

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE RESOLUTION 101
Committee Substitute Favorable 4/15/91

Sponsors:

Referred to:

February 19, 1991

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE
2 REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF
3 REPRESENTATIVES OF THE 1991 GENERAL ASSEMBLY.

4 Be it resolved by the House of Representatives:

5 Section 1. The permanent rules of the Regular Sessions of the House of
6 Representatives of the 1991 General Assembly shall read as follows:

7 **RULES OF THE REGULAR SESSIONS OF THE**
8 **HOUSE OF REPRESENTATIVES OF THE 1991**
9 **GENERAL ASSEMBLY OF NORTH CAROLINA**

- 10 I. Order of Business, 1-5
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19 **I. ORDER OF BUSINESS**

20 **RULE 1. Convening Hour.**—The House shall convene each legislative day at
21 the hour fixed by the House. In the event the House adjourns on the preceding
22 legislative day without having fixed an hour for reconvening, the House shall convene
23 on the next legislative day at 2:00 p.m.

1 **RULE 2. Opening the Session.**—At the convening hour on each legislative
2 day the Speaker shall call the members to order and shall have the session opened with
3 prayer.

4 **RULE 3. Quorum.**—(a) A quorum consists of a majority of the qualified members of
5 the House.

6 (b) Should the point of a quorum be raised, the doors shall be closed and the
7 Clerk shall call the roll of the House, after which the names of those not responding
8 shall again be called. In the absence of a quorum, fifteen members are authorized to
9 compel the attendance of absent members and may order that absentees for whom no
10 sufficient excuses are made be taken into custody wherever they may be found by
11 special messenger appointed for that purpose.

12 **RULE 4. Approval of Journal.**—(a) The Standing Committee on Rules,
13 Appointments and Calendar shall cause the Journal of the House to be examined daily
14 before the hour of convening to determine if the proceedings of the previous day have
15 been correctly recorded.

16 (b) Immediately following the opening prayer and upon appearance of a quorum,
17 the Speaker shall call for the Journal report by the Chair of the Standing Committee on
18 Rules, Appointments and Calendar or by a Representative designated by the Chair as to
19 whether the proceedings of the previous day have been correctly recorded. Without
20 objection, the Speaker shall cause the Journal to stand approved.

21 **RULE 5. Order of Business of the Day.**—After the approval of the Journal
22 of the preceding day, the House shall proceed to business in the following order:

- 23 (1) The receiving of petitions, memorials and papers addressed to the
24 General Assembly or to the House;
- 25 (2) Ratification of bills;
- 26 (3) Reports of standing committees and permanent subcommittees;
- 27 (4) Reports of select committees;
- 28 (5) Reports of referral by standing committee Chairs of bills to permanent
29 subcommittees;
- 30 (6) First reading and reference to committee of bills and resolutions;
- 31 (7) Messages from the Senate;
- 32 (8) Concurrence with Senate amendments or Senate committee
33 substitutes;
- 34 (9) The unfinished business of the preceding day;
- 35 (10) Calendar (each category in accordance with Rule 40):
 - 36 (a) Local bills (roll call) third reading
 - 37 (b) Local bills (roll call) second reading
 - 38 (c) Local bills third reading
 - 39 (d) Local bills second reading
 - 40 (e) Public bills (roll call) third reading
 - 41 (f) Public bills (roll call) second reading
 - 42 (g) Public bills and resolutions, third reading
 - 43 (h) Public bills and resolutions, second reading;

1 (11) Reading of Notices and Announcements; but messages and motions to
2 elect officers shall always be in order.

3 II. CONDUCT OF DEBATE

4 RULE 6. **Duties and Powers of the Speaker.**—The Speaker shall have
5 general direction of the Hall. He may name any member to perform the duties of the
6 Chair, but substitution shall not extend beyond one day, except in the case of sickness or
7 by leave of the House.

8 RULE 7. **Obtaining Floor.**—(a) When any member desires recognition for any
9 purpose, he shall rise from his seat and respectfully address the Speaker. No member
10 shall proceed until recognized by the Speaker for a purpose.

11 (b) When a member desires to interrupt a member having the floor, he shall first
12 obtain recognition by the Speaker and permission of the member occupying the floor,
13 and when such recognition and permission have been obtained, he may propound a
14 question to the member occupying the floor; but he shall not otherwise interrupt the
15 member having the floor, except as provided in subsection (c) of this rule; and the
16 Speaker shall, without the point of order being raised, enforce this rule.

17 (c) A member who has obtained the floor may be interrupted only for the
18 following reasons:

- 19 1. a request that the member speaking yield for a question,
- 20 2. a point of order,
- 21 3. a parliamentary inquiry, or
- 22 4. a question of privilege.

23 RULE 8. **Questions of Privilege.**—Upon recognition by the Speaker for that
24 purpose, any member may speak to a question of privilege for a time not to exceed three
25 minutes. Questions of privilege shall be, first those affecting the rights of the House
26 collectively, its safety, dignity, and the integrity of its proceedings; second, the rights,
27 reputation, and conduct of members, individually, in their representative capacity only;
28 and shall have precedence of all other questions, except motions to adjourn. Privilege
29 may not be used to explain a vote or debate a bill. The Speaker shall determine if the
30 question is one of privilege and shall, without the point of order being raised, enforce
31 this rule.

32 RULE 9. **Points of Order.**—(a) The Speaker shall decide questions of order
33 and may speak to points of order in preference to other members arising from their seats
34 for that purpose. Any member may appeal from the ruling of the Chair on questions of
35 order; on such appeal no member may speak more than once, unless by leave of the
36 House. A two-thirds (2/3) vote of the members present shall be necessary to sustain any
37 appeal from the ruling of the Chair.

38 (b) When the Speaker calls a member to order, the member shall take his seat
39 except that a member called to order may clear a matter of fact, or explain, but shall not
40 proceed in debate so long as the decision stands. If the member appeals from the ruling
41 of the Chair and the decision by a two-thirds (2/3) vote of the members present be in
42 favor of the member called to order, he may proceed; if otherwise, he shall not; and if
43 the case, in the judgment of the House, requires it, he shall be liable to censure by the
44 House.

1 RULE 10. **Limitations on Debate.**—(a) No member shall speak on, debate, or
2 solicit cosponsors for, a bill or resolution at its first reading.

3 (b) No member shall speak more than twice on the main question, nor longer
4 than 30 minutes for the first speech and 15 minutes for the second speech; nor shall he
5 speak more than twice upon an amendment or motion to reconsider, commit, appeal or
6 postpone, and then not longer than 10 minutes for the first speech and five minutes for
7 the second speech.

8 (c) A member may speak only once and for not more than 20 minutes on the
9 question of the adoption of a minority report.

10 (d) The House, by consent of a majority of the members present, may suspend
11 the operation of subsections (b) and (c) of this rule during any debate on any particular
12 question before the House.

13 RULE 11. **Reading of Papers.**—When there is a call for the reading of the
14 text of a paper which has been presented to the House, and there is objection to such
15 reading, the question shall be determined by a majority vote of the members of the
16 House present. Except for protests permitted by the Constitution, no member may have
17 material printed in the Journal until said material has been presented to the House and
18 the printing approved by the House, and said material shall not exceed 1,000 words.

19 RULE 12. **General Decorum.**—(a) The Speaker shall preserve order and
20 decorum.

21 (b) Decency of speech shall be observed and disrespect to personalities carefully
22 avoided.

23 (c) When the Speaker is putting any question, or addressing the House, no person
24 shall speak, stand up, walk out of or cross the House, nor when a member is speaking,
25 engage in disruptive discourse or pass between the member and the Chair.

