or change a Rule (or Order) when made, the motion shall lie over until the next meeting of the Senate. If the motion is to suspend a Rule (or Order), the affirmative vote of at least 21 Senators is required to pass the motion, however, there is no need for the motion to lay over to the next meeting of the Senate if there is an objection to the motion.

## **28-DEFINITIONS.**

### **28:1. Definitions.**

Definitions -

"Absolute Veto" - The unconditional rejection of a bill by the Governor.

"Bill" - A formal proposal which, if enacted, will become law.

"Bills and Resolutions" - This phrase includes all bills, all joint resolutions, all concurrent resolutions proposing to amend the Constitution, all other numbered concurrent resolutions and all numbered Senate resolutions.

"Concurrent Resolution" - A formal resolution separately adopted by both Houses of the Legislature and requiring affirmative votes from at least 21 Senators and 41 members of the General Assembly which expresses the sentiment of both Houses or accomplishes a purpose with common interest to both Houses. A concurrent resolution is also the form of legislation used to propose amendments to the State Constitution and to ratify amendments to the Constitution of the United States proposed by the Congress. No action by the Governor is required with respect to a concurrent resolution.

"Conditional Veto" - The rejection of a bill by the Governor with suggested amendments which, if adopted by both Houses of the Legislature, would theoretically make the bill acceptable to the Governor.

"Joint Resolution" - A formal resolution separately adopted by both Houses of the Legislature and requiring the affirmative votes of at least 21 Senators and 41 members of the General Assembly and, since it has the effect of law, must be submitted to the Governor for approval.

"Line-Item Veto" - The rejection of all or a portion of one or more items of appropriation by the Governor while approving the other portions of the bill.

"Motion" - A proposal by a Senator that the Senate take a certain action. In order to be approved by the Senate, a motion must receive the affirmative votes of a majority of those Senators present and voting, unless a greater number is specifically required by these Rules.

"Quorum" - The presence of at least 21 Senators at a meeting of the Senate.

"Resolution" - A formal resolution, passed by the affirmative vote of at least 21 Senators which expresses a policy or opinion of the Senate, or provides for subsidiary or procedural matters and requires no action either concurrently or jointly by the General Assembly.

"Veto Override" - The enactment of a bill over the Governor's objections.

JOINT RULES OF THE SENATE AND GENERAL ASSEMBLY  
ADOPTED ON JANUARY 12, 2016.

A. IN GENERAL.

1. In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee of three members for that purpose, designating its chairman, and the other House shall also appoint a committee of three members, designating its chairman, to confer, such committee shall, at a convenient hour, to be agreed on by their respective chairmen, meet in conference, and state to each other, verbally or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment, and confer freely thereon.

2. If the conference committee shall agree, an identical report of its agreement shall be made to each House, which shall be signed by the members or a majority of the members of the committee. If in said report it is recommended that additional amendments to the bill be adopted, such amendments shall be stated therein and in said report it may be recommended that the House, in which the amendments dissented from were adopted, shall recede from such amendments, or that the House dissenting from the amendments shall concur therein, with or without the adoption of additional amendments as may be recommended in the report.

3. If the report of the conference committee shall be adopted in both Houses, such action shall be taken, in each House, by receding from the amendments dissented from, or by concurring in the amendments dissented from, or by so receding or so concurring and adopting such further amendments, if any, as are recommended in the report, as shall be necessary to make the recommendations contained in said report effective and each House shall give notice to the other House of its action so taken.

4. When identical bills or bills dealing with the same subject matter but containing different provisions have originated in the two Houses and neither House is willing to pass the bill originating in the other House, either House then may request a conference and appoint a committee of three members for that purpose who shall proceed to confer as in cases in which an amendment to a bill is agreed to in one House and dissented from in the other.

5. If both identical bills are pending in one House, the conference committee may in its report recommend that the bill which has passed the other House be substituted for that which originated in the second House, upon or after the latter's second reading, and that the former be considered immediately upon third reading, but if the identical bills are pending in different Houses, the conference committee in its report may recommend that such proceedings shall be taken upon one bill, designating it by number, so that it may be forwarded to the other House and substitution of one for the other may be made in that House and shall report to both Houses accordingly.



6. If bills dealing with the same subject matter but containing different provisions are the subject matter of the conference, the conference committee may recommend in its report that certain amendments shall be made of one or the other of said bills, designating such bill by number, and that the bill so amended shall be passed by both Houses, which may be done by the substitution in one House of a committee substitute for the bill pending in that House, or if both bills are pending in one House, a committee substitute for both bills, which committee substitute shall then take the usual course of procedure to passage in both Houses, and said conference committee shall report to each House accordingly.

