

2015-E1086

AMENDING section 2 of Rule II of the Assembly rules, in relation to hours in session; amending section 4 of Rule II of the Assembly rules, in relation to the floor calendar; amending section 1 of Rule III of the Assembly rules, in relation to the electronic submission of sponsors memos and the information provided on sponsors memos; amending paragraph f of section 2 of Rule III of the Assembly rules, in relation to positioning of bills in the second year of the term of the Assembly; amending section 2 of Rule III of the Assembly rules, in relation to public availability of fiscal impact notes; amending section 3 of Rule III of the Assembly rules, in relation to electronic submission of multi-sponsorship requests; amending paragraph a of section 5 of Rule III of the Assembly rules, in relation to copies of resolutions on member's desks; amending section 5 of Rule III of the Assembly rules, in relation to the introduction of privileged resolutions; amending paragraph a of section 1 of Rule IV of the Assembly rules, in relation to the Economic Development, Job Creation, Commerce and Industry Standing Committee; amending paragraph b of section 2 of Rule IV of the Assembly rules, in relation to written or electronic copies of committee agendas; amending paragraph e of section 2 of Rule IV of the Assembly rules, in relation to making committee votes available online; amending section 2 of Rule IV of the Assembly rules, in relation to the audio/video broadcast of committee meetings; amending paragraph a of section 4 of Rule IV of the Assembly rules, in relation to online publication of testimony from public hearings; amending section 5 of Rule IV of the Assembly rules, in relation to committee consideration; amending section 12 of Rule IV of the Assembly rules, in relation to selection of the assembly committee on conference committees; amending section 2 of Rule V of the Assembly rules, in relation to making floor votes available online; amending section 2 of Rule VII of the Assembly rules, in relation to posting expenditure

reports online; amending section 3 of Rule VIII of the Assembly rules, in relation to providing for an online FOIL form; and amending Rule X of the Assembly rules, in relation to providing prompt availability of an audio/video feed

RESOLVED, that section 2 of Rule II of the Assembly rules is amended to read as follows:

° 2. Hours in session. The House shall convene at 2:00 P.M. on Monday and 11:00 A.M. on other days unless otherwise ordered. No session shall extend beyond eight hours nor shall it occur between [12:00 A.M.] 10:00 P.M. and [6:00] 8:00 A.M. provided, however, the House may remain in session to complete action on a measure or measures being debated or to take action on a measure or measures if a message of necessity has been received from the governor in connection with such measure or measures or upon a majority vote of all of the members elected to the Assembly. For the purposes of this section, the passage of time shall be observed in accordance with section fifty-two of the general construction law and shall not include time that the House is in recess or standing at ease.

RESOLVED, that section 4 of Rule II of the Assembly rules is renumbered section 5 and a new section 4 is added to read as follows:

° 4. ASSEMBLY CALENDAR. ALL ASSEMBLY CALENDARS SHALL BE DELINEATED IN A FORM PRESCRIBED BY THE SPEAKER. EACH SUCH CALENDAR SHALL AS APPLICABLE, LIST BILLS ON SPECIAL ORDER OF SECOND AND THIRD READING, BILLS ON SPECIAL ORDER OF THIRD READING, BILLS ON ORDER OF THIRD READING, STARRED BILLS, AND RESOLUTIONS, AND SHALL FURTHER DELINEATE ANY BILLS NEWLY REPORTED TO THE CALENDAR, BILLS AMENDED ON THIRD READING, BILLS FOR WHICH THERE IS A HOME RULE MESSAGE, AND BILLS THAT REQUIRE A FISCAL NOTE

PURSUANT TO SECTION 50 OR 51 OF THE LEGISLATIVE LAW AND JOINT RULE I. THERE SHALL BE AN INDEX OF SUCH DELINEATED MATERIAL.

RESOLVED, that paragraph f of section 1 of Rule III of the Assembly rules is amended to read as follows:

f. Introducer's memorandum.