26 (d) Food or beverages shall not be permitted on the floor of the House.

27 (e) The reading of newspapers shall not be permitted on the floor of the
28 House while the House is in session.

29 (f) Smoking or the consumption of food or beverages shall not be permitted
30 in the galleries at any time.

31 (g) Special recitals, performances by musicians or other groups shall not be
32 permitted on the floor of the House and special guests of members of the House shall
33 not be permitted on the floor of the House.

34 (h) Members shall observe appropriate attire, coat and tie for male members
35 and dignified dress for female members.

36 III. MOTIONS

37 RULE 13. **Motions Generally.**—(a) Every motion shall be reduced to writing, if
38 the Speaker or any two members request it. No motion relating to a bill shall be in
39 order which does not identify the bill by its number and short title.

40 (b) When a motion is made, it shall be stated by the Speaker, or, if written, it
41 shall be handed to the Chair and read aloud by the Speaker or Clerk before debate.

42 (c) After a motion has been stated by the Speaker or read by the Speaker or
43 Clerk, it shall be in the possession of the House; but it may be withdrawn before a
44 decision or amendment, except in case of a motion to reconsider, which motion, when

1 made by a member, shall be in possession of the House and shall not be withdrawn
2 without leave of the House.

3 **RULE 14. Motions, Order of Precedence.**—When there are motions before
4 the House, the order of precedence is as follows:

5 To adjourn

6 To lay on the table

7 To postpone indefinitely

8 Previous question

9 To reconsider

10 To postpone to a day certain

11 To re-refer

12 To amend an amendment

13 To amend

14 To substitute

15 To pass the bill

16 No motion to lay on the table, to postpone indefinitely, to postpone to a day
17 certain, to commit or to make a particular amendment, being decided, shall be again
18 allowed at the same stage of the bill or proposition.

19 **RULE 15. Motion to Adjourn.**—(a) A motion to adjourn shall be seconded before
20 the motion is put to the vote of the House.

21 (b) A motion to adjourn shall be decided without debate, and shall always be in
22 order, except when the House is voting or some member is speaking; but a motion to
23 adjourn shall not follow a motion to adjourn until debate or some other business of the
24 House has intervened.

25 **RULE 16. Motion to Table.**—(a) A motion to table shall be seconded before the
26 motion is put to the vote of the House and is in order except when a motion to adjourn is
27 before the House.

28 (b) A motion to table shall be decided without debate.

29 (c) A motion to table a bill shall constitute a motion to table the bill and all
30 amendments thereto.

31 (d) When the question before the House is the adoption of an amendment to a bill
32 or resolution, a motion to table the bill is not in order, and a motion to table an
33 amendment applies to the amendment only, and the motion may not expressly or by
34 implication or construction be expanded to include a motion to table the bill also.

35 (e) When a question has been tabled, it shall not thereafter be considered
36 except on motion to reconsider under Rule 18, or to remove from the table approved by
37 a two-thirds (2/3) vote.

38 **RULE 17. Motion to Postpone Indefinitely.**—A motion to postpone
39 indefinitely is in order except when a motion to adjourn or to lay on the table is before
40 the House. However, after one motion to postpone indefinitely has been decided,
41 another motion to postpone indefinitely shall not be allowed at the same stage of the bill
42 or proposition. When a question has been postponed indefinitely, it shall not thereafter
43 be considered except on motion to reconsider under Rule 18, or to place on the
44 favorable calendar approved by a two-thirds (2/3) vote.

- 1 3. Impose a local tax.
- 2 (2) All measures affecting a fee imposed by the State or any subdivision
- 3 thereof.
- 4 (3) All questions on which a call for the ayes and noes under Rule 24(a)
- 5 and Article II, Section 19 of the Constitution of North Carolina has
- 6 been sustained.
- 7 (4) Both second and third readings of bills proposing amendment of the
- 8 Constitution of North Carolina or ratifying resolutions amending the
- 9 Constitution of the United States.
- 10 (b) Votes on the following questions shall be taken on the electronic voting
- 11 system:
- 12 (1) Second reading of all public bills, all amendments to public bills
- 13 offered after second reading, third reading if a public bill was amended
- 14 after second reading or if the reading occurs on a day or days
- 15 following the second reading, all conference reports on public bills, all
- 16 motions to lay public bills on the table, and all motions to postpone
- 17 public bills indefinitely.
- 18 (2) Upon a call for division.
- 19 (3) Any other question upon direction of the Speaker or upon motion of
- 20 any member supported by one-fifth (1/5) of the members present.
- 21 (c) When the electronic voting system is used, 15 seconds shall be allowed for
- 22 voting on the question before the House, unless the Chair shall direct otherwise. The
- 23 system shall be set to close automatically when that time has expired. Once the system
- 24 is locked, the vote shall be recorded and printed.
- 25 (d) The voting station at each member's desk in the Chamber shall be used only
- 26 by the member to which the station is assigned. Under no circumstances shall any other
- 27 person vote at a member's station. It is a breach of the ethical obligation of a member
- 28 either to request that another person vote at the requesting member's station, or to vote
- 29 at another member's station. The Speaker shall enforce this rule without exception.
- 30 (e) When the electronic voting system is used, the Speaker shall state the
- 31 question and shall then state substantially the following: "All in favor vote 'aye'; all
- 32 opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the
- 33 member must vote by the electronic voting system within the time allowed for that vote,
- 34 unless the voting station assigned to a member is malfunctioning. The Speaker shall
- 35 enforce this rule without exception. After the allotted time for voting has elapsed, the
- 36 Speaker shall say: "The Clerk will now lock the machine and record the vote." After the
- 37 machine is locked and the vote recorded, the Speaker shall announce the vote and
- 38 declare the result.
- 39 (f) One copy of the machine printout of the vote record of all votes taken on
- 40 the electronic system shall be filed in the office of the Principal Clerk, and one copy
- 41 shall be filed in the Legislative Library where it shall be open to public inspection.
- 42 (g) When the Speaker ascertains that the electronic voting system is
- 43 inoperative before a vote is taken or while a vote is being taken on the electronic
- 44 system, he shall announce that fact to the House and any partial electronic system

1 voting record shall be voided. In such a case, if the Constitution of North Carolina or
2 the Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of
3 the House, and the ayes and noes shall be taken manually and shall be recorded on the
4 Journal. All roll call votes shall be taken alphabetically. All other votes shall be taken
5 by voice vote. If, after a vote is taken on the electronic system, it is discovered that a
6 malfunction caused an error in the electronic system printout, the Speaker shall direct
7 the Reading Clerk and the Principal Clerk to verify and correct the printout record and
8 so advise the House.

9 (h) For the purpose of identifying motions on which the vote is taken on the
10 electronic system, the motions are coded as follows:

- 11 1. To adjourn
- 12 2. To lay on the table
- 13 3. To postpone indefinitely
- 14 4. Previous question
- 15 5. To reconsider
- 16 6. To postpone to a day certain
- 17 7. To re-refer
- 18 8. To amend an amendment
- 19 9. To amend
- 20 10. To substitute
- 21 11. To concur or not concur
- 22 12. Miscellaneous

23 **RULE 21. Voice Votes; Stating Questions.**—(a) When the electronic voting
24 system is not used, the Speaker shall rise and put a question.

25 (b) The question shall be put in this form, namely, "Those in favor (as the
26 question may be) will say 'Aye'," and after the affirmation voice has been expressed,
27 "Those opposed will say 'No'".

28 (c) No statement, explanation, debate, motion, parliamentary inquiry, or point of
29 order shall be allowed once the voice vote has begun. Any point of order or
30 parliamentary inquiry may be raised, however, after the completion of the vote.