7. In any case in which one bill shall be substituted for another upon final passage the name of the introducer first appearing in each bill shall be endorsed as sponsor of the substituted bill upon the jacket containing the same.

8. If a bill shall have passed both Houses, it shall be delivered to the Secretary of the Senate or the Clerk of the General Assembly, as the bill may originate in one House or the other, and it shall be presented by him to the Governor for his action. Each such bill shall remain in the custody of the Secretary or Clerk, as the case may be, of the House in which the bill originated, but no action shall be taken upon such a bill other than to present it to the Governor, except by the order of both Houses.

8A. Blank

8B. a. A concurrent resolution is the form of legislation to be used to ratify an amendment to the Constitution of the United States proposed by the Congress of the United States, to petition the Congress to propose an amendment or to call a constitutional convention to propose an amendment, to the Constitution of the United States; such a concurrent resolution may be proposed in the Senate or the General Assembly.

b. At least 20 calendar days prior to a vote on such a concurrent resolution in the House in which it was introduced, the same shall be printed and placed on the desks of the members of each House. Thereafter and prior to such vote a public hearing shall be held thereon on a date and at a time and place to be publicly announced. Adoption of an amendment to the resolution shall not require the holding of a further public hearing unless the same be ordered by the House which adopted the amendment.

c. Passage of such a concurrent resolution shall require the affirmative vote of a majority of all the members of each House and the yeas and the nays of the members voting thereon shall be entered upon the Journal of the Senate and the Minutes of the General Assembly.

#### B. ON PRE-FILING OF BILLS, JOINT RESOLUTIONS, CONCURRENT RESOLUTIONS AND RESOLUTIONS.

9. Any one or more members or members-elect of the Senate or General Assembly may, between November 15 and the first Tuesday in January prior to the commencement of a 2-year Legislature, pre-file a bill, joint resolution, concurrent resolution or resolution for introduction in

their respective Houses of the Legislature to be convened on the succeeding second Tuesday in January as in these rules provided. In any year prior to the commencement of a 2-year Legislature and in which no election is held for the election of all the members of the Senate, the President may fix a date earlier than November 15 for the commencement of the pre-filing period.

10. Bills and resolutions proposed for introduction by pre-filing shall be forwarded, in triplicate, to the Office of Legislative Services, each copy thereof endorsed with the signature of the sponsor or sponsors or with written authorization by the sponsor or sponsors that the proposal be so endorsed.

11. The Office of Legislative Services shall cause each pre-filed proposal to be time stamped, listed and numbered in the order of receipt with an appropriate Senate or General Assembly bill or resolution number and its staff shall cause the same to be examined as to form and for compliance with the Rules of the Senate or General Assembly. Upon completion of such examination as to form and endorsement thereon of a release for introduction, copy shall be forwarded to the Legislative Printer for printing with the number assigned thereto and bearing the legend "Pre-filed for introduction in the 20-- session." The House copy, bearing the date the copy was delivered to the Printer, shall be retained for delivery to the Secretary of the Senate or the Clerk of the General Assembly upon the convening and organization of the Senate or the General Assembly, as the case may be. One copy shall be made available to the public through the Office of Public Information in the Office of Legislative Services and the Office of Legislative Services' copy shall be retained for the files of the Office of Legislative Services.

12. Upon the release for printing of a pre-filed bill, joint resolution, concurrent resolution or resolution, the same shall be in the public domain as in the case of bills introduced during a session. Copies of the pre-filed bills or resolutions shall be made available to the public during the pre-filing period by the Office of Legislative Services.

13. No member or member-elect shall pre-file for re-introduction a bill or resolution, the prime sponsor of which is a member or member-elect of the Legislature, except with the concurrence of such prior prime sponsor.

14. Whenever two or more members or members-elect of the same House shall separately propose for pre-filing the same or substantially the same bill or resolution, the Office of Legislative Services shall notify such members and members-elect and seek their concurrence to co-sponsorship of a single bill or resolution, but, except as provided in 13 above, no member or member-elect shall be denied the right to pre-file any bill or resolution.