There shall be appended to every bill introduced in the Assembly, an introducer's memorandum setting forth the purpose of the bill, a summary of its provisions, a statement of its fiscal impact on the state AND ITS LOCALITIES, a statement of its impact on the regulation of businesses and individuals and a statement as to whether the bill imposes or changes any fine, term of imprisonment, forfeiture of rights or other penal sanction, together with the nature of such imposition or change [in a format and length to be prescribed by the Speaker]. Whenever a bill is amended by its sponsor, it shall be the duty of the sponsor to file an amended memorandum setting forth the same material as required in the original memorandum, AND DESCRIBING THE DIFFERENCES BETWEEN THE ORIGINAL AND AMENDED VERSIONS. In addition, whenever a bill is reported by a committee as amended, it shall be the duty of the committee to submit an amended memorandum. SUCH MEMORANDUM SHALL BE SUBMITTED IN A WRITTEN OR ELECTRONIC FORMAT TO BE PRESCRIBED BY THE SPEAKER.

RESOLVED, that subparagraph 2 of paragraph f of section 2 of Rule III of the Assembly rules is amended to read as follows:

(2) Any Assembly BILL INTRODUCED IN THE FIRST YEAR OF THE TERM OF THE ASSEMBLY, SHALL BE DEEMED TO BE REINTRODUCED FOR THE SECOND YEAR OF SUCH TERM AND REFERRED TO THE COMMITTEE WHERE THE BILL WAS LAST REFERRED, EXCEPT THAT: (I) ANY BILL THAT WAS LAST REFERRED TO THE COMMITTEE ON RULES SHALL BE REFERRED TO THE COMMITTEE THAT REPORTED THE BILL TO THE COMMITTEE ON RULES; (II) ANY BILL THAT WAS ON ORDER OF THIRD READING SHALL BE ORDERED TO THE ORDER OF THIRD READING; (III) ANY bill [which in the first year of the term of the Assembly] THAT was passed by the Assembly and did not become law, was not vetoed, or was substituted by a Senate bill which did not become law or [which] was not vetoed, [shall be deemed to be reintroduced for the second year of such term and] shall be ordered to the order of third reading, [except] AND FURTHER PROVIDED that:

(a) any such bill which in such first year required a FISCAL NOTE AS

REQUIRED BY SECTION 50 OF THE LEGISLATIVE LAW OR home rule message for passage shall be referred to the committee to which such bill was originally referred;

(b) upon request of the introducer or the chairperson of the committee to which such bill was originally referred, such bill shall be committed

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to the committee to which it was originally referred provided, however, such request may not be made later than the second Wednesday following the commencement of the second year of the term of the Assembly;

(c) any such bill making an appropriation of money which was not referred to a committee pursuant to the provisions of this paragraph, shall be referred to the Committee on Ways and Means; and

(d) upon the request of the chairperson of the Committee on Ways and Means, any bill not referred to a committee pursuant to subparagraph (a) or (b) of this paragraph, which in such first year was reported and referred to the Committee on Ways and Means pursuant to section six of Rule IV shall be committed to the Committee on Ways and Means provided, however, such request may not be made later than the second Wednesday following the commencement of the second year of the term of the Assembly.

RESOLVED, that section 2 of Rule III of the Assembly rules is amended by adding a new paragraph i to read as follows:

I. WHENEVER A BILL REQUIRES A FISCAL IMPACT NOTE PURSUANT TO SECTION 51 OF THE LEGISLATIVE LAW AND JOINT RULE I, OR A HOME RULE MESSAGE PURSUANT TO ARTICLE IX OF THE CONSTITUTION, SUCH FISCAL IMPACT NOTE OR RECORD OF RECEIPT OF THE HOME RULE MESSAGE SHALL BE MADE AVAILABLE THROUGH THE ASSEMBLY PUBLIC INFORMATION OFFICE, THE ASSEMBLY INTERNET SITE AND THE LEGISLATIVE RETRIEVAL SYSTEM.

RESOLVED, that subparagraph 1 of paragraph a of section 3 of Rule III of the Assembly rules is amended to read as follows:

(1) Multi-sponsors shall file a written OR ELECTRONIC request to act

as such with the Index Clerk of the Assembly on forms provided. The request so filed shall indicate that the first name appearing on the bill shall be deemed the introducer and all others deemed multi-sponsors.

RESOLVED, that paragraph a of section 5 of Rule III of the Assembly rules is amended to read as follows:

a. Original resolutions, concurrent or otherwise other than privileged resolutions may be introduced by a member under the proper order of business on or before the last Tuesday in May of the second year of the term of the Assembly. After the last Tuesday in May of such second year no such resolution shall be introduced except by the Committee on Rules or by message from the Senate or, with the consent of the Speaker, by members elected at a special election who take office on or after the last Tuesday in May. Such resolutions shall be in quadruplicate and bear the name of the introducer and shall be referred to a standing committee for consideration and report. No such resolution may be introduced unless copies thereof first shall have been furnished to the Speaker, the Majority Leader and the Minority Leader. Before the House may vote on a resolution, copies of such resolution shall be placed on each member's desk prior to such vote IN WRITTEN OR ELECTRONIC FORMAT.

