

# ASSEMBLY CONCURRENT RESOLUTION No. 18

## STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman KAVANAUGH

1 A CONCURRENT RESOLUTION establishing joint rules for the consideration of  
2 initiative petitions submitted to the Legislature.

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4 BE IT RESOLVED by the General Assembly of the State of New Jersey  
5 (the Senate concurring):

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7 The Joint Rules of the Senate and General Assembly are amended by the  
8 addition of the following rules to be appropriately numbered:

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10 1. a. Any member of the Legislature who served as the legislative sponsor  
11 of an initiative petition to amend the Constitution, to enact a law or to repeal  
12 an existing law or any section or part thereof, pursuant to the provisions of the  
13 "Citizens' Initiative Act," P.L. , c. (C. ) (now pending before the  
14 Legislature as Assembly, No. of ), shall have the prerogative of  
15 introducing the bill or resolution which embodies that initiative petition, except  
16 that if the legislative sponsor has not introduced such a bill or resolution by the  
17 end of the second meeting of the house of which the sponsor is a member after  
18 certification of the bill or resolution by the Secretary of State pursuant to  
19 section 15 of that act, any other member of the Legislature may introduce the  
20 bill or resolution at the next succeeding meeting of the Legislature or any  
21 meeting thereafter. The bill or resolution shall be introduced in the form  
22 prepared by the Office of Legislative Services, pursuant to subsection f. of  
23 section 5 of that same act. Each such bill and resolution shall be numbered  
24 pursuant to the rules of the house in which it is introduced.

25 b. No member of the Legislature shall introduce in the house of which he  
26 is a member more than a total of four bills or resolutions submitted to the  
27 Legislature pursuant to the "Citizens' Initiative Act" during any biennial session  
28 of the Legislature.

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30 2. a. Each bill and resolution introduced in the Legislature pursuant to  
31 subsection a. of section 1 of these joint rules shall, after introduction and first  
32 reading, be referred to the standing reference committee with the greatest  
33 expertise in the subject matter contained in the bill or resolution.

1       b. Within two weeks after the bill or resolution has been referred to  
2 committee, the chairman thereof shall schedule no fewer than three public  
3 hearings on the bill or resolution. One of the public hearings shall occur during  
4 regular business hours in the city of Trenton. The other hearings shall begin no  
5 earlier than 5 p.m., with one occurring at a central location in the northern part  
6 of the State and one occurring a central location in the southern part of the  
7 State. The time and location of additional hearings shall be determined by the  
8 chairman, if the chairman deems such hearings to be in the public interest or  
9 if so determined by a majority vote of the members of the committee. The  
10 provisions of the "Open Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et  
11 seq.) shall apply to each hearing. The chairman shall make certain that each  
12 person who attends a hearing and wishes to testify is granted an opportunity  
13 to do so.

14       All of the hearings provided for by this subsection shall occur within six  
15 weeks after the bill or resolution has been referred to the committee.

16       c. At the conclusion of the last scheduled hearing of the committee on the  
17 bill or resolution or at a meeting to be held no later than one week after the last  
18 scheduled hearing, the committee shall determine by majority vote whether to  
19 release the bill "Favorably" or "Without Recommendation." No other motion  
20 to release or vote to release the bill or resolution shall be made or taken. No  
21 motions to amend the bill or resolution or to adopt a committee substitute bill  
22 or resolution or to change the bill or resolution in any way or otherwise impede  
23 its release from committee shall be permitted. Upon the release of a resolution  
24 to amend the constitution from the committee, all constitutional requirements  
25 necessary to place the amendment on the general election ballot shall be met  
26 subsequently in a timely fashion.

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28       3. a. Within one month after release of each resolution which proposes a  
29 constitutional amendment and each bill which proposes a law or the repeal of  
30 a law from the committee to which it was referred, the bill or resolution shall  
31 be posted by the house for third reading and final passage. No motions to  
32 move the bill or resolution back to second reading for purposes of amendment  
33 or to adopt a house substitute bill or resolution therefor or to change the bill  
34 or resolution in any way shall be permitted, except as provided by section 5  
35 of these joint rules.

36       b. Each such bill or resolution which receives a majority of the vote in its  
37 favor shall be declared passed and shall be referred to the other house of the  
38 Legislature. Each such bill or resolution which receives less than a majority of  
39 the vote in its favor while on third reading shall be declared to have failed and  
40 shall not be subject to any further action

1 by that house for the remainder of the biennial session of the Legislature.

