

# JOINT RULES OF SENATE AND HOUSE OF DELEGATES

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## Joint Assembly

1. Whenever there shall be a joint assembly of the two houses, a brief account of the proceedings shall be entered upon the Journal of each house, except in the joint assembly for counting votes for state officers.

**Clerk's Note:** It is the custom to hold joint assemblies in the House Chamber and they are presided over by the Speaker. In such sessions the Clerk of the House acts as Clerk, assisted by the Clerk of the Senate. The President of the Senate is given a seat to the right of the Speaker and seats are arranged for the members of the Senate.

## Joint Assembly to Open and Publish

### Election Returns

2. As soon as the Senate, being organized, is informed that the House of Delegates is ready to proceed, as provided by section three of article seven of the Constitution, to open and publish the returns of the election for state officers, the Senate, preceded by its President and other officers, shall repair in a body to the hall of the House of Delegates. Upon their arrival the Sergeant at Arms of the House of Delegates shall announce the presence of the Senate. The President of the Senate shall then address the Speaker of the House, stating that a majority of the Senate has assembled in the hall of the House of Delegates to be present at the opening and publishing of the returns of the elections for State officers, held on the \_\_\_\_\_ day of \_\_\_\_\_. The Speaker of the House of Delegates shall invite the President of the Senate to a seat upon his right, and the other members of the Senate and officers thereof to take seats assigned to them, and after announcing that a majority of the House of Delegates is present, shall then open and publish the returns of said election, proceeding by counties in alphabetical order, the Clerks of the two houses each taking down the returns as announced by the Speaker, to be entered upon the Journal of the House, and when completed and tabulated the Speaker shall announce the votes received by each person voted for, for each of said offices, and those receiving the largest

number of votes, shall be by him declared duly elected; and the Senate shall then return to its hall, and if any two or more candidates for any of said offices have an equal and the highest number of votes for the same office, the two houses shall immediately proceed to choose one of such persons for said office by a joint vote, as provided by Section 3 of Article VII of the Constitution.

### **Disagreement and Conference**

3. (a) Whenever a measure of one house is amended in the other and the house in which it originated shall refuse to concur in the amendment, the house amending the measure may either insist or recede therefrom. But when a measure originating in one house is amended in the other, the house in which it originated may amend such amendment and a motion therefor shall take precedence of a motion to concur. If said house refuses to concur, the other house may either recede from or insist upon its amendment, and a motion to recede shall take precedence of a motion to insist. The motion to lay on the table or to postpone indefinitely shall not be in order in respect to the motion to recede from or to insist.

A motion to recede having failed shall be equivalent to the adoption of a motion to insist and shall be so entered upon the Journal. A motion to insist being decided in the negative shall be equivalent to the adoption of a motion to recede and shall be so entered upon the Journal. If the motion to insist prevails, the house so insisting shall request a committee of conference on the subject of disagreement, and shall appoint a committee therefor. The other house may thereupon appoint such committee. Unless a different number is agreed upon, such conference committee shall consist of five members from each house.

Such committee shall consider and report upon only the subject matter of the amendment or amendments which were in disagreement, with necessary consequential changes. The committee shall meet at a convenient time, to be agreed upon by their chairmen, and upon notifying all conferees of the time and place of any such meeting, and having conferred freely, shall report to their respective houses the result of the conference. In case of agreement, the report shall be first made, with the papers re-

ferred accompanying it, to the house which refused to concur, and there acted upon; and such action, with the papers referred, shall be immediately reported by the Clerk to the other house. In case of disagreement, the papers shall remain with the house in which the measure originated. If an agreement is reached, the report shall be made and signed in duplicate by at least a majority of the conferees from each house, one of the duplicates being retained by the conferees of each house.

(b) With respect to any conference agreed to within the first fifty-one days of a regular session, the conference committee shall report to each house within seven days of agreement to conference or be discharged, except that upon a concurrent resolution duly adopted by a majority of those present and voting in each house, the President of the Senate and Speaker of the House of Delegates may extend the conference not to exceed an additional three days. In no event shall a conference committee report to each house later than 6:00 P.M. on the sixtieth day.

