

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

Simple
H
Adopted

Resolution

HOUSE RESOLUTION 101
Committee Substitute Favorable 4/15/91
Engrossed and Adopted 4/16/91

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**

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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

1 legislative day without having fixed an hour for reconvening, the House shall convene
2 on the next legislative day at 2:00 p.m.

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

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

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

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

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

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

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

- 1 (h) Public bills and resolutions, second reading;
2 (11) Reading of Notices and Announcements; but messages and motions to
3 elect officers shall always be in order.

4 II. CONDUCT OF DEBATE

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

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

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

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

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

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

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

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

1 the case, in the judgment of the House, requires it, he shall be liable to censure by the
2 House.

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

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

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

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

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

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

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

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

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

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

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

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

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

38 **III. MOTIONS**

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

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

1 (c) After a motion has been stated by the Speaker or read by the Speaker or
2 Clerk, it shall be in the possession of the House; but it may be withdrawn before a
3 decision or amendment, except in case of a motion to reconsider, which motion, when
4 made by a member, shall be in possession of the House and shall not be withdrawn
5 without leave of the House.

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

8 To adjourn

9 To lay on the table

10 To postpone indefinitely

11 Previous question

12 To reconsider

13 To postpone to a day certain

14 To re-refer

15 To amend an amendment

16 To amend

17 To substitute

18 To pass the bill

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

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

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

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

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

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

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

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

41 **RULE 17. Motion to Postpone Indefinitely.**—A motion to postpone
42 indefinitely is in order except when a motion to adjourn or to lay on the table is before
43 the House. However, after one motion to postpone indefinitely has been decided,
44 another motion to postpone indefinitely shall not be allowed at the same stage of the bill

1 or proposition. When a question has been postponed indefinitely, it shall not thereafter
2 be considered except on motion to reconsider under Rule 18, or to place on the
3 favorable calendar approved by a two-thirds (2/3) vote.

4 **RULE 18. Motion to Reconsider.**—(a) When a question has been decided, it is
5 in order for any member to move for the reconsideration thereof, on the same or the
6 succeeding legislative day; provided that if the vote by which the motion was originally
7 decided was taken by a recorded vote, only a member of the prevailing side may move
8 for reconsideration.

9 (b) A motion to reconsider shall be determined by a majority vote, except the
10 following shall require a two-thirds vote: a second or subsequent motion to reconsider,
11 and a motion to reconsider:

- 12 (1) A vote upon a motion to table,
- 13 (2) A motion to postpone indefinitely,
- 14 (3) A motion to remove a bill from the unfavorable calendar,
- 15 (4) A motion that a bill be read twice on the same day, or
- 16 (5) A motion to remove from the table.

17 (c) A motion to reconsider the vote by which a person has been elected as
18 Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule
19 cannot be suspended.

20 **RULE 19. Previous Question.**—(a) The previous question may be called only by
21 the member submitting the report on the bill or other matter under consideration, by the
22 member introducing the bill or other matter under consideration, or by the member in
23 charge of the measure, who shall be designated by the Chair of the standing committee
24 or permanent subcommittee reporting the same to the House at the time the bill or other
25 matter under consideration is reported to the House or taken up for consideration.

26 (b) The previous question shall be as follows: "Shall the main question now be
27 put?" When the call for the previous question has been decided in the affirmative by a
28 majority vote of the House, the "main question" is on the passage of the bill, resolution
29 or other matter under consideration.

30 (c) The call for the previous question shall preclude all motions, amendments and
31 debate, except the motion to adjourn or motion to table or motion to postpone
32 indefinitely made prior to the determination of the previous question.

33 (d) If the previous question is decided in the negative, the main question remains
34 under debate.

35 IV. VOTING

36 **RULE 20. Use of Electronic Voting System.**—(a) Votes on the following questions
37 shall be taken on the electronic voting system, and the ayes and noes shall be recorded
38 on the Journal:

- 39 (1) The passage as required by Article II, Section 23 of the Constitution of
40 North Carolina, on second and third readings of any bill:
 - 41 a. Raising money on the credit of the State,
 - 42 b. Pledging the faith of the State for the payment of a debt,
 - 43 c. Imposing a State tax, or

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

1 (f) One copy of the machine printout of the vote record of all votes taken on
2 the electronic system shall be filed in the office of the Principal Clerk, and one copy
3 shall be filed in the Legislative Library where it shall be open to public inspection.