31 **RULE 22. Determining Questions.**—(a) Unless otherwise provided by the
32 Constitution of North Carolina or by these rules, all questions shall be determined by a
33 simple majority of the members present and voting.

34 (b) No member may vote unless he is in the chamber when the question is put.
35 This subsection of this rule cannot be suspended.

36 **RULE 23. Voting by Division.**—Any member may call for a division of the
37 members upon the question before the result of the vote has been announced. Upon a
38 call for a division, the Speaker shall cause the number voting in the affirmative and in
39 the negative to be determined. Upon a division and count of the House on any question,
40 no member away from his seat shall be counted.

41 **RULE 24. Roll Call Vote.**—(a) Before a question is put, any member may call
42 for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present,
43 the question shall be decided by the ayes and noes upon a roll call vote.

1 (b) Every member who is in the Hall of the House when the question is put shall
2 vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

3 **RULE 24.1A. Excuse From Deliberations and Voting on a Bill.**—(a) Any
4 member shall upon request be excused from the deliberations and voting on a particular
5 bill, but to do so must make that request after the second reading of the bill and before
6 any motion or vote on the bill or any amendment thereto. If the reason for the request
7 arises at some point later in the proceedings, the request may be made at that time.

8 (b) The member may make a brief statement of the reasons for making that
9 request. The member may send forward to the Principal Clerk, on a form provided by
10 the Clerk, a concise statement of the reason for the request, and the Clerk shall include
11 this statement in the Journal.

12 (c) The member so excused shall not debate the bill or any amendment to the
13 bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any
14 motion concerning the bill at that reading, any subsequent reading, or any subsequent
15 consideration of the bill.

16 (d) A member may request that his excuse from deliberations on a particular bill
17 be withdrawn.

18 **RULE 24.1B. Division of Amendments.**—Any member may call for an
19 amendment to be divided into two or more amendments to be voted on separately, and
20 the Speaker shall determine whether the amendment admits of such a division.

21 **RULE 25. Voting by Speaker.**—In all elections the Speaker may vote. In all
22 other instances he may exercise his right to vote, or he may reserve this right until there
23 is a tie in which event he may vote, but in no instance may he vote twice on the same
24 question.

25 V. COMMITTEES

26 **RULE 26. Standing Committees and Permanent Subcommittees Generally.**—(a)

27 The Speaker shall appoint a Chair, or Cochairs, of every standing committee
28 and select committee, if any. In the construction of these rules, the word "Chair" as
29 applied to a standing committee extends to and includes a Cochair of the standing
30 committee. The Speaker shall have the exclusive right and authority to establish select
31 committees, but this does not exclude the right of the House by resolution to establish
32 select committees.

33 (b) All permanent subcommittees of each standing committee shall be appointed
34 by the Speaker and the members appointed, along with the Chair of the standing
35 committee, shall constitute the standing committee of which the permanent
36 subcommittee is a part. The Speaker shall appoint all members of permanent
37 subcommittees at the beginning of the first regular session in a manner to reflect the
38 partisan membership of the House.

39 (c) The Speaker shall appoint the members of all standing committees having no
40 permanent subcommittees, at the beginning of the first regular session in a manner to
41 reflect the partisan membership of the House.

42 (d) The first member announced on each permanent subcommittee shall be the
43 Chair, and where the Speaker so desires he may designate one or more Vice-Chairs.

(e) Each Chair of a permanent subcommittee shall be a Vice-Chair of the standing committee of which it is a permanent subcommittee. The Speaker may name other members as Vice-Chairs of the standing committee. The Speaker may name one or more Vice-Chairs for any standing committee not having permanent standing subcommittees.

(f) The Chair of the standing committee shall be a voting member of each permanent subcommittee of the standing committee.

(g) Either the Chair or Acting Chair, designated by the Chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee.

(h) In any joint meeting of the Senate and House committees or subcommittees, the House standing committee or permanent subcommittee reserves the right to vote separately.

RULE 27. List of Standing Committees and Permanent Subcommittees.—

The standing committees and permanent subcommittees thereof are:

Committee	Subcommittees
Appropriations	-General Government -Human Resources -Justice and Public Safety -Environment, Health, and Natural Resources -Transportation -Education
Agriculture	-Aquaculture and Marine Fisheries -Forestry, Horticulture and Wildlife -Crops and Animal Husbandry
Commerce	-Financial Institutions -Insurance -Housing
Courts, Justice, Constitutional Amendments and Referenda	(None)
	Economic Expansion -Travel, Tourism and Economic Development -Labor Relations and Employment -Small Business
Education	-Community Colleges -Pre-School, Elementary and Secondary Education -University Education and Affairs
Environment	-Solid Waste -Water, Air and Soil -Hazardous Waste
Ethics	(None)

1	Finance	-Local and Regional Government Revenue
2		-State Revenue
3		-Ways and Means
4	Human Resources	-Aging
5		-Children, Youth, and Families
6		-Health and Mental Health
7	Judiciary I	(None)
8	Judiciary II	(None)
9	Judiciary III	(None)
10	Local and Regional	
11	Government I	(None)
12	Local and Regional	
13	Government II	(None)
14	Pensions and Retirement	(None)
15	Public Employees	(None)
16	Public Utilities	(None)
17	Legislative and Local	
18	Redistricting	(None)
19	Congressional Redistricting	(None)
20	Rules, Appointments,	
21	and Calendar	(None)
22	Science and Technology	(None)
23	State Government	-Boards and Commissions
24		-State Parks, Facilities and Property
25		-Military, Veterans and Indian Affairs
26	Transportation	-Highways
27		-Public Transportation
28		-Airports, Railways, and Waterways

29 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.**—(a)

30 Standing committees and permanent subcommittees of standing committees
 31 shall be furnished with suitable meeting places pursuant to a schedule adopted by the
 32 Standing Committee on Rules, Appointments and Calendar. Select committees shall be
 33 furnished with suitable meeting places as their needs require by the Chair of the
 34 Standing Committee on Rules, Appointments and Calendar.

35 (b) Subject to the provisions of the subsection (c) of this Rule, standing
 36 committees and permanent subcommittees thereof shall permit other members of the
 37 General Assembly, the press, and the general public to attend all sessions of said
 38 standing committees or permanent subcommittees.

39 (c) The Chair or other presiding officer shall have general direction of the
 40 meeting place of the standing committee or permanent subcommittee and, in case of any
 41 disturbance or disorderly conduct therein, or if the peace, good order, and proper
 42 conduct of the legislative business is hindered by any person or persons, the Chair or
 43 presiding officer shall have power to exclude from the session any individual or
 44 individuals so hindering the legislative business.

1 (d) Procedure in the standing committees and permanent subcommittee shall be
2 governed by the rules of the House, so far as the same may be applicable to such
3 procedure. Before a question is put, any member may call for the ayes and noes. If the
4 call is sustained by one-fifth (1/5) of the members present, the question shall be decided
5 by the ayes and noes upon a roll call vote. All roll call votes shall be taken
6 alphabetically and shall be subject to Rule 21(c).

7 (e) No standing committee or permanent subcommittee shall meet on any
8 day when the House shall not convene except by permission of the Speaker or by
9 approval of the House by resolution adopted by a majority vote of the House.

10 (f) No standing committee or permanent subcommittee shall meet during any
11 session of the House. Standing committees and permanent subcommittees shall meet at
12 their regularly-scheduled hour. No permanent subcommittee shall meet at the same
13 time that its standing committee is meeting. Standing committees and permanent
14 subcommittees may meet at other times as authorized by the Chair of the Standing
15 Committee on Rules, Appointments, and Calendar in order to assure the availability of
16 the meeting room and that no conflicts will exist with the meetings of other bodies. All
17 standing committee and permanent subcommittee meetings shall adjourn no later than:

18 (1) 15 minutes preceding a regular session of the House, and

19 (2) 10 minutes preceding the hour of the next regularly-scheduled standing
20 committee or permanent subcommittee meeting.