15. On the day on which the Senate or General Assembly organizes by the election of its President or Speaker, as the case may be, the Secretary of the Senate or the Clerk of the General Assembly shall present copies of the pre-filed bills and resolutions to the President or Speaker for his endorsement thereon of the Committee, if any, to which each pre-filed bill or resolution is to be referred and the delivery thereof to the Secretary of the Senate or the Clerk of the General Assembly for introduction and first reading on the same day or on the next two days of actual meeting of the House thereafter.

16. The reading by the Secretary of the Senate or Clerk of the General Assembly of the number, title and committee reference, if any, of each pre-filed bill and resolution shall be taken as the introduction and first reading thereof.

17. The Office of Public Information in the Office of Legislative Services shall make distribution of copies of the pre-filed bills and resolutions to members and members-elect as the Houses may direct and make copies available for such other distribution as is made of other printed bills, periodically as the same are printed during the pre-filing period.

18. In the event that the office of any member or member-elect who has pre-filed a bill or resolution shall become vacant for any reason prior to the introduction and first reading thereof, the same shall be introduced in the names of the remaining co-sponsors, if any, and, if it was pre-filed only by the member or member-elect whose office is vacant, the same shall be withheld from introduction and the Secretary of the Senate or the Clerk of the General Assembly, as the case may be, shall cause the records of the House as to such proposal to indicate the same was withdrawn prior to introduction.

18A. A printed bill or resolution which is pre-filed for introduction or introduced in the two-year legislative session next following the session in which it was printed shall be reissued in the same form in which it was previously printed, but shall be marked with a new number and shall bear the caption "Introduced Pending Technical Review by Legislative Counsel."

### C. ETHICAL STANDARDS COMMITTEE.

19. a. In addition to the duties and responsibilities imposed upon it by law, the Joint Committee on Ethical Standards shall have continuing authority to receive, investigate and report to the Senate and General Assembly with respect to allegations concerning the conduct or activities of members of the Legislature and employees of the Legislative Branch of the State Government reflecting upon the good name, integrity and reputation of the Legislature or any member thereof which may be referred to the Joint Committee by a concurrent resolution of the Legislature or considered by the Committee upon its own initiative. The respective members of the Joint Committee appointed from the Senate and the General Assembly shall constitute a standing committee of each House which shall have and exercise on behalf of each House the same continuing authority with respect to receipt and consideration of allegations, referred to either standing committee by resolution of the House or by the initiative of the members of the Committee, concerning the qualifications of the members of their respective Houses of the Legislature and the conduct or activities of members and employees reflecting upon the good name, integrity and reputation of the Legislature, a House or any member thereof. In the event any allegation considered or referred to the Joint Committee or to the standing committee of either House shall involve the qualifications, conduct or activities of a member of the committee, that member shall be disqualified from participation in the committee's consideration of such allegation and the President or Speaker

shall appoint a replacement to fill such vacancy on the committee, during consideration of such allegation, from among the members of the House of the same party as the disqualified member.

b. The Joint Committee or the respective members thereof acting as a standing committee of the Senate or the General Assembly is authorized to retain and employ at the expense of the Legislature or of the Senate or General Assembly, as the case may be, the services of such experts and counsel as it shall deem necessary in connection with any investigation concerning the conduct or activities of a member of the Legislature.

#### D. TELEPHONES.

20. All telephones in legislative branch offices in the State House and the legislative chambers are official State telephones regardless of the assignment of the room in which such phones are located to an officer or employee of the Legislature and the listing of the telephone number in his name or by his title in telephone directories.

#### E. LEGISLATIVE OVERSIGHT.

21. Blank

22. Blank

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25. There is created a joint committee of the Legislature to be known as the Joint Legislative Oversight Committee. The committee shall consist of 10 members, five members of the Senate appointed by the President and five members of the General Assembly appointed by the Speaker. A member may be removed from the committee at any time by the appointing officer. The joint committee shall choose a chairman and a vice chairman from among its members.

26. The committee may adopt rules for its own operation and the conduct of its business, provided the rules are not inconsistent with these joint rules or P.L. 1981, c. 27 (C. 52:14B-4.1 et seq.).

27. The chairman shall cause 6 days' notice of the time, place and agenda of each committee meeting to be given to the members of the Legislature and the public. No matter shall be considered at a committee meeting unless it is listed on the agenda for the meeting and required notice has been given for it, except upon special order by the President and the Speaker.

28. Meetings of the committee at which official action is to be taken shall be open to the public. The committee may convene in closed or executive session, upon the majority vote of its authorized membership at an open meeting, for the purpose of discussing any matter before the committee or for meeting with or taking the testimony of any person, but all matters shall be fully discussed and considered and all official actions shall be taken in public session.