With respect to any conference agreed to after the fifty-first day of a regular session, or any time during any extraordinary session, the conference committee shall report to each house within three days after agreement to conference or be discharged, except that such conference may be extended by concurrent resolution duly adopted by a majority of those present and voting in each house, for a period not to exceed one additional day. In no event shall a conference committee report to each house later than 6:00 P.M. on the sixtieth day.

Any conference committee which fails to report within the time limits established by this rule shall be deemed to be discharged, and the papers referred shall remain with the house in which the measure originated.

Any conference report shall, upon recognition by the presiding officer, be communicated to each house by its Clerk and made available to members of each house. Each house shall designate a location or office where copies of such report shall be made available. The Clerk shall communicate availability of conference reports by an announcement to the members of said house during the session. Such announcement can be made at any time upon recognition by the presiding officer, and the Clerk shall

duly note the time of said announcement. Except as provided herein, the conference report shall lie over one day and shall not be considered in either house until at least the next day following, but thereafter it shall be proper to take up consideration of the conference report at any time otherwise permitted by the rules of such house whether or not such house met on the preceding day: *Provided*, That after the fifty-ninth day of any regular session or on any day of any extraordinary session a conference committee report may be considered the same day if availability of written copies of such report is communicated to that house while in session at least two hours prior to any consideration: *Provided, however*, That the conference report may be taken up for immediate consideration at any time by two-thirds vote of the members of that house present.

Nothing herein shall affect the right of the presiding officer of either house to appoint or discharge any conference committee as heretofore provided, such right to appoint and discharge such committee being subject to the rules of each respective house.

The provisions of subsection (b) above shall not apply to the Budget Bill.

**Effect of 1987 amendment.** The amendment added a notice requirement of conferees and inserted all remaining language in the rule, beginning with subdivision (b).

### **Messages Between the Houses**

4. When a message is sent by one house to the other, it shall be announced at the door of the house to which it is sent, by the Doorkeeper thereof, if it be in session, and then be respectfully communicated to the presiding officer by the person by whom it may be sent, but no message shall be received during a call of the roll. But the Clerk of one house may communicate a message to the Clerk of the other after adjournment, and any message so sent shall be received by the house to which it is sent whenever it may be in session.

### **Bill Processing**

5. (a) In every regular session beginning after the effective date of this rule, legislation recommended by the Governor or by

executive departments or agencies is requested to be filed in the respective Clerks' offices and a copy sent to Legislative Services, no later than the tenth day of each regular session of a Legislature.

(b) No bill or joint resolution shall be considered on third reading in its house of origin after the fiftieth day, unless authorization shall be granted by a concurrent resolution adopted by a two-thirds vote of the members present of both houses: *Provided*, That the Budget Bill, or any salary or supplementary appropriation bills may be considered at any time.

(c) This rule may be suspended by adopting a concurrent resolution approved by a two-thirds majority of those present and voting in each house. A house desiring to suspend this rule may adopt a concurrent resolution and proceed as if the concurrent resolution had been adopted in both houses and the rule suspended. Any bill or joint resolution passed pursuant to such concurrent resolution may be communicated to the other house with the concurrent resolution or at any time after the concurrent resolution has been communicated to the other house. The other house may proceed to consider such bill or joint resolution only after adopting the concurrent resolution.

The provisions of this rule shall not apply to any extended regular session or to any extraordinary session. (Reg. Sess., 1987), (SCR 2, Reg. Sess., 1988)

**Effect of 1987 amendment.** A new Rule 5 was added, the principal elements being the filing of Governor's bills with the respective Clerks by the tenth day of each regular session and the provision prohibiting the consideration of bills in their house of origin on third reading after the fifty-third day. Provisions for suspension of the rule are also set forth.