21 (g) Any call or notice of a standing committee or permanent subcommittee
22 meeting between legislative sessions shall be mailed to each member of the standing
23 committee or permanent subcommittee at least five days prior to such meeting. If a
24 member of the body so requests in writing to the Chair of the standing committee or
25 permanent subcommittee, the member shall be notified by certified mail of the
26 meetings.

27 (h) During standing committee and permanent subcommittee meetings the
28 Chair may exercise his right to vote, or he may reserve this right until there is a tie, in
29 which event he may vote, but in no instance may the Chair vote twice on the same
30 question.

31 **RULE 28.1. Ethics Committee Investigations into Violations of the Open**
32 **Meetings Law.**—(a) On its own motion, or in response to signed and sworn complaint
33 of any individual filed with the Standing Committee on Ethics, the Committee shall
34 inquire into any alleged violation by members of the House of the Open Meetings Law
35 (Article 33C of Chapter 143 of the General Statutes), as the same may be amended in
36 the future.

37 (b) If, after such preliminary investigation as it may make, the Committee
38 determines to proceed with an inquiry into the conduct of any individual, the Committee
39 shall notify the individual as to the fact of the inquiry and the charges against him and
40 shall schedule one or more hearings on the matter. The individual shall have the right to
41 present evidence, cross-examine witnesses, and be represented by counsel at any
42 hearings.

1 (c) After the Committee has concluded its inquiries into the alleged
2 violations, the Committee shall dispose of the matter by taking one of the following
3 actions:

4 (1) Dismiss the complaint and take no further action.

5 (2) Issue a letter of reprimand to the legislator, if the legislator
6 unintentionally violated the provisions of the Open Meetings Law.

7 (3) Issue a letter of reprimand if the violation of the Open Meetings Law
8 was intentional, or if the legislator has previously received a letter of
9 reprimand. The Chair of the Committee on Ethics shall have the
10 public letter of reprimand spread on the pages of the House Journal.

11 (4) Refer the matter to the House for appropriate action.

12 **RULE 29. Notice of Standing Committee and Permanent Subcommittee**
13 **Meetings and Hearings.**—Public notice of all standing committee and permanent
14 subcommittee meetings shall be given in the House. The Chair of the standing
15 committee or permanent subcommittee shall notify or cause to be notified the sponsor
16 of each bill which is set for hearing or consideration before the standing committee or
17 permanent subcommittee as to the date, time, and place of that meeting.

18 **RULE 29.1. Public Hearings.**—(a) Requests for a public hearing shall be made in
19 writing to the Chair of the standing committee and, if applicable, the Chair of the
20 permanent subcommittee to which the bill has been referred. The Chair of the standing
21 committee may schedule a public hearing by the standing committee as a whole after
22 the adjournment of a regular daily House session. The Chair of the permanent
23 subcommittee may schedule a public hearing before the permanent subcommittee at its
24 regularly-scheduled hour. Denial of a request made by a House member may be
25 appealed to the Speaker.

26 Notice shall be given not less than five calendar days prior to public hearings.
27 These notices shall be issued as information for the press and information shall be
28 posted in the places designated by the Principal Clerk.

29 (b) Persons desiring to appear and be heard at a public hearing shall submit
30 their request to the Chair of the standing committee or permanent subcommittee. The
31 standing committee or permanent subcommittee Chair may designate one or more
32 members to arrange the order of appearance of interested parties. A brief, written
33 statement of testimony may be submitted without oral presentation and shall be
34 incorporated in the minutes of the public hearing.

35 **RULE 29.2. Minutes to Legislative Library.**—The Chair of a standing
36 committee or a permanent subcommittee shall insure that written minutes are compiled
37 for each of the body's meetings. The minutes shall indicate the members present and
38 the actions taken at the meeting. Not later than 20 days after the adjournment of each
39 session of the General Assembly, the Chair shall deliver the minutes to the Legislative
40 Library. The Speaker of the House may grant a reasonable extension of time for filing
41 said minutes upon written application of the Chair.

42 **RULE 30. Standing Committee of the Whole House.**—(a) A Standing
43 Committee of the Whole House shall not be formed, except by suspension of the rules,
44 if there be objection by any member.

1 (b) After passage of a motion to form a Standing Committee of the Whole House,
2 the Speaker shall appoint a Chairperson to preside in the standing committee, and the
3 Speaker shall leave the dais.

4 (c) The rules of procedure in the House shall be observed in the Standing
5 Committee of the Whole House, so far as they may be applicable, except the rule
6 limiting the time of speaking and the previous question.

7 (d) In the Standing Committee of the Whole House a motion that the standing
8 committee rise shall always be in order, except when a member is speaking, and shall be
9 decided without debate.

10 (e) When a bill is submitted to the Standing Committee of the Whole House,
11 it shall be read and debated by sections, leaving the preamble to be last considered. The
12 body of the bill shall not be defaced or interlined, but all amendments, noting the page
13 and line, shall be duly entered by the clerk on a separate paper as the same shall be
14 agreed to by the standing committee, and be so reported to the House. After report, the
15 bill shall again be subject to be debated and amended by sections before a question on
16 its passage be taken.

17 VI. HANDLING OF BILLS

18 **RULE 31. Introduction of Bills and Resolutions.**—(a) All bills and resolutions
19 shall be introduced by submitting same to the Principal Clerk's office on the legislative
20 day prior to the first reading and reference thereof according to the following schedule:
21 by 8:30 o'clock p.m. each Monday, by 3:00 o'clock p.m. each Tuesday, Wednesday,
22 Thursday, and Friday.

23 (b) Bills shall not become resolutions provided the Senate has a similar rule.
24 Resolutions shall not become bills. Resolutions are not law but may be used when a
25 law is not necessary for the purpose contained therein. Resolutions shall not be used to
26 appropriate funds for any purpose, but may be used to create study commissions or
27 committees or establish investigative committees, to honor deceased persons, and to
28 adopt House rules and internal affairs. Resolutions cannot amend, repeal, or modify a
29 statute; nor do they have life beyond the term of the session during which they are
30 adopted.

31 (c) Every bill or resolution shall be read in regular order of business, except upon
32 permission of the Speaker or on the report of a standing committee.

33 (d) All bills and resolutions shall show in their captions a brief descriptive
34 statement of the true substance of same, which captions may thereafter be amended.
35 Captions of public bills may be amended only by amendment proposed by the standing
36 committee to which the bill was referred. Third reading shall not be had on any bill or
37 resolution on the same day that such caption is amended.

38 (e) A Substitute Bill shall be covered with the same color jacket as the
39 original bill and shall be prefaced as follows:

40 "House Substitute for" or "House Committee Substitute for _____."

41 (f) House Resolutions need not be read more than twice.

42 (g) All memorializing, celebration, commendation, and commemoration
43 resolutions, except those honoring the memory of deceased persons, shall be excluded
44 from introduction and consideration in the House.

1 **RULE 31.1. Deadlines on Introduction and Receipt of Bills.**—(a) All bills or
2 resolutions recommended by commissions or standing committees authorized or
3 directed by act or resolution of the General Assembly to report to the 1991 Regular
4 Session of the General Assembly, or to report prior to convening of that session, must
5 be introduced not later than the third Wednesday in February (February 20) of the first
6 year of the biennial session; provided that any such measure submitted to the Bill
7 Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and
8 introduced in the House of Representatives before 3:00 p.m. on the next Wednesday
9 (February 27) shall be treated as if it had been introduced pursuant to this subsection.