29. The committee shall have the powers and duties prescribed in P.L. 1981, c. 27. The committee, by a majority vote of its authorized membership, may report its recommendation for suspension of a rule to the President and the Speaker, who may refer the report to a standing reference committee or the House.

#### F. JOINT BUDGET OVERSIGHT COMMITTEE.

30. There is created a joint administrative committee of the Legislature to be known as the Joint Budget Oversight Committee. The committee shall consist of six members, three of which shall be members of the Senate appointed by the President and three of which shall be members of the General Assembly appointed by the Speaker. No more than two of the three members appointed from each House shall be of the same political party. A member may be removed from the committee at any time by the appointing officer, except that if any member is so removed, the appointing officer shall forthwith appoint another member in the same manner that the original appointment was made.

The committee may adopt rules for its operation and the conduct of its business including the election of a chairman or co-chairmen as it may determine from among its members, except that any matter properly before the committee shall require the affirmative vote of at least four of its members.

The committee shall be the successor committee to the Joint Appropriations Committee's Subcommittee on Transfers and the Subcommittee on Claims organized in the 201st session of the Legislature. The committee shall exercise the authority, and carry out the duties and responsibilities, of the former Joint Appropriations Committee's Subcommittee on Transfers or the Subcommittee on Claims, as appropriate, concerning the review of transfers as prescribed in the annual appropriation act, bond authorization or bond appropriation acts, bond refinancing proposals, and claims presented to the Legislature.

The committee shall exercise all authority and carry out the duties and responsibilities prescribed in law or in the Joint Rules of the Senate and General Assembly for the former Joint Appropriations Committee's Subcommittee on Transfers, and the Subcommittee on Claims. All references in law, rule, regulation or procedures, or otherwise, to the Joint Appropriations Committee's Subcommittee on Transfers or the Subcommittee on Claims shall mean the committee established pursuant to this Joint Rule.

## G. PARTISAN STAFF CONDUCT AND RESOURCES.

31. a. A partisan staff employee may not assign or engage in campaign work on State time. Campaign work is work that does not reasonably and primarily fulfill the employee's official duties and materially contributes to: (1) a person's chance of election or reelection to public or party office, or (2) the financial prospects or the electoral advantage of a political party or candidate.

b. Work that would otherwise be campaign work within the meaning of that term as it is used in subsection a. is not prohibited if: (1) it occurs on rare and isolated occasions; and (2) its performance imposes little or no cost to the State; and (3) it is incidental and subordinate to other work which has a primarily public purpose.

32. Partisan staff employees may engage in campaign work voluntarily whenever they are not present in State facilities or obligated to perform legislative duties.

33. a. No partisan staff employee may use, or make available for use by another, State property or resources in connection with campaign work. No partisan staff employee may use a State resource in connection with the preparation of, securing signatures on, or the filing of petitions.

b. The use of State property or resources in connection with campaign work should not be prohibited if: (1) it is rare and isolated; and (2) it imposes little or no cost to the State; and (3) it is incidental and subordinate to other work which has a primarily public purpose.

33A. No Legislator or employee of the partisan staff shall use, or make available for use by another, the resources of the State allocated to the partisan staff in connection with the mass distribution to members of the general public of unsolicited written or electronic matter including, but not limited to, a pamphlet, letter, newsletter, advertisement, statement or flyer concerning the activities or opinions of a member of the Legislature which is distributed during a calendar year in which the member mentioned therein will be a candidate at the general election. Nothing in this Joint Rule shall be deemed to prevent the distribution of a press release to the press or follow-up correspondence related to a meeting.

34. a. Partisan staff employees shall receive a copy of the Conflicts of Interest Law (P.L.1971, c.182, C.52:13D-12 et seq.), the Legislative Code of Ethics, the Rules Concerning the Operation, Maintenance and Utilization of the Legislative Information System and the Joint Rules Governing Partisan Staff Conduct.

b. The Joint Legislative Committee on Ethical Standards shall enforce, interpret and adjudicate alleged violations of these Joint Rules.

c. A violation of these Joint Rules shall be punishable by reprimand, suspension, dismissal, restitution or if restitution is not ordered, a fine not to exceed \$500.

