

SENATE CONCURRENT RESOLUTION No. 19

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senator LaROSSA

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 Senate of the State of New Jersey (the General
5 Assembly 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:

9 1. a. Any member of the Legislature who served as the legislative sponsor
10 of an initiative petition to amend the Constitution, to enact a law or to repeal
11 an existing law or any section or part thereof, pursuant to the provisions of the
12 "Citizens' Initiative Act," P.L. , c. (C.) (now pending before the
13 Legislature as Senate, No. of 199), shall have the prerogative of introducing
14 the bill or resolution which embodies that initiative petition, except that if the
15 legislative sponsor has not introduced such a bill or resolution by the end of the
16 second meeting of the house of which the sponsor is a member after
17 certification of the bill or resolution by the Secretary of State pursuant to
18 section 15 of that act, any other member of the Legislature may introduce the
19 bill or resolution at the next succeeding meeting of the Legislature or any
20 meeting thereafter. The bill or resolution shall be introduced in the form
21 prepared by the Office of Legislative Services, pursuant to subsection f. of
22 section 5 of that same act. Each such bill and resolution shall be numbered
23 pursuant to the rules of the house in which it is introduced.

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

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

33 b. Within two weeks after the bill or resolution has been referred to
34 committee, the chairman thereof shall schedule no fewer than three public
35 hearings on the bill or resolution. One of the public hearings shall occur during

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

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

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

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

33 b. Each such bill or resolution which receives a majority of the vote in its
34 favor shall be declared passed and shall be referred to the other house of the
35 Legislature. Each such bill or resolution which receives less than a majority of
36 the vote in its favor while on third reading shall be declared to have failed and
37 shall not be subject to any further action by that house for the remainder of the
38 biennial session of the Legislature.

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40 4. a. Each bill and resolution which is declared passed in one house of the
41 Legislature shall be referred to the standing reference committee of the other
42 house with the greatest expertise in the subject matter contained in the bill or
43 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 two 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 and the other shall begin no earlier
5 than 5 p.m. at a central location in the central part of the State outside of the
6 county of Mercer. Consideration of the bill or resolution shall be in
7 accordance with the procedures established for such consideration in sections
8 2 and 3 of these joint rules.

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

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

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

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28 7. Nothing in these joint rules shall preclude a member of the Legislature
29 from introducing into one biennial session of the Legislature the same or a
30 modified version of a bill or resolution which failed during the previous biennial
31 session of the Legislature.

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

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STATEMENT

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39 This joint resolution establishes joint rules for the consideration of initiative
40 petitions submitted to the Legislature.

41 It provides that any member of the Legislature who served as the legislative
42 sponsor of the initiative petition has the prerogative of introducing the bill or
43 resolution which embodies the proposed constitutional amendment, law or

1 repeal of a law that has been submitted to the Legislature pursuant to the
2 provisions of the "Citizens' Initiative Act," except that if the legislative sponsor
3 does not introduce such legislation by the end of the second meeting of the
4 house of which the sponsor is a member after certification of the bill or
5 resolution by the Secretary of State, any other member of the Legislature may
6 introduce that bill or resolution. No member shall introduce more than a total
7 of four such bills or resolutions during any biennial session of the Legislature.

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

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

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33 Establishes joint rules for consideration of initiative petitions submitted to the
34 Legislature.