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3 4. a. Each bill and resolution which is declared passed in one house of the  
4 Legislature shall be referred to the standing reference committee of the other  
5 house with the greatest expertise in the subject matter contained in the bill or  
6 resolution.

7 b. Within two weeks after the bill or resolution has been referred to  
8 committee, the chairman thereof shall schedule no fewer than two public  
9 hearings on the bill or resolution. One of the public hearings shall occur during  
10 regular business hours in the city of Trenton and the other shall begin no earlier  
11 than 5 p.m. at a central location in the central part of the State outside of the  
12 county of Mercer. Consideration of the bill or resolution shall be in  
13 accordance with the procedures established for such consideration in sections  
14 2 and 3 of these joint rules.

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16 5. Any bill or resolution which has been declared passed in one house of  
17 the Legislature and is on third reading in the other house may be substituted for  
18 a bill or resolution introduced in that house which is also on third reading  
19 therein, provided that: 1) the two bills or resolutions to be merged are  
20 identical; 2) the motion to substitute is made by the sponsor of the bill or  
21 resolution to be substituted for; and 3) the motion receives the concurrence of  
22 a majority of the members of the house.

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24 6. Each resolution which is declared passed in both houses of the  
25 Legislature shall not be subject to further action, except in the case of a  
26 resolution to amend the constitution.

27 Each bill which is declared passed in both houses of the Legislature shall  
28 be sent to the Governor for approval or veto. Each bill that receives an  
29 absolute or a conditional veto shall be deemed to have failed and shall not be  
30 subject to any further action for the remainder of the biennial session of the  
31 Legislature, except that nothing in these joint rules shall prohibit the Legislature  
32 from overriding an absolute veto by the Governor.

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34 7. Nothing in these joint rules shall preclude a member of the Legislature  
35 from introducing into one biennial session of the Legislature the same or a  
36 modified version of a bill or resolution which failed during the previous biennial  
37 session of the Legislature.

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39 8. This concurrent resolution shall expire upon the enactment of a  
40 substantially similar constitutional amendment.

## 1 STATEMENT

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3 This joint resolution establishes joint rules for the consideration of initiative  
4 petitions submitted to the Legislature.

5 It provides that any member of the Legislature who served as the legislative  
6 sponsor of the initiative petition has the prerogative of introducing the bill or  
7 resolution which embodies the proposed constitutional amendment, law or  
8 repeal of a law that has been submitted to the Legislature pursuant to the  
9 provisions of the "Citizens' Initiative Act," except that if the legislative sponsor  
10 does not introduce such legislation by the end of the second meeting of the  
11 house of which the sponsor is a member after certification of the bill or  
12 resolution by the Secretary of State, any other member of the Legislature may  
13 introduce that bill or resolution. No member shall introduce more than a total  
14 of four such bills or resolutions during any biennial session of the Legislature.

15 Each bill or resolution introduced would be referred to a standing reference  
16 committee and the committee would hold no fewer than three public hearings  
17 on the legislation: one in Trenton during regular business hours and one in the  
18 northern part of the State and one in the southern part of the State beginning  
19 no earlier than 5 p.m. At the conclusion of the last hearing, to be held no later  
20 than six weeks after introduction of the bill or resolution, or at a meeting to be  
21 held no later than one week after the last hearing, the members would vote  
22 only on whether to release the bill "Favorably" or "Without Recommendation"  
23 but could not amend it in any way. Within one month of the release, the bill  
24 would go to the full house for a vote. If defeated, no further action could be  
25 taken on it for the remainder of the biennial session; if passed, it would be  
26 referred to the other house for assignment to a committee, two public hearings  
27 (one in Trenton and one in the central part of the State outside of Mercer  
28 county beginning no earlier than 5 p.m.), automatic release and consideration  
29 by the full house within one month of release from committee.

30 If a bill is declared passed in both houses of the Legislature, it goes to the  
31 Governor for approval or veto. Any bill which receives an absolute or a  
32 conditional veto shall be deemed to have failed and shall not be subject any  
33 further action for the remainder of the biennial session of the Legislature,  
34 except that nothing in the joint rules shall prohibit the Legislature from  
35 overriding an absolute veto by the Governor.

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40 Establishes joint rules for consideration of initiative petitions submitted to the  
41 Legislature.