10 (a1) All bills prepared to be introduced for departments, agencies, or
11 institutions of the State must be introduced not later than the third Thursday in March
12 (March 21) of the first year of the biennial session; provided that any such measure
13 submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m.
14 on that date and introduced in the House of Representatives before 3:00 p.m. on the next
15 Thursday (March 28) shall be treated as if it had been introduced pursuant to this
16 subsection.

17 (a2) All local bills must be introduced not later than the first Thursday in
18 April (April 4) of the first year of the biennial session; provided that any such measure
19 submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m.
20 on that date and introduced in the House of Representatives before 3:00 p.m. on the next
21 Thursday (April 11) shall be treated as if it had been introduced pursuant to this
22 subsection.

23 (b) All public bills not containing appropriations or tax law changes must be
24 introduced not later than the second Thursday in April (April 11) of the first year of the
25 biennial session; provided that any such measure submitted to the Bill Drafting Division
26 of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House
27 of Representatives before 3:00 p.m. on the next Thursday (April 18) shall be treated as
28 if it had been introduced pursuant to this subsection.

29 (c) All public bills containing appropriations or tax law changes must be
30 introduced not later than the first Thursday in May (May 2) of the first year of the
31 biennial session; provided that any such measure submitted to the Bill Drafting Division
32 of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House
33 of Representatives before 3:00 p.m. on the next Thursday (May 9) shall be treated as if
34 it had been introduced pursuant to this subsection.

35 (c1) All resolutions, except those honoring the memory of deceased persons
36 or adjourning the General Assembly must be introduced not later than the second
37 Thursday in May (May 9) of the first year of the biennial session; provided that any
38 such measure submitted to the Bill Drafting Division of the Legislative Services Office
39 by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00
40 p.m. on the next Thursday (May 16) shall be treated as if it had been introduced
41 pursuant to this subsection.

42 (d) In order to be eligible for consideration by the House during the first regular
43 session, all Senate bills other than finance or appropriations bills or adjournment
44 resolutions, must be received and read on the floor of the House as a message from the

1 Senate no later than May 16; provided that a message from the Senate received by the
2 next legislative day stating that a bill has passed its third reading and is being engrossed
3 shall comply with the requirements of this subsection and provided that the Senate has a
4 similar rule.

5 (e) This rule does not apply to bills establishing districts for Congress or
6 State or local entities.

7 **RULE 32. Reference to Standing Committee and to Permanent**
8 **Subcommittees.**—(a) Each bill, joint resolution, or House resolution not
9 introduced on the report of a standing committee shall immediately upon its first
10 reading be referred by the Speaker to such standing committee or permanent
11 subcommittee as he deems appropriate.

12 (b) The standing committee Chair may refer each bill referred to the standing
13 committee to the permanent subcommittee specifically charged with the subject matter
14 of the bill. A report of that referral shall be made in writing and submitted to the body
15 pursuant to Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to
16 which the bill is referred shall report the bill back to the full standing committee. That
17 subcommittee report shall include one of the following recommendations:

- 18 (1) Favorable, without prejudice, or unfavorable as to the original bill with
19 the recommendation that the report be made to the standing
20 committee;
- 21 (2) Favorable, without prejudice, or unfavorable as to the original bill, as
22 amended, with the recommendation that the report be made to the
23 standing committee;
- 24 (3) Favorable or without prejudice to the proposed committee substitute,
25 and unfavorable to the original bill, with the recommendation that the
26 report be made to the standing committee;
- 27 (4) Favorable as to the original bill with the recommendation that the
28 report be made directly to the floor of the House, if approved by the
29 standing committee Chair;
- 30 (5) Favorable to the original bill, as amended, with the recommendation
31 that the report be made directly to the floor of the House, if approved
32 by the standing committee Chair;
- 33 (6) Favorable to the proposed committee substitute with the
34 recommendation that the report be made directly to the floor of the
35 House, if approved by the standing committee Chair, and unfavorable
36 to the original bill.

37 Any recommendation of favorable or without prejudice may include a
38 recommendation of re-referral to another standing committee. After a bill is reported to
39 a standing committee by a permanent subcommittee of that standing committee, the
40 standing committee Chair may re-refer the bill to another permanent subcommittee of
41 that standing committee.

42 Upon recommendation to the standing committee the bill shall be before that
43 body for further action unless the permanent subcommittee Chair reports the bill
44 directly pursuant to Rule 36.

1 (c) When a committee substitute is adopted by a permanent subcommittee or a
2 standing committee for a bill which was introduced with no substantive provisions and
3 the committee substitute deletes a majority of the provisions of the original bill and adds
4 provisions that are not germane to the original bill, no further action may be taken by
5 any standing committee or permanent subcommittee upon such bill until the 2nd
6 legislative day thereafter.

7 **RULE 33. Papers Addressed to the House.**—Petitions, memorials and other
8 papers addressed to the House shall be presented by the Speaker. A brief statement of
9 the contents thereof may be orally made by the introducer before reference to a
10 committee, but such papers shall not be debated or decided on the day of their first
11 being read unless the House shall direct otherwise.

12 **RULE 34. Introduction of Resolutions and Bills, Copies Required.**—(a)

13 Whenever any resolution or bill is introduced, a duplicate copy thereof shall
14 be attached thereto, and the Principal Clerk shall cause said duplicate copy to be
15 numbered as the original resolution or bill is numbered, and shall cause the same to be
16 available at all times to the member introducing the same.

17 (b) Numbering of House Bills shall be designated as "H.B. ____." (No. following).
18 A Joint Resolution shall be designated as "H.J.R. ____." (No. following). A House
19 Resolution shall be designated as "H.R. ____." (No. following).

20 (c) Whenever any resolution or bill is filed for introduction, it shall be in a House
21 bill jacket containing 30 copies and in the form designated by the Speaker. Any
22 resolution or bill not accompanied by the required number of copies shall be
23 immediately returned to the introducer. The Clerk shall stamp the copies with the
24 number stamped upon the original bill.

25 **RULE 35. Duplicating and Availability of Copies of Bills.**—(a) The Legislative
26 Administrative Officer shall cause such bills as are introduced to be duplicated in such
27 numbers as may be specified by the Speaker. The Legislative Administrative Officer
28 shall cause one copy of each resolution and public bill for each legislator to be delivered
29 to his clerk or secretary who shall place it in the appropriate notebook on the legislator's
30 desk. If a legislator so requests, a second copy shall be delivered to his clerk or
31 secretary who shall place it in the legislator's office. The remaining copies shall be
32 placed in the Printed Bills Room and made available to the committees to which the bill
33 is referred, to individual legislators on request, and to the general public.

34 (b) A public bill is a bill affecting 15 or more counties. A local bill is one
35 affecting fewer than 15 counties. No public bill and, upon objection by a member, no
36 local bill may be considered unless copies of the bill have been made available to the
37 entire membership of the House.

38 **RULE 35.1. Assessment Reports.**—Every bill or resolution proposing the
39 establishment of an occupational or professional licensing plan or a study for the need to
40 establish such a plan shall have attached to the jacket of the original bill or resolution at
41 the time of its consideration on second and third readings by the House or by any
42 standing committee or permanent subcommittee of the House, an assessment report
43 from the Legislative Standing Committee on New Licensing Plans pursuant to Article
44 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute

1 any part of the expression of legislative intent proposed by the formation of a licensing
2 plan. Upon receipt of the request the Legislative Standing Committee on New
3 Licensing Plans shall prepare and return the assessment report as soon as possible but
4 not later than 60 days, reserving the right to extend this time to 90 days.