**Effect of 1988 amendment.** Limited provisions of Rule 5 to regular session only.

**Effect of 2003 amendment.** Changing the provisions prohibiting the consideration of bills in their house of origin on third reading after the fifty-third day to the fiftieth day.

### **Processing of Bills Authorizing the Promulgation of Proposed Legislative Rules; Duplication and Distribution of Proposed Legislative Rules.**

5a. A “bill authorizing the promulgation of proposed legislative rules” or a “bill of authorization” is a measure intended to be enacted as general law, which incorporates by reference a proposed legislative rule, with or without amendments or substitutions set forth in the bill, and which authorizes the promulgation and implementation of the proposed legislative rule. The processing of bills authorizing the promulgation of proposed legislative rules shall be governed by the standing rules of the Senate and the House of Delegates, which are supplemented by the provisions of this joint rule. In the case of any conflict between this rule and a standing rule of the Senate or the House of Delegates, the provisions of this rule shall control.

(1) The requirement of either house that bills shall be presented in quadruplicate applies to bills authorizing the promulgation of proposed legislative rules, but does not apply to the proposed legislative rule which the bill incorporates by reference. Of the quadruplicate copies, only the designated original copy shall have appended thereto the full text of the proposed legislative rule as finally approved by the agency seeking permission for its promulgation. Other copies of the full text of the proposed legislative rule shall be made available to members of the Legislature as hereinafter provided.

(2) Copies of the full text of each proposed legislative rule shall be reproduced by printing or duplication by the Clerk prior to, or as soon as is reasonably practicable after, the introduction of the bill which would authorize by law the promulgation of the proposed legislative rule. Prior to such printing or duplication, a notation shall be affixed to the proposed legislative rule which identifies the bill number of the introduced bill which would authorize its promulgation and which also identifies the committee or committees of the house to which the bill is to be referred by the presiding officer following its introduction. Otherwise, the copies printed or duplicated shall conform to the copy of the proposed legislative rule appended to the original bill, so as to facilitate the consideration and amendment of the rule throughout the legislative process.

(3) The Clerk shall furnish to any member, upon his or her request, without cost, one copy of the full text of a proposed legis-

lative rule as reproduced by the Clerk in accordance with the provisions of subsection (2) of this joint rule. For any request for an additional copy or copies of the proposed legislative rule, the member requesting the copy or copies shall pay to the Clerk, in advance, a charge which the Clerk has reasonably determined to be adequate to cover the actual cost of the printing or duplication: *Provided*, That the provisions herein for the Clerk to furnish a member with an additional copy or copies, with a cost charged, may not interfere with or delay the prompt and otherwise timely consideration of bills of authorization by the house or its committees or subcommittees.

(4) Whenever the standing rules of either house require the printing or reprinting of a bill, the rules apply to bills authorizing the promulgation of a proposed legislative rule with the same force and effect as they apply to other bills. However, no printing or reprinting of the proposed legislative rule which is incorporated by reference in the bill of authorization shall be required, other than the printing required by subsection (2) of this joint rule.

(5) Whenever the standing rules of either house require a bill to be read, or fully and distinctly read, the rules apply to bills authorizing the promulgation of a proposed legislative rule with the same force and effect as they apply to other bills. However, no reading of the proposed legislative rule which is incorporated by reference in the bill of authorization shall be required. (HCR 3, Reg. Sess., 1994)

**Effect of 1994 amendment.** The amendment added a new rule, setting forth the procedure to be followed in processing bills authorizing the promulgation of proposed legislative rules. The rule requires that the full text of the proposed legislative rule as finally approved by the agency seeking permission for its promulgation be appended to the designated original copy of such introduced bill.

### **One House to Notify Other of Rejection of Bill**

6. When a bill or resolution passed in one house is rejected in the other, notice thereof shall be sent to the house in which the same shall have been passed.

### **Record of Bills**

7. The Clerks of the two houses shall keep separate records or

registers, in which shall be recorded every action taken by the Senate and House on each bill and resolution.