RESOLVED, that subparagraph 8 of paragraph b of section 5 of Rule III of the Assembly rules is amended to read as follows:

(8) resolutions in [memorium] MEMORIAM or honorific in nature, PROVIDED, HOWEVER, THAT SUCH RESOLUTIONS SHALL BE PLACED ON EACH MEMBER'S DESK IN EITHER WRITTEN OR ELECTRONIC FORMAT PRIOR TO THEIR CONSIDERATION.

RESOLVED, that paragraph a of section 1 of Rule IV of the Assembly rules is amended to read as follows:

a. The standing committees shall be as follows:

Name of Committee Number of Members

Aging 30

Agriculture 23

Alcoholism and Drug Abuse	14
Banks	31
Children and Families	17
Cities	16
Codes	22
Consumer Affairs and Protection	16
Corporations, Authorities and Commissions	26
Correction	13
Economic Development, JOB CREATION, COMMERCE AND INDUSTRY	26
Education	31
Election Law	16
Energy	17
Environmental Conservation	30
Ethics and Guidance	8
Governmental Employees	14
Governmental Operations	14
Health	26
Higher Education	26
Housing	28
Insurance	25
Judiciary	21
Labor	29
Libraries and Education Technology	9
Local Governments	20
Mental Health	13
Oversight, Analysis and Investigation	7
Racing and Wagering	11
Real Property Taxation	10
Rules	31
Small Business	17

Social Services	18
Tourism, Parks, Arts and Sports Development	21
Transportation	26
Veterans' Affairs	19
Ways and Means	35

RESOLVED, that paragraph b of section 2 of Rule IV of the Assembly rules is amended to read as follows:

b. Each chairperson of a standing committee shall, by the Thursday of the week preceding, furnish to the Speaker, the Majority and Minority

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Leaders, and make available IN WRITTEN OR ELECTRONIC FORMAT to each member of such committee, a copy of the agenda of all meetings scheduled for the following week, together with a copy of the introducer's memorandum for each bill listed on such agenda. Further, each chairperson shall furnish to the Speaker, the Majority and Minority Leaders and to the ranking minority member of such committee, a list of all bills referred to such committee to date together with the above agenda and memoranda. In addition, copies of such agenda shall be made available not later than such Thursday to representatives of the news media and to the general public by the filing thereof with the Legislative Library and the Assembly Public Information Office, AND SHALL BE MADE AVAILABLE ON THE ASSEMBLY INTERNET SITE AND THE LEGISLATIVE RETRIEVAL SYSTEM. The notice provisions of this subdivision and of subdivision c shall not apply to the Committee on Rules. Nothing contained in this subdivision shall be deemed to waive any of the provisions of article seven of the Public Officers Law known as the "Open Meetings Law".

RESOLVED, that paragraph e of section 2 of Rule IV of the Assembly rules is amended to read as follows:

e. At the conclusion of a committee meeting the committee clerk of such committee shall deliver to the Office of Journal Operations a roll call on each of the bills considered by the committee and on each vote to hold an executive session indicating the attendance of the members

and the ayes and nays. Such roll call shall be reproduced not later than 24 hours after transmittal to such Office and shall be made available for inspection by the general public and representatives of the news media in the Assembly Public Information Office, THE ASSEMBLY INTERNET SITE AND THE LEGISLATIVE RETRIEVAL SYSTEM.

RESOLVED, that section 2 of Rule IV of the Assembly rules is amended by adding a new paragraph g to read as follows:

G. THE AUDIO AND/OR VIDEO BROADCAST OF COMMITTEE MEETINGS SHALL BE MADE AVAILABLE ON THE ASSEMBLY INTERNET SITE WHEN PRACTICABLE, AND SHALL BE SUBJECT TO THE SAME REQUIREMENTS AS APPLY TO TELEVISED PROCEEDINGS OF ASSEMBLY SESSIONS PURSUANT TO RULE X.