## H. JOINT LEGISLATIVE COMMITTEE ON ECONOMIC RECOVERY.

35. a. There is created a Joint Legislative Committee On Economic Recovery. The committee shall consist of eight members, four members of the Senate appointed by the President of the Senate, no more than three of whom shall be of the same political party, and four members of the General Assembly appointed by the Speaker of the General Assembly, no more than three of whom shall be of the same political party. A member may be removed from the committee at any time by the appointing officer.

b. The respective members of the Joint Committee appointed from the Senate and General Assembly shall constitute a standing reference committee of each House which shall have and exercise on behalf of each House the same continuing authority as other standing reference committees of either House. The joint committee shall in all other respects be treated as a standing reference committee of either House with respect to the referral, consideration and reporting of bills, joint resolutions, concurrent resolutions or resolutions. Any bills, joint resolutions, concurrent resolutions or resolutions reported by the joint committee shall be reported to the House of origin of the legislation. Notwithstanding any rule of either House, no bill or resolution reported by the committee shall be required to be referred to a second committee of a House for further review or consideration.

36. It shall be the duty of the joint committee to:

a. review, formulate and consider proposals for the economic recovery of the State, for stimulating and sustaining growth of the New Jersey economy and for providing jobs to the citizens of this State, and to report and make recommendations thereon to the Houses of the Legislature; and

b. exercise continuing review and oversight of programs and projects of State departments, authorities or agencies to identify ways in which the programs or projects could be better implemented to immediately promote economic growth and create jobs and to recommend ways to expedite the resolution of any impediments to those programs or projects.

37. The joint committee shall organize as soon as possible after the appointment of its members and a chairperson and a vice-chairperson shall be selected from among its members by the presiding officers of the Houses.

38. The committee shall be entitled to call to its assistance and avail itself of the services of such employees of any State, interstate, county or municipal department, board, bureau, commission, agency, or authority as it may require and as may be available to it for its purposes, and to employ such stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as may be authorized by the presiding officers of the Houses, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for its purposes.

39. The committee may conduct public hearings in furtherance of its oversight functions at such place or places as it shall designate, at which it may request the appearance of officials of any State, or interstate department, board, bureau, commission, agency or authority and solicit the testimony of interested groups and the general public.

40. The committee may adopt rules for its operation and the conduct of its business, provided the rules are not inconsistent with the Joint Rules of the Senate and General Assembly or the rules of either House.

#### I. CONSENT TO ADJOURN FOR MORE THAN THREE DAYS.

41. The Senate grants to the General Assembly and the General Assembly grants to the Senate, consent to adjourn for more than three days. Either House may revoke this consent by a House resolution passed by at least twenty-one members in the Senate or forty-one members in the General Assembly. Such revocation shall be for a specified period and in no event shall extend beyond noon on the next second Tuesday in January. The revocation shall be effective upon passage by the House and delivery to the office of the chief administrative officer of the other House during regular State working hours.

#### J. BUDGET RESOLUTIONS.

42. a. The chair of the Senate Budget and Appropriations Committee and the chair of the Assembly Budget Committee shall, during their respective committee deliberations on the subject of the Governor's budget recommendations transmitted to the Legislature for the ensuing State fiscal year, and at least 14 calendar days before the House shall pass an annual appropriations bill, accept resolutions made by members of either House and the State Treasurer that propose to add, delete or otherwise change revenues, line-items or language provisions in the Governor's budget recommendations, which resolutions shall be filed with either committee and shall be identified by the sponsor or sponsors. The sponsor or sponsors of a budget resolution shall set forth in detail therein each revenue, line-item or language provision proposed to be added, deleted or changed and append thereto a statement explaining the proposed changes and the reasons therefor. The sponsor or sponsors of a budget resolution shall append thereto a personal disclosure statement indicating whether the sponsor or the sponsor's family (the member's spouse, domestic partner or civil union partner, children, parents or siblings) have any employment relationship or business relationship with, or receive any compensation from, the intended recipient of any increased funding proposed in a budget resolution. All budget resolutions shall be filed with the committees at least 14 calendar days before the respective House shall pass an annual appropriations bill, except that budget resolutions may be filed with a committee thereafter in a manner to be determined by the Presiding Officer of each House for that House. All resolutions to be filed with either committee shall be delivered to the Legislative Budget and Finance Officer and shall be made available to the public through the Office of Legislative Services. The annual appropriations bill that shall pass both Houses shall contain only items proposed in the Governor's budget recommendations and items in budget resolutions filed pursuant to this Joint Rule.

b. Nothing in this Joint Rule shall preclude the Presiding Officer of either House from adopting limitations that are more restrictive than the procedures set forth in this Joint Rule or



requiring additional information be included in resolutions filed in their respective House.

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