### **Clerks to Endorse Bills**

8. The Clerks of the two houses shall endorse on each bill a statement of any action taken by their respective bodies.

### **Notice to Be in Writing**

9. Notice to either house of the action of the other shall be in writing, signed by the Clerk of the house giving such notice.

### **Each House to Have Control of Own Printing**

10. Each house may order the printing of bills, resolutions, reports, and other documents without the consent of the other.

### **Joint Committees**

11. Joint standing committees of the Senate and House shall be appointed as follows:

(1) *Joint Committee on Enrolled Bills* —To consist of five members from each house.

(2) *Joint Committee on Joint Rules* —To consist of the presiding officers and two members of each house, to be appointed by the presiding officers.

(3) Such other joint committees as may be provided for by concurrent resolution. A bill or resolution referred to a joint committee may be recalled from such committee by the House in which it originated. (SCR 1 and SCR 19, Reg. Sess., 1965)

**Effect of 1965 amendments.** The rule was amended by SCR 1 to increase the membership of the Joint Committee on Government and Finance from five to seven members from each house; and SCR 19 amended the rule by eliminating all reference to the Joint Committee on Government and Finance. The latter amendment was a result of making the committee a statutory body (Code 4-3).

### **Engrossed Bills to Be Filed with Clerk of the House**

12. All engrossed bills passed by, and joint and concurrent resolutions adopted by, both houses shall be filed with the Clerk of

the House to be kept with the rolls of the Legislature and to be used by him in printing and publishing the Acts of the Legislature.

### **Joint Committee on Enrolled Bills**

13. The Joint Committee on Enrolled Bills shall consist of five members of the Senate and five members of the House of Delegates, to be appointed by the presiding officer of each house, whose duty it shall be to compare carefully all bills and joint resolutions passed by both houses, with the enrollment thereof, and to correct any errors or omissions they may discover and to make reports to their respective houses from time to time, of the correctly enrolled bills or joint resolutions. It shall be in order for the Joint Committee on Enrolled Bills to report at any time.

### **Printing Enrolled Bills**

14. After a bill has been passed by both houses, the type from which it was originally printed shall be corrected as to any typographical errors that may not previously have been corrected and to include any amendments that may have been made by either house since the last printing of the bill. After the type has been so corrected, three hundred fifty copies of the bill shall be printed (except charter bills, of which only twenty-five of each shall be printed). Twelve of these copies shall be on seven and one-fourth by ten bond paper, twenty-pound basis of at least fifty percent rag content for the use of the Joint Committee on Enrolled Bills, one of which copies, when properly authenticated, shall become the Enrolled Bill, and the remainder shall be on twenty-pound basis, sulphite bond paper. From these copies all judges shall be furnished enrolled bills as provided for in section fourteen, article one, chapter four of the code. In the case of enrolled bills authorizing the promulgation of a proposed legislative rule, a copy of the full text of the proposed legislative rule which the bill incorporates by reference shall be appended to the bill which has been properly authenticated and designated to be the Enrolled Bill. The copy appended to the Enrolled Bill shall conform to the copy of the full text of the proposed legislative rule appended to the introduced bill. Copies of the proposed legislative rule shall not be appended to the additional copies of the enrolled bill. Following action by the Governor, or the failure or refusal of the Governor to approve or disapprove a bill of authorization, the copy of the En-

rolled Bill with the proposed legislative rule appended shall be the copy of the bill filed with the Secretary of State in accordance with the provisions of Rule 18 of these Joint Rules. (HCR 2, 1st Ex. Sess., 1968; HCR 3, Reg. Sess., 1994)

**Effect of 1968 amendment.** The number of enrolled bills to be printed was increased from 200 to 350 copies.

**Effect of 1994 amendment.** The last four sentences were added to the rule, stipulating that in cases of enrolled bills authorizing the promulgation of a proposed legislative rule, a copy of the full text of such proposed legislative rule shall be appended to one of the four copies of the enrolled bill presented to the Governor. Following the Governor's action, such bill is to be filed with the text of the legislative rule with the Secretary of State.