5 **RULE 36. Report by Standing Committee or Permanent Subcommittee.**—
6 All House bills and resolutions shall be reported from the standing committee or
7 permanent subcommittee to which referred with such recommendations as the standing
8 committee or permanent subcommittee may desire to make except in the case where the
9 principal introducer requests in writing to the Chair of the standing committee or
10 permanent subcommittee that the bill not be considered.

11 With the written approval of the Chair of the standing committee and with the
12 recommendation of the subcommittee pursuant to Rule 32(4) through (6), the Chair of
13 the permanent subcommittee may report the bill directly to the floor with that
14 recommendation. If a permanent subcommittee recommends reporting a bill to the floor
15 and the Chair of the standing committee fails to give his approval, the bill shall be
16 deemed to have been reported to the standing committee with the same recommendation
17 as the subcommittee would have made to the House.

18 (a) **Favorable Report.** When a standing committee or permanent subcommittee
19 reports a bill with the recommendation that it be passed, the bill shall be placed on the
20 favorable calendar for the next succeeding legislative day; except that committee
21 substitutes for bills shall be placed on the favorable calendar for the second next
22 succeeding legislative day after being reported. When a committee substitute is adopted
23 and receives a favorable report by the committee or permanent subcommittee, the
24 standing committee or permanent subcommittee Chair shall submit to the standing
25 committee or permanent subcommittee the question of an unfavorable report on the
26 original bill. The standing committee's or permanent subcommittee's action, if any, on
27 the original bill shall be reported at the same time the committee substitute is reported.

28 (b) **Report Without Prejudice.** When a standing committee reports a bill
29 without prejudice, the bill shall be placed on the favorable calendar.

30 (c) **Postponed Indefinitely.** When a standing committee reports a bill with the
31 recommendation that it be postponed indefinitely, and no minority report accompanies
32 it, the bill shall be placed on the unfavorable calendar.

33 (d) **Unfavorable Report.** When a standing committee reports a bill with the
34 recommendation that it be not passed, and no minority report accompanies it, the bill
35 shall be placed on the unfavorable calendar.

36 (e) **Minority Report.** When a bill is reported by a standing committee with
37 a recommendation that it be not passed or that it be postponed indefinitely, but it is
38 accompanied by a minority report signed by at least one-fourth (1/4) of the members of
39 the standing committee who were present and voting when the bill was considered in
40 standing committee, the question before the House shall be: "The adoption of the
41 minority report." If the minority report is adopted by majority vote, the bill shall be
42 placed on the favorable calendar for consideration. If the minority report fails of
43 adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

1 RULE 36.1. **Fiscal notes.**—(a) The Chair or Cochair of the Appropriations
2 Committee, of the Finance Committee or of the Rules, Appointments, and Calendar
3 Committee, upon the floor of the House may request that a fiscal analysis be made of a
4 bill, resolution or an amendment to a bill or resolution which is in the possession of the
5 House and that a fiscal note be attached to the measure, when in the opinion of that
6 Chair the fiscal effects of that measure are not apparent from the language of the
7 measure.

8 (b) The fiscal note shall be filed and attached to the bill or amendment within two
9 legislative days of the request. If it is impossible to prepare a fiscal note within two
10 legislative days, the Director of Fiscal Research shall, in writing, so advise the Speaker,
11 the Principal Clerk, and the member introducing or proposing the measure and shall
12 indicate the time when the fiscal note will be ready.

13 (c) The fiscal note shall be prepared by the Fiscal Research Division on a form
14 approved by the Rules, Appointments, and Calendar Committee as to content and form
15 and signed by the staff member or members preparing it. If no estimate in dollars is
16 possible, the fiscal note shall indicate the reasons that no estimate is provided. The
17 fiscal note shall not comment on the merit but may identify technical problems. The
18 Fiscal Research Division shall make the fiscal note available to the membership of the
19 House.

20 (d) A sponsor of a bill or amendment may deliver a copy of his bill or
21 amendment to the Fiscal Research Division for the preparation of a fiscal note. The
22 sponsor shall attach the fiscal note to the bill when he files the bill or to the amendment
23 when he moves its adoption.

24 (e) The sponsor of a bill or amendment to which a fiscal note is attached who
25 objects to the estimates and information provided may reduce to writing his objections.
26 These objections shall be appended to the fiscal note attached to the bill or amendment
27 and to the copies of the fiscal note available to the membership.

28 (f) Subsection (a) of this rule shall not apply to the current operations
29 appropriations bill or the capital improvements appropriations bill. This rule shall not
30 apply to a bill or amendment requiring an actuarial note under these rules.

31 **RULE 36.2. Actuarial Notes.** (a) Every bill or resolution proposing any change
32 in the law relative to any:

33 (1) State, municipal or other retirement system funded in whole or in part
34 out of public funds; or

35 (2) Program of hospital, medical, disability or related benefits provided for
36 teachers and State employees, funded in whole or in part by State
37 funds;

38 shall have attached to it at the time of its consideration by any standing committee or
39 permanent subcommittee a brief explanatory statement or note which shall include a
40 reliable estimate of the financial and actuarial effect of the proposed change to that
41 retirement or pension system. The actuarial note shall be attached to the jacket of each
42 proposed bill or resolution which is reported favorably by any standing committee or
43 any permanent subcommittee, shall be separate therefrom, and shall be clearly
44 designated as an actuarial note.

1 (b) The sponsor of the bill or resolution shall present a copy of the measure, with
2 his request for an actuarial note, to the Fiscal Research Division which shall prepare the
3 actuarial note as promptly as possible but not later than two weeks after the request is
4 made unless an extension of time is agreed to by the sponsor as being necessary in the
5 preparation of the note. Actuarial notes shall be prepared in the order of receipt of
6 request and shall be transmitted to the sponsor of the measure. The actuarial note of the
7 Fiscal Research Division shall be prepared and signed by an actuary.

8 (c) The sponsor of the bill or resolution shall also present a copy of the measure
9 to the actuary employed by the system or program affected by the measure. Actuarial
10 notes shall be prepared and transmitted to the sponsor of the measure not later than two
11 weeks after the request is received, unless an extension of time is agreed to by the
12 sponsor as being necessary in the preparation of the note. The actuarial note shall be
13 attached to the jacket of the measure. The provisions of this subsection may be waived
14 by the measure's sponsor for a measure affecting local government retirement or
15 pension plans not administered by the State or any local government program of
16 hospital, medical, disability or related benefits for local government employees not
17 administered by the State.

18 (d) The note shall be factual and shall, if possible, provide a reliable estimate of
19 both the immediate effect and, if determinable, the long range fiscal and actuarial effect
20 of the measure. If, after careful investigation, it is determined that no dollar estimate is
21 possible, the note shall contain a statement to that effect, setting forth the reasons why
22 no dollar estimate can be given. No comment or opinion shall be included in the
23 actuarial note with regard to the merits of the measure for which the note is prepared.
24 Technical and mechanical defects in the measure may be noted.

25 (e) When any permanent subcommittee or standing committee reports a
26 measure to which an actuarial note is attached at the time of permanent subcommittee or
27 standing committee consideration, with any amendment of such nature as would
28 substantially affect the cost to or the revenues of any retirement or pension system, the
29 Chair of the permanent subcommittee or standing committee reporting the measure shall
30 obtain from the Fiscal Research Division an actuarial note of the fiscal and actuarial
31 effect of the proposed amendment. The actuarial note shall be attached to the jacket of
32 the measure. An amendment to any bill or resolution shall not be in order if the
33 amendment affects the costs to or the revenues of a State-administered retirement or
34 pension system, unless the amendment is accompanied by an actuarial note, prepared by
35 the Fiscal Research Division, as to the actuarial effect of the amendment.

