

ASSEMBLY RESOLUTION No. 166

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED SEPTEMBER 29, 2014

Sponsored by:

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Amends Rule 2:2 of the permanent Rules of the General Assembly concerning quorum.

CURRENT VERSION OF TEXT

As introduced.



1 AN ASSEMBLY RESOLUTION to amend Rule 2:2 of the permanent
2 Rules of the General Assembly concerning quorum.

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4 BE IT RESOLVED by the General Assembly of the State of New
5 Jersey:

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7 1. Rule 2.2 is amended to read as follows:

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9 **2:2 Quorum.**

10 a. Forty-one or more members shall constitute a quorum.

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

15 (1) By a member's attendance at the meeting of the General
16 Assembly and response to the quorum call;

17 (2) By a member's personal communication with the Office of
18 the Clerk, by communication equipment providing identification of
19 the member. The member shall express the intent to be included in
20 the quorum for that meeting of the General Assembly and state that
21 the member is within the State of New Jersey in order to be
22 included in the quorum. The Speaker shall provide the members
23 with written procedures for inclusion in the quorum by use of
24 communication equipment; or

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

28 c. A quorum must be determined as in subsection b. during the
29 span of four hours prior to and four hours after the time of the
30 quorum call as scheduled by the Speaker. The Speaker may expand
31 that time for good cause. Once included in the quorum, the member
32 is not required to remain at the meeting of the General Assembly, a
33 meeting of a standing reference committee, or in contact with the
34 Office of the Clerk by means of communication equipment in order
35 for a quorum to be determined and the meeting of the General
36 Assembly to continue until adjournment. By authorizing the Clerk
37 to include the member in determining a quorum, or by the
38 member's attendance at a meeting of a standing reference
39 committee as in subsection b.(3), the member authorizes staff to
40 include the member in the quorum on the voting board.

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42 2. This resolution shall take effect immediately.

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

Matter underlined thus is new matter.

STATEMENT

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This resolution amends Rule 2:2 of the Rules of the General Assembly with regard to establishing a quorum at meetings of the General Assembly where bills or resolutions will not be considered on final reading, reenactment, or veto override and where the routine business of the General Assembly will be conducted. This resolution recognizes the current common use of communication equipment that did not exist in 1947 when the Constitution was adopted. It also maintains transparency in the legislative process and requires the direct consent of at least 41 members of the General Assembly, present within the State of New Jersey, for the conduct of routine business. The requirement that the members be within the State to consent to inclusion in the quorum by communication equipment is intended to ensure the member's personal presence at the meeting if required by an unforeseen emergency.

The resolution, in subsection b., creates a modern standard for establishing a quorum on days when no votes are to be taken by the General Assembly on bills or resolutions on final reading, reenactment, or veto override, but routine business is to be conducted. Subsection b. allows a member to consent to the conduct of routine business in one of three ways: the first is the traditional response to a quorum call by a member in attendance at the meeting as recorded by the Clerk; the second is by a member's personal communication with the Office of the Clerk using communication equipment that provides identification of the member; and the third is by the member's attendance at a meeting of a standing reference committee during the time to determine a quorum. The resolution directs the Speaker to transmit to the members, in writing, the type of communication equipment and procedures that must be used to remotely consent to inclusion in the quorum. It is anticipated that the procedures may include telephonic communication and communication by e-mail. The use of communication equipment to participate in public meetings is authorized by the "Senator Byron M. Baer Open Public Meetings Act" (N.J.S.A. 10:4-6 et seq.) and this resolution draws generally on the experience of that law to modernize the Rules of the General Assembly.

The resolution, in subsection c., specifies that when bills or resolutions are not being considered on final reading, reenactment, or veto override, a quorum may be established and continue until adjournment without members remaining in attendance after responding to the quorum call, without remaining in contact with the Clerk's office via communication equipment, or without remaining in attendance at a meeting of a standing reference committee.