### **Authentication of Enrolled Bills**

15. Enrolled Bills shall be authenticated by the signature of the chairman of the House Committee and the chairman of the Senate Committee, composing such Joint Committee on Enrolled Bills, but in the absence of such chairman another member of the committee may act in his stead, and they shall require all bills and joint resolutions before such authentication to be free from interlineations or erasures and destroy any previous enrollment containing any interlineation or erasures. A certificate, showing in which house the bill originated and when it takes effect, signed by the clerks of the two houses, shall be endorsed on the bill. After enrolled bills and joint resolutions are authenticated as aforesaid, they shall be signed by the Speaker of the House and by the President of the Senate.

### **Presenting Bills to Governor**

16. After a bill shall have thus been signed in each house, it shall be presented by the said committee to the Governor, for his approval. The said committee shall report the day of presentation to the Governor, which time shall be entered on the Journal of each house.

### **Record of Enrolled Bills**

17. It shall be the duty of the Committee on Enrolled Bills to keep a record book of all bills presented to the Governor for his approval. The title and number of each bill presented to the Governor shall be entered in this book, and when a bill is present-

ed to him, the date presented and the signature of the Governor, showing receipt of same, shall be entered at the side of each title.

### **Action of Governor on Bills**

18. When the Legislature is in session, any bill, including an appropriation bill or any part thereof, disapproved by the Governor shall be returned by him to the house in which it originated, with his objections thereto, within five days after receipt thereof, Sundays excepted, or become a law. If the Legislature, by adjournment, prevents the return of a disapproved bill, other than an appropriation bill, within such time, it shall be filed by the Governor in the office of the Secretary of State with his objections within fifteen days, after adjournment, or become a law. If the Legislature, by adjournment, prevents the return of a disapproved appropriation bill or any part thereof, it shall be filed by the Governor in the office of the Secretary of State with his objections within five days after adjournment, or become a law. When any bill, including an appropriation bill or any part thereof, is disapproved after adjournment of the Legislature and such bill with the Governor's objections is filed in the office of the Secretary of State within the prescribed time as aforesaid, the Governor shall notify the house in which the bill originated of his action.

Every bill approved by the Governor shall, within the prescribed time after it is presented to him, as aforesaid, be filed by the Governor in the office of the Secretary of State and the fact of such approval communicated by the Governor to the house in which said bill originated.

Any bill which shall be neither approved nor disapproved by the Governor shall immediately after the expiration of the time fixed by the Constitution in which he may disapprove the same, be filed in the office of the Secretary of State, who shall forthwith engross thereon a certificate to the following effect: "I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the house of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval," and shall date and sign the same. The Governor shall notify the house in which the bill originated of each bill becoming a law without his approval.

When a bill is returned to either house of the Legislature with the objections of the Governor, proceedings thereon shall be governed by section fourteen, article seven of the State Constitution. In such cases the clerk of the Senate and the clerk of the House of Delegates shall engross the action, if any, of their respective houses on the reconsideration of the bill, and sign the same.

The action of the Governor on all bills presented to him shall be appropriately noted in the journals of the two houses. [Const., Art. VI, §51(D); Art. VII, § § 14, 15] (HCR 2, Reg. Sess., 1971)

**Effect of 1971 amendment.** The amendment rewrote the rule bringing it into conformity with the latest amendments to the Constitution.

### **Joint Meetings of Committees**

19. Whenever any bill has been referred by the Senate to one of its standing committees, and the same or like bill has been referred by the House to one of its committees, the Chairmen of the respective committees, when in their judgment the interest of legislation or the expedition of business will be better served thereby, may arrange for a joint meeting of their committees for the consideration of such bill. All joint committee meetings shall be presided over by the chairman of the Senate committee.