36 (f) The Fiscal Research Division shall make all relevant actuarial notes
37 available to the membership of the House.

38 **RULE 37. Removing Bill from Unfavorable Calendar.**—A bill may be
39 removed from the unfavorable calendar upon motion carried by a two-thirds (2/3) vote.
40 A motion to remove a bill from the unfavorable calendar is debatable.

41 **RULE 38. Reports on Appropriation and Revenue Bills.**—(a) All standing
42 committees, other than the Standing Committee on Appropriations, when favorably
43 reporting any bill or resolution which:

- 44 1. carries an appropriation from the State; or

1 2. requires or will require in the future substantial additional State monies
2 from the General Fund or Highway Fund to implement its provisions
3 shall indicate same in the report, and said bill or resolution shall be
4 referred to the Standing Committee on Appropriations for a further
5 report before being acted upon by the House.

6 (b) All standing committees, other than the Standing Committee on Finance,
7 when favorably reporting any bill which in any way or manner raises revenue, reduces
8 revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or
9 authorizes the issue of bonds or notes, whether public, public-local, or private, shall
10 indicate same in the report, and said bill shall be referred to the Standing Committee on
11 Finance for a further report before being acted upon by the House.

12 (c) Action on Amendment Before Re-Referral. If any standing committee
13 recommends adoption of an amendment or committee substitute of a bill which, under
14 the rules of the House must be referred to the Standing Committees on Appropriations
15 or Standing Committee on Finance, the amendment or committee substitute shall be
16 considered and, if adopted, the amendment or substitute engrossed before the bill is re-
17 referred.

18 **RULE 39. Recall of Bill from Standing Committee.**—When a House bill
19 has been introduced and referred to a standing committee, if after 10 legislative days the
20 standing committee has failed to report thereon, then the introducer of the bill or some
21 member designated by him may, after three legislative days' public notice given in the
22 House and delivered in writing to the Chair of the standing committee, on motion
23 supported by a majority vote of the members present and voting, recall the same from
24 the standing committee to the floor of the House for consideration and such action
25 thereon as a majority of the members present may direct. This rule shall not be
26 temporarily suspended without one day's notice on the motion given in the House and
27 delivered in writing to the Chair of the standing committee, and to sustain that motion
28 two-thirds (2/3) of the members present and voting shall be required.

29 **RULE 39.1. Recall of Bill from Permanent Subcommittee.**—When a House
30 bill has been referred to a permanent subcommittee, if after 10 legislative days the
31 subcommittee has failed to act thereon or, at any time, with the agreement of the
32 subcommittee chair, the standing committee Chair may re-refer the bill from that
33 permanent subcommittee to another permanent subcommittee of the same standing
34 committee provided the report of the re-referral shall be made pursuant to Rule 32.

35 **RULE 39.2. Re-referral of Bills from One Standing Committee to**
36 **Another Standing Committee.**—Upon consent of the sponsor of the bill, the Speaker,
37 the Chair of the standing committee from whom the bill is to be re-referred, and the
38 Chair of the standing committee to whom the bill is to be re-referred, the Chair may
39 move for a re-referral to another standing committee and the bill shall be re-referred
40 upon vote of the majority present during a regular session of the House.

41 **RULE 40. Calendars and Schedules of Business.**—The Clerk of the House
42 shall prepare a daily schedule of business, including the Calendar of Bills and
43 Resolutions for consideration and debate that day, in accordance with the Order of
44 Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the

1 order in which they are introduced. All bills and resolutions shall be taken up as they
2 appear in each category (Rule 5(10)) in the order they were reported by standing
3 committee; but the Standing Committee on Rules, Appointments and Calendar may at
4 any time arrange the order of precedence in which bills may be considered.

5 **RULE 41. Reading of Bills.**—(a) Every bill shall receive three readings in the
6 House prior to its passage. The first reading and reference to standing committee of a
7 House bill shall occur on the next legislative day following its introduction. The first
8 reading and reference to standing committee of a Senate bill shall occur on the next
9 legislative day following its receipt on messages from the Senate. The Speaker shall
10 give notice at each subsequent reading whether it be the second or third reading.

11 (b) No bill shall be read more than once on the same day without the concurrence
12 of two-thirds (2/3) of the members present and voting; provided, no bill governed by
13 Article II, Section 23 of the North Carolina Constitution or described in Rule 20 (a)(2)
14 herein shall be read twice on one day under any circumstance.

15 **RULE 42. Effect of a Defeated Bill.**—(a) Subject to the provisions of subsection
16 (b) of this rule, after a bill has:

- 17 1. been tabled,
- 18 2. been postponed indefinitely,
- 19 3. failed to pass on any of its readings, or
- 20 4. been placed on the unfavorable calendar,

21 the contents of that bill or the principal provisions of its subject matter shall not be
22 considered in any other measure originating in the Senate or originating thereafter in the
23 House. Upon the point of order being raised and sustained by the Chair, that measure
24 shall be laid upon the table, and shall not be taken therefrom except by a two-thirds
25 (2/3) vote of the members present and voting.

26 (b) No local bill shall be held by the Chair to embody the contents of or the
27 principal provisions of the subject matter of any statewide measure which has been laid
28 on the table, has failed to pass on any of its readings, or has been placed on the
29 unfavorable calendar.

30 **RULE 43. Amendments.**—No amendment to a measure before the House
31 shall be in order unless the amendment is germane to the measure under consideration.
32 A House amendment deleting a previously adopted House amendment shall not be in
33 order.

34 Only one principal (first degree) amendment shall be pending at any one
35 time. If a subsequent or substitute principal amendment shall be offered, the Speaker
36 shall rule it out of order. However, any member desiring to offer a subsequent or
37 substitute principal amendment in opposition to the pending amendment may inform the
38 House by way of argument against the pending amendment that if it is defeated he
39 proposes to offer another principal amendment, and he may then read and explain such
40 proposed amendment.

41 Perfecting (or second degree) amendments may be offered and considered
42 without limitation as to number, and in the event of multiple perfecting amendments,
43 they shall be voted upon in inverse order.

1 RULE 43.1. **Engrossment.**—Bills and resolutions, except those making
2 appropriations, which originate in the House and which are amended, shall be engrossed
3 before being sent to the Senate.

4 RULE 43.2. **House Concurrence in Senate Amendments to House Bills.**—
5 The House shall not concur in a Senate amendment to a bill originating in the House
6 until the next legislative day after the day on which the House receives the Senate
7 amendment.

8 RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating in the
9 House; Procedure for Treatment of Material Amendments thereto.—(a) Whenever
10 the Senate has adopted a committee substitute for a bill originating in the House, and
11 has returned the bill to the House for concurrence in that committee substitute, the
12 House may not concur in that committee substitute until the next legislative day
13 following the day on which the House receives that committee substitute.

14 (b) The Speaker may, and upon motion supported by a majority of the House
15 present and voting shall, refer the bill to an appropriate standing committee for
16 consideration of the committee substitute.

17 (c) The Speaker shall, in placing the bill on the calendar, rule whether the
18 committee substitute is a material amendment under Article II, Section 23, of the State's
19 Constitution which reads:

20 "**Revenue bills.**—No law shall be enacted to raise money on the credit of the State, or
21 to pledge the faith of the State directly or indirectly for the payment of any debt, or to
22 impose any tax upon the people of the State, or to allow the counties, cities, or towns to
23 do so, unless the bill for the purpose shall have been read three several times in each
24 House of the General Assembly and passed three several readings, which readings shall
25 have been on three different days, and shall have been agreed to by each House
26 respectively, and unless the yeas and nays on the second and third readings of the bill
27 shall have been entered on the journal."