RESOLVED, that paragraph a of section 4 of Rule IV of the Assembly rules is amended to read as follows:

a. During each legislative session, chairpersons of standing committees may call public hearings to permit interested persons, groups or organizations the opportunity to testify orally or in writing on legislation or other matters pending before such standing committee provided, however, that each chairperson shall call such public hearings upon a petition signed by a majority of the members of the committee. SUCH TESTIMONY IF SUBMITTED IN WRITING SHALL BE POSTED ON THE ASSEMBLY INTERNET SITE TO THE EXTENT PRACTICABLE.

RESOLVED, that section 5 of Rule IV of the Assembly rules is amended to read as follows:

° 5. Consideration of bills; requests by sponsor. a. Each standing committee may consider any bill referred to it at any time if otherwise in conformity with these Rules. (1) In considering any bill, a standing committee may vote favorably, unfavorably or to hold the bill for further action and/or study, provided, however, that a motion to hold which fails shall not be deemed to satisfy a request for consideration. Insofar as may be practicable, each standing committee shall vote upon such bills in the order in which such requests are filed, provided,

however, that a chairperson may schedule the consideration of bills jointly if such bills deal with similar subject matter. [Committees having original jurisdiction over bills upon which a request for consideration has been filed shall schedule all such bills for committee consideration by the third Tuesday in May of the second year of the term of the Assembly.]

(2) No bill shall be considered by a standing committee unless the final printed copy of the bill has been available to each member of the committee for at least seven days and copies thereof have been available to the general public and representatives of the news media for at least such period of time. A bill reported by a standing committee with amendments shall not be deemed to be a new bill for the purposes of the provisions of this subdivision requiring bills to be available for at least seven days prior to consideration by a standing committee.

Provided, however, that upon consent of a majority of the members of such committee, any bill which is not in compliance with the foregoing provisions of this paragraph, may be transmitted to the Committee on Rules for further action in accordance with the provisions of subparagraph (b) of paragraph one of subdivision b of section ten of this Rule.

b. The sponsor of a bill referred to a standing committee may require the committee to formally vote upon such bill by filing a request therefor on an appropriate WRITTEN OR ELECTRONIC form to be furnished by the Office of Journal Operations. With respect to such request for consideration:

(1) The clerk of each standing committee, upon receiving such a request must immediately issue a receipt therefor acknowledging the date and time of filing;

(2) Requests for consideration may be submitted on bills that are printed, as follows:

(a) no later than the [second] LAST Tuesday in [April] MARCH of the second year of the term of the Assembly, except that after the [second] LAST Tuesday in [April] MARCH of such second year through the [first]

THIRD Tuesday in [May] APRIL each member may submit a total of five additional requests for consideration with a committee of original jurisdiction, and a copy of such additional request shall be filed by the Committee Clerk with the Committee on Standing Committees. COMMITTEES HAVING ORIGINAL JURISDICTION OVER BILLS UPON WHICH A REQUEST FOR CONSIDERATION HAS BEEN FILED SHALL SCHEDULE ALL SUCH BILLS FOR COMMITTEE CONSIDERATION BY THE FIRST TUESDAY IN MAY OF THE SECOND YEAR OF THE TERM OF THE ASSEMBLY; and

(b) in the case of a bill that is referred to a subsequent standing committee, such request shall be submitted within thirty days after such referral;

(3) Except with respect to bills referred to a standing committee

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pursuant to the provisions of [paragraph] ITEM (III) OF SUBPARAGRAPH two of [subdivision] PARAGRAPH f of section two of Rule III, requests for consideration of any bill introduced by or at the request of a member may be made only once in any two-year term of the Assembly;

(4) Once a committee has acted pursuant to such request, such committee shall not be required, during such two-year term, to again consider such bill or to consider any substantially duplicative bill introduced by, or at the request of such member subsequent to the consideration of such bill by the committee; and

(5) With respect to a bill sponsored by the Committee on Rules at the request of a member, either the Committee or the member at whose request the bill has been introduced may file a request for consideration.