### **What Shall Be Printed in the Journal**

20. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, the titles of all bills and the title and text of all resolutions.

(b) A record of all votes taken by yeas and nays as required by the Constitution, the rules of the respective houses and these rules; and a brief statement of the contents of each petition, memorial, or paper presented to each house.

(c) A true and accurate account of the proceedings of each house. (HCR 2, 1st Ex. Sess., 1968)

**Effect of 1968 amendment.** Subdivision (a) was rewritten.

### **Manner of Printing the Journal and Bills**

21. In printing the daily Journal of the proceedings of each house there shall be printed at the top of each page, except the first, the date of the Journal; and on the last page of each day's Journal shall be printed the calendar for the next day.

At the top of the first page of each bill, preceding the title and number thereof, there shall be printed the name of the person by whom or the committee by which it was introduced and the date of introduction; and at the top of each page, except the first, shall be printed the number of the bill.

### **Regulation and Use of Legislative Offices, Chambers, Halls, Stairways and Corridors**

22. The President of the Senate and the Speaker of the House of Delegates shall have power to assign and regulate the office space in the portions of the Capitol used by their respective houses and to grant permission for the use of such space and the legislative chambers for other than legislative purposes. They shall also have jurisdiction over all halls, stairways and corridors in the areas used by their respective houses. The presiding officers may submit any question or request arising under the foregoing provisions of this rule to the Committee on Rules of their respective houses for determination and action.

The area on the second floor between the legislative chambers and surrounding the rotunda on the second floor shall be under the jurisdiction of the Joint Committee on Rules. It shall be the duty of this committee to maintain and preserve the aesthetic features of this area of the Capitol. No display or exhibition of any material or objects in this area shall be permitted without approval of the committee.

Attaching pictures, posters, cards or placards on the walls in any manner whatsoever in the halls, stairways and corridors in the areas used by the respective houses and in the area between the legislative chambers surrounding and to the east and west of the rotunda is prohibited. (SCR 1, Reg. Sess., 1973)

**Effect of 1973 amendment.** The rule was rewritten. The provisions giving the Joint Committee on Rules jurisdiction over certain areas adjoining the legislative chambers and the prohibition against attaching pictures, posters, cards or placards on the walls are new.

## Resolutions

23. Resolutions requiring concurrent action may originate in either house, and shall be of two kinds, namely:

*Joint Resolutions:* These resolutions shall be used for proposing amendments to the State Constitution and for ratifying amendments to the Constitution of the United States. Joint resolutions proposing amendments to the State Constitution shall be adopted as provided in section two, article fourteen of said Constitution.

*Concurrent Resolutions:* Such resolutions shall be used for all purposes not covered by joint resolutions as defined above. (SCR 1, Reg. Sess., 1963)

**Effect of 1963 amendment.** The amendment made it clear that only joint resolutions proposing amendments to the State Constitution be adopted as provided by the Constitution.

## Suspension of Joint Rules

24. No Joint Rule shall be suspended, except by a two-thirds vote of each house, and unless there be unanimous consent, such vote shall be taken by yeas and nays.

## Transfer Amounts Between Items

25. The Clerk of the Senate, with the approval of the President, is authorized to make written request to the State Auditor for the transfer of amounts between items of the total appropriations for the Senate, in order to protect or increase the efficiency of the service. Upon receipt of such written request, the State Auditor shall transfer the amounts as requested. (SCR 37, Reg. Sess., 1975)

**Effect of 1975 amendment.** The amendment provided for the transfer of amounts between items of the total appropriations by the Clerk of the Senate.

26. The Clerk of the House of Delegates, with the approval of the Speaker, is authorized to make written request to the State Auditor for the transfer of amounts between items of the total appropriations for the House of Delegates, in order to protect or increase the efficiency of the service. Upon receipt of such written request, the State Auditor shall transfer the amounts as requested. (SCR 37, Reg. Sess., 1975)

**Effect of 1975 amendment.** The amendment provided for the transfer of amounts between items of the total appropriations by the Clerk of the House.

