



# NEW YORK STATE SENATE

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## BIPARTISAN OPERATING AGREEMENTS: NEW JERSEY

**FOR TIED LEGISLATURES IN OTHER STATES**

**AND THE U.S. SENATE**

JUNE 17, 2009



## BIPARTISAN OPERATING AGREEMENTS NEW JERSEY

### APPENDIX A-1

#### SUPPLEMENTAL RULES

*These Supplemental Rules are comprised of the relevant provisions of the 2002 Senate Organizational Resolution adopted January 8, 2002, as amended by a Senate Resolution adopted February 21, 2002.*

S1. Each Senate President shall have the powers and duties of the Senate President as more fully set forth in the Senate Rules, except as provided herein, and in statutory and constitutional law, but only one shall exercise them at a given time as further provided herein. Each Senate President shall exercise the powers and duties of the Senate President as more fully set forth in the Senate Rules, except as provided herein, and in statutory and constitutional law for the following periods:

a. Senate President Richard J. Codey: midnight of January 11, 2002 through January 31, 2002; the month of February, March 1 through March 8, the months of May, June, October, November and December of 2002; the months of March, April, July, August and September of 2003; January 1 to January 6, 2004.

b. Senate President John O. Bennett: noon of January 8, 2002 through midnight of January 11, 2002; March 9 through March 31, the months of April, July, August and September of 2002; the months of January, February, May, June, October, November and December of 2003; January 7 through January 12, 2004.

c. Each Senate President may delegate to the other the powers and duties of Senate President as provided herein during any absence from the State.

S2. a. The Senate President for the foregoing periods shall preside over the Senate and exercise the powers and duties set forth under Senate Rules 3:1 to 3:5, 3:8 to 3:10 and 2:1, 2:8, 4:1, 5:1, 6:1, 7:1 to 7:4, 8:1, 12:8, 12:10, 13:2, 14:1, 17:13, 20:3, 21:1a, 22:2b, 23:2, 23:3, 23:6, 23:7, 24:6 and 25:3.

b. In all other cases, except as provided in sections 10 through 16 (sections 11 through 16 are Supplemental Rules S3 through S8 respectively)\* of this Resolution, the powers and duties of Senate President under the Senate Rules, statutory law and Constitution, shall be exercised by each Senate President only with the consent of the other.

\* Section 10 of the 2002 Organizational Resolution adopted the Rules of the 2001 Senate for the 2002 Senate with certain changes which have been incorporated in the Rules.

S3. Four senators shall constitute a quorum for each standing reference committee to do business, except 6 senators shall constitute such a quorum in the case of the Judiciary Committee and 7 senators in the case of the Budget and Appropriations Committee. A quorum shall be required for any standing reference committee to adopt an amendment or release a bill or resolution.

S4. Notwithstanding any provision of Senate Rule 16:1 to the contrary, the Office of Legislative Services shall present to the Senate Presidents or their designees, a list of suggested committee references for bills proposed for introduction. The Presidents may jointly change any suggested references, but, in the event they should disagree, the suggested reference will be deemed to have their endorsement.

S5. Notwithstanding Senate Rule 3:6, the Senate Presidents shall each appoint one-half of the membership and a co-chair of each standing reference committee, who shall serve at the pleasure of their respective appointing President. During the inability of a member to serve, another Senator may be appointed in the same manner as that first designated. Unless otherwise agreed to by the co-chairs, the co-chair of the appointing President shall preside over the committee during the period in which the appointing President shall preside over the Senate pursuant to section 2 of this resolution. Whenever in these rules the term "chair" or "chairman" is used, it shall mean "co-chairs."

a. The co-chairs shall jointly post a list of bills and resolutions for the committee's consideration subject to the provisions of Senate Rule 12:3. If the co-chairs cannot agree on the list of bills within the time frame required for notice to the Senate and the Office of Legislative Services under Senate Rule 12:3b, each co-chair shall be entitled to list up to three bills without the consent of the other. The calendar may include up to six additional bills selected by mutual consent.

b. All bills or resolutions posted for the committee's consideration pursuant to subsection a. of this section shall be listed within the time frame required for notice to the Senate and the Office of Legislative Services under Senate Rule 12:3b.

S6. a. Notwithstanding Senate Rule 3:7, the Senate Presidents shall jointly prepare a Calendar of Bills and Resolutions for consideration by the Senate subject to the provisions of Senate Rule 17:7. If the Senate Presidents cannot agree on the Calendar of Bills within the time frame required for notice to the Senate under Senate Rule 3:7b., each President shall be entitled to post up to nine bills without the consent of the other. In addition, the Calendar may include additional bills selected by mutual consent. The Calendar may exceed 30 bills and resolutions only upon the mutual consent of the Senate Presidents and adoption of a motion by the Senate, and then only on bills of mutual consent.

b. The consideration by the Senate of concurrences with General Assembly amendments and the reconsideration of bills vetoed by the Governor, through either concurrence

with the Governor's recommendations or veto override shall not require the consent of the Senate Presidents and shall be added to the Calendar only upon the concurrence of the prime or co-sponsor of the bill or resolution.

c. The notice requirements of the President of the Senate under Senate Rule 3:7 shall be jointly exercised by the Presidents.

S7. Notwithstanding Senate Rule 3:11, the Senate Presidents shall jointly notify the Senators and the Office of Legislative Services of the dates and times when the Senate is scheduled to meet as provided therein.

S8. Notwithstanding Senate Rules 12:3, 12:7, 16:1f, 17:5, 20:1, Joint Rules 15, 25, 30 and 35, such powers and duties shall be exercised by each Senate President only with the consent of the other.

S9. Notwithstanding any provision to the contrary, a legislative committee may conduct public hearings or investigations only upon the joint direction of the Senate Presidents.

S10. In the event that neither of the two political or independent caucuses having the most senators has a majority of all senators, any vacancy in the office of senator shall be filled in the manner provided by law and such vacancy shall have no effect on these rules.

S11. This resolution shall take effect immediately; however, section 13a. and section 14a. (Supplemental Rules S5a. and S6a. respectively) shall expire on July 15, 2002 upon the prior written notification by either Senate President to the other of his desire to revise these provisions.