28 If the committee substitute was referred to standing committee, the standing
29 committee shall:

- 30 i. report the bill with the recommendation either that the House
31 concur or that the House do not concur; and
32 ii. advise the Speaker as to whether or not that committee
33 substitute is a material amendment under Article II, Section 23,
34 of the State's Constitution.

35 (d) If the committee substitute for a bill is not a material amendment, the
36 question before the House shall be concurrence.

37 (e) If the committee substitute for a bill is a material amendment, the
38 receiving of that bill on messages shall constitute first reading and the question before
39 the House shall be concurrence on second reading. If the motion is passed, the question
40 then shall be concurrence on third reading on the next legislative day.

41 (f) No committee substitute adopted by the Senate to a bill originating in the
42 House may be amended by the House.

43 RULE 44. **Conference Standing Committees.**—(a) Whenever the House
44 shall decline or refuse to concur in amendments put by the Senate to a bill originating in

1 the House, or shall refuse to concur in a substitute adopted by the Senate for a bill
2 originating in the House or whenever the Senate shall decline or refuse to concur in
3 amendments put by the House to a bill originating in the Senate, or shall refuse to
4 concur in a substitute adopted by the House for a bill originating in the Senate, a
5 conference committee may be appointed by the Speaker upon his own motion or shall
6 be appointed upon request by the principal sponsor of the original bill, the Chair of the
7 House standing committee which reported the bill, or by the sponsor of the amendment
8 in which the Senate refused to concur; and the bill under consideration shall thereupon
9 go to and be considered by the joint conferees on the part of the House and Senate. In
10 appointing members to conference committees the Speaker shall appoint no less than a
11 majority of members who generally supported the House position as determined by the
12 Speaker.

13 (b) Only such matters as are in difference between the two houses shall be
14 considered by the conferees, and the conference report shall deal only with such
15 matters. The conference report may be made by a majority of the House members of
16 such conference committee and shall not be amended.

17 (c) If the conferees fail to agree, new conferees may be appointed. However, if
18 either house refuses to adopt the report of its conferees, no new conferees may be
19 appointed.

20 **RULE 44.1. Transmittal of Bills to Senate.**—Unless ordered by the Speaker
21 or two-thirds (2/3) vote of the members present and voting, no bill shall be sent from the
22 House on the day of its passage, except on the last day of the session.

23 **VII. LEGISLATIVE OFFICERS AND EMPLOYEES**

24 **RULE 45. Elected Officers.**—(a) The House shall elect one of its members
25 Speaker.

26 (b) The House shall elect one of its members Speaker Pro Tempore who shall
27 perform such duties as the Speaker may assign and shall preside over the House in the
28 absence or incapacity of the Speaker and shall perform all of the duties of the Speaker
29 until such time the Speaker may assume the Chair.

30 (c) The House shall elect a Principal Clerk, a Reading Clerk and a Sergeant-at-
31 Arms, each of whom shall have and perform such duties and responsibilities not
32 inconsistent with these Rules as the Speaker may assign. The Principal Clerk shall
33 continue in office until another is elected. The Reading Clerk and Sergeant-at-Arms
34 shall serve at the pleasure of the Speaker.

35 **RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms.**—The
36 Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the
37 Speaker, such assistants as may be necessary to the efficient discharge of the duties of
38 their respective offices.

39 **RULE 47. Speaker's Clerk, Chaplain, and Pages.**—(a) The Speaker may appoint
40 one or more clerks to the Speaker, a Chaplain of the House, and pages to wait upon the
41 sessions of the House.

42 (b) When the House is not in session, the pages shall be under the supervision of
43 the Supervisor of Pages.

44 (c) No member may have more than 10 persons designated as honorary pages.

1 RULE 54. **Attendance of Members.**—No member or officer of the House
2 shall absent himself from the service of the House without leave, unless from sickness
3 or disability.

4 RULE 55. **Documents to be Signed by the Speaker.**—All acts, addresses,
5 and resolutions and all warrants and subpoenas issued by order of the House shall be
6 signed by the Speaker or other presiding officer.

7 RULE 56. **Printing or Reproducing Materials.**—There shall be no printing
8 or reproducing of paper(s) that are not legislative in essence except upon approval of the
9 Speaker.

10 RULE 57. **Placement or Circulation of Materials.**—Persons other than
11 members of the House shall not place or cause to be placed any materials on members'
12 desks in the House Chamber without obtaining approval of the Speaker. Any material
13 placed on members' desks in the House Chamber, or circulated to House members
14 anywhere in the Legislative Building or the Legislative Office Building, shall bear the
15 name of the originator.

16 RULE 58. **Rules, Rescission and Alteration.**—(a) These rules shall not be
17 permanently rescinded or altered except by House simple resolution passed by a two-
18 thirds (2/3) vote of the members present and voting. The introducer of the resolution
19 must on the floor of the House give notice of his intent to introduce the resolution on the
20 legislative day preceding its introduction.

21 (b) Except as otherwise provided herein, the House upon two-thirds (2/3) vote of
22 the members present and voting may temporarily suspend any rule.

23 RULE 59. **Limitation on Cosponsorship of Bills and Resolutions.**—Any
24 member wishing to cosponsor a bill or resolution which has been introduced may do so
25 by appearing in the office of the Principal Clerk for such purpose within one-half hour
26 following the adjournment of the session during which such bill or resolution was first
27 read and referred.

28 RULE 60. **Correcting of Typographical Errors.**—The Legislative
29 Administrative Officer may correct typographical errors appearing in House bills or
30 resolutions provided that such corrections are made before ratification and do not
31 conflict with any actions or rules of the Senate and provided further that such correction
32 be approved by the Chair of the Standing Committee on Rules, Appointments and
33 Calendar, the Speaker or other presiding officer.

34 RULE 61. **Assignment of Seats.**—A member who has served in the
35 immediate preceding session may retain his seat in the subsequent biennial session.
36 After initial assignment of seats, a member shall continue to occupy the seat to which
37 initially assigned for the entire biennial session. In event of vacancy that member's
38 successor will occupy the seat of the member he replaces for the remainder of the
39 biennial session, but such successor shall not be considered as one who has served in the
40 immediate preceding session for the purposes of seat assignment in the subsequent
41 biennial session.

42 RULE 61.1. **Office Assignments.**—The Chair of the Standing Committee on
43 Rules, Appointments and Calendar shall assign to each member an office space. When
44 available, Chairs of standing committees and permanent subcommittees shall be

1 assigned an office adjacent to the room in which the standing committee or permanent
2 subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an
3 office of his choice.

4 **RULE 61.2. Convening and Assigning Seats in the New House.**—(a) The
5 Principal Clerk of the previous House of Representatives shall convene the House of
6 Representatives at 12:00 noon on the date established by law for the convening of each
7 regular session, and preside over the body until the members elect a Speaker. In the
8 case of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the
9 sergeant-at-arms of the prior House, and in the case of a vacancy in that office, or
10 inability or refusal to so serve, the duty shall devolve upon the reading clerk of the prior
11 House.

12 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
13 Appointments and the Calendar of the prior House to assign seats to the members of the
14 House of Representatives in its Chamber. In the case of a death of the Chair of the
15 Standing Committee on Rules, Appointments and the Calendar, or that Chair's inability
16 or refusal to serve, the Speaker of the prior House of Representatives shall appoint a
17 person to assign seats to members of the House of Representatives in its Chamber.

18 **RULE 62. Matters not Covered in These Rules.**—Except as herein set out
19 the rules of Mason's Manual of Legislative Procedure shall govern the operation of the
20 House.

21 Sec. 2. This resolution is effective upon adoption.