27. The Clerk of the Senate and the Clerk of the House of Delegates, with the approval of the President and Speaker, are authorized to make a joint written request to the State Auditor for the transfer of amounts between items of the total appropriations for joint expenses of the Legislature, in order to protect or increase the efficiency of the service. Upon receipt of such written request, the State Auditor shall transfer the amounts as requested. (SCR 37, Reg. Sess., 1975)

**Effect of the 1975 amendment.** The amendment provided for the transfer of amounts between items of the total appropriations by the Clerk of the Senate and the Clerk of the House of Delegates.

### **Lobbying**

28. (Rescinded by SCR 2, 2nd Ex. Sess., 1990)

### **Joint Committee on Pensions and Retirement**

29. (a) A joint standing committee of the Senate and House of Delegates, named the Joint Committee on Pensions and Retirement, shall continually study and investigate public retirement systems. All pension and retirement related legislation introduced in the Legislature shall be referred to the committee in addition to any other reference the presiding officer may designate. Upon reference of any pension or retirement related legislation, the committee shall forward such legislation to the actuary of the Consolidated Public Retirement Board or other actuary or actuarial firm who shall return an actuarial letter or note to the committee prior to the committee's consideration of such legislation.

(b) The committee shall consist of seven members of the Senate to be appointed by the President of the Senate and seven members of the House of Delegates to be appointed by the Speaker of the House of Delegates. If possible, no more than five of the seven members appointed by the President of the Senate and the Speaker of the House of Delegates, respectively, may be members of the same political party.

(c) The committee shall make a continuing study and investigation of retirement benefit plans applicable to nonfederal gov-

ernment employees in this state. The powers and duties of the committee include, but are not limited to, the following:

(1) Studying retirement benefit plans applicable to nonfederal government employees in the state of West Virginia, including, without limitation, federal plans available to such employees;

(2) Making recommendations within the scope of the study with particular attention to financing of the various pension funds and financing of accrued liabilities;

(3) Considering all aspects of pension planning and operation, and making recommendations designed to establish and maintain sound pension policy as to all funds;

(4) Filing a report to each regular session of the Legislature concerning activities conducted between sessions;

(5) Analyzing each item of proposed pension and retirement legislation, including amendments thereto, with particular reference to analysis as to cost, actuarial soundness, and adherence to sound pension policy, and reporting of its findings in regard thereto to the Legislature; and

(6) Maintaining reference materials concerning pension and retirement matters, including, without limitation, information as to laws and systems in other states.

(d) The committee shall hold meetings at such times and places as it may designate. The President of the Senate shall appoint a cochair of the committee from the Senate members and the Speaker of the House of Delegates shall appoint a cochair of the committee from the House of Delegates members. When the Legislature is not in session, the committee shall meet and conduct its business as a joint committee.

When the Legislature is in session, in addition to joint meetings, the members of either house may meet separately from members of the other house to conduct committee business concerning pension and retirement related legislation introduced or originated in that house. When the members meet separately, they may function as other committees of that house. As far as practicable, relevant information, including actuarial letters or notes,

gathered by members meeting separately from the other house shall be sent to the cochair of the other house if it is considering the same or similar legislation. (HCR 5, Reg. Sess., 1993)

### **Bill Carryover**

30. (Rescinded by SCR 1, Reg. Sess., 1988)

### **Governing Powers**

31. The President of the Senate and Speaker of the House of Delegates shall have the power to and are hereby authorized to act on behalf of the Legislature as required by the business and legal affairs of the Legislature unless otherwise directed by a majority vote of both houses while the Legislature is in session or by the majority vote of the Joint Committee on Government and Finance while the Legislature is not in session.

**Effect of 2002 amendment.** The amendment added a new rule, setting forth the procedure to allow the Senate President and the House Speaker to act on behalf of the Legislature as required by the business and legal affairs of the Legislature.