(6) IN ADDITION TO THE FOREGOING PROVISIONS OF THIS SECTION, SPONSORS MAY FILE REQUESTS FOR COMMITTEE CONSIDERATION FOR UP TO FIVE INDIVIDUAL BILLS IN THE FIRST YEAR OF THE TWO YEAR TERM AS FOLLOWS:

(A) NO LATER THAN THE SECOND TUESDAY IN APRIL OF THE FIRST YEAR OF THE TERM OF THE ASSEMBLY, EACH MEMBER MAY SUBMIT A TOTAL OF FIVE BILL REQUESTS FOR CONSIDERATION WITH A COMMITTEE OF ORIGINAL JURISDICTION,

PROVIDED, HOWEVER, THAT NO MEMBER SHALL SUBMIT MORE THAN ONE OF THESE FIVE BILL REQUESTS WITH THE SAME STANDING COMMITTEE, AND A COPY OF SUCH REQUEST SHALL BE FILED BY THE COMMITTEE CLERK WITH THE COMMITTEE ON STANDING COMMITTEES. COMMITTEES HAVING ORIGINAL JURISDICTION OVER BILLS UPON WHICH A REQUEST FOR CONSIDERATION HAS BEEN FILED SHALL SCHEDULE ALL SUCH BILLS FOR COMMITTEE CONSIDERATION BY THE FIRST TUESDAY IN MAY OF THE FIRST YEAR OF THE TERM OF THE ASSEMBLY; AND

(B) IN THE CASE OF A BILL THAT IS REFERRED TO A SUBSEQUENT STANDING COMMITTEE, SUCH REQUEST SHALL BE SUBMITTED WITHIN THIRTY DAYS AFTER SUCH REFERRAL.

RESOLVED, that section 12 of Rule IV of the Assembly rules is amended to read as follows:

° 12. Assembly Committee on Conference Committees. There shall be an Assembly Committee on Conference Committees to consist of five members; provided, however that there shall be at least one minority member on such committee. [Members of such committee shall be selected from among Assembly leadership positions.] The Speaker shall appoint the chairperson from among the membership of the committee. Such committee shall meet at least once a month during the regular Legislative Session, excluding January, and as necessary to review legislation passed by both houses for the purpose of making recommendations for the convening of conference committees pursuant to Joint Rule II of the Permanent Joint Rules of the Senate and Assembly. The committee shall review requests for conference committee made by the introducer of legislation. Recommendations issued by the committee must be in writing and indicate any dissenting opinion. Meetings of the Assembly Committee on Conference Committees shall be subject to the provisions of article seven of the Public Officers Law known as the "Open Meetings Law".

RESOLVED, that paragraph e of section 2 of Rule V of the Assembly rules is amended to read as follows:

e. Copies of all roll calls, INCLUDING ALL RECORDED PROCEDURAL VOTES, shall be made available to the Majority and Minority Leaders and repre-

sentatives of the news media within thirty minutes after completion thereof and, as soon as practicable thereafter, shall be made available for public inspection at a place designated by the Speaker, AND MADE

AVAILABLE ON THE ASSEMBLY INTERNET SITE AND THE LEGISLATIVE RETRIEVAL SYSTEM.

RESOLVED, that section 2 of Rule VII of the Assembly rules is amended to read as follows:

° 2. Expenditure reporting. Not later than January thirty-first, nineteen hundred ninety-six, the Speaker shall cause the establishment of a system of expenditure reporting whereby expenditures of the House shall be reported by such categories as he or she shall determine. Reports of expenditures by such system shall be published in a WRITTEN AND ELECTRONIC form to be prescribed by the Speaker, and shall report on all expenditures of the House during each preceding reporting period. SUCH REPORT SHALL BE MADE AVAILABLE ON THE ASSEMBLY INTERNET SITE.

RESOLVED, that section 3 of Rule VIII of the Assembly rules is amended to read as follows:

° 3. Public information office. There shall be an Assembly Public Information Office to provide and disseminate information to the media and to the general public in accordance with the provisions of the "Freedom of Information Law" and this rule. THE ASSEMBLY INTERNET SITE SHALL INCLUDE AN ONLINE REQUEST FORM FOR ANY REQUEST OF RECORDS SUBMITTED UNDER THE "FREEDOM OF INFORMATION LAW" AND THIS RULE, AND SHALL INCLUDE A GUIDE TO THE PUBLIC INSPECTION AND COPYING OF LEGISLATIVE RECORDS.

RESOLVED, that Rule X of the Assembly rules is amended by adding a new section 3 to read as follows:

° 3. ALL TELEVISED PROCEEDINGS AS PROVIDED FOR IN THIS RULE SHALL BE MADE AVAILABLE PROMPTLY ON THE ASSEMBLY INTERNET SITE.

RESOLVED, that the foregoing amendments to the RULES OF THE ASSEMBLY take effect December 31, 2016.