4 (g) When the Speaker ascertains that the electronic voting system is
5 inoperative before a vote is taken or while a vote is being taken on the electronic
6 system, he shall announce that fact to the House and any partial electronic system
7 voting record shall be voided. In such a case, if the Constitution of North Carolina or
8 the Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of
9 the House, and the ayes and noes shall be taken manually and shall be recorded on the
10 Journal. All roll call votes shall be taken alphabetically. All other votes shall be taken
11 by voice vote. If, after a vote is taken on the electronic system, it is discovered that a
12 malfunction caused an error in the electronic system printout, the Speaker shall direct
13 the Reading Clerk and the Principal Clerk to verify and correct the printout record and
14 so advise the House.

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

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

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

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

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

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

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

42 **RULE 23. Voting by Division.**—Any member may call for a division of the
43 members upon the question before the result of the vote has been announced. Upon a
44 call for a division, the Speaker shall cause the number voting in the affirmative and in

1 the negative to be determined. Upon a division and count of the House on any question,
2 no member away from his seat shall be counted.

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

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

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

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

17 (c) The member so excused shall not debate the bill or any amendment to the
18 bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any
19 motion concerning the bill at that reading, any subsequent reading, or any subsequent
20 consideration of the bill.

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

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

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

30 V. COMMITTEES

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

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

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

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

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

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

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

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

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

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

22 The standing committees and permanent subcommittees thereof are:

| 23 Committee | 24 Subcommittees |
|---|--|
| 25 Appropriations | -General Government |
| | -Human Resources |
| | -Justice and Public Safety |
| | -Environment, Health, and Natural Resources |
| | -Transportation |
| | -Education |
| 30 Agriculture | -Aquaculture and Marine Fisheries |
| | -Forestry, Horticulture and Wildlife |
| | -Crops and Animal Husbandry |
| 33 Commerce | -Financial Institutions |
| | -Insurance |
| | -Housing |
| 36 Courts, Justice, 37 Constitutional Amendments 38 and Referenda | (None) |
| | Economic Expansion -Travel, Tourism and Economic 40 Development |
| | -Labor Relations and Employment |
| | -Small Business |
| 43 Education | -Community Colleges |
| 44 | -Pre-School, Elementary and Secondary Education |

| | | |
|----|-----------------------------|--|
| 1 | | -University Education and Affairs |
| 2 | Environment | -Solid Waste |
| 3 | | -Water, Air and Soil |
| 4 | | -Hazardous Waste |
| 5 | Ethics | (None) |
| 6 | Finance | -Local and Regional Government Revenue |
| 7 | | -State Revenue |
| 8 | | -Ways and Means |
| 9 | Human Resources | -Aging |
| 10 | | -Children, Youth, and Families |
| 11 | | -Health and Mental Health |
| 12 | Judiciary I | (None) |
| 13 | Judiciary II | (None) |
| 14 | Judiciary III | (None) |
| 15 | Local and Regional | |
| 16 | Government I | (None) |
| 17 | Local and Regional | |
| 18 | Government II | (None) |
| 19 | Pensions and Retirement | (None) |
| 20 | Public Employees | (None) |
| 21 | Public Utilities | (None) |
| 22 | Legislative and Local | |
| 23 | Redistricting | (None) |
| 24 | Congressional Redistricting | (None) |
| 25 | Rules, Appointments, | |
| 26 | and Calendar | (None) |
| 27 | Science and Technology | (None) |
| 28 | State Government | -Boards and Commissions |
| 29 | | -State Parks, Facilities and Property |
| 30 | | -Military, Veterans and Indian Affairs |
| 31 | Transportation | -Highways |
| 32 | | -Public Transportation |
| 33 | | -Airports, Railways, and Waterways |

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

35 Standing committees and permanent subcommittees of standing committees
 36 shall be furnished with suitable meeting places pursuant to a schedule adopted by the
 37 Standing Committee on Rules, Appointments and Calendar. Select committees shall be
 38 furnished with suitable meeting places as their needs require by the Chair of the
 39 Standing Committee on Rules, Appointments and Calendar.

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

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

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

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

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

24 (1) 15 minutes preceding a regular session of the House, and

25 (2) 10 minutes preceding the hour of the next regularly-scheduled standing
26 committee or permanent subcommittee meeting.

27 (g) Any call or notice of a standing committee or permanent subcommittee
28 meeting between legislative sessions shall be mailed to each member of the standing
29 committee or permanent subcommittee at least five days prior to such meeting. If a
30 member of the body so requests in writing to the Chair of the standing committee or
31 permanent subcommittee, the member shall be notified by certified mail of the
32 meetings.

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

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

43 (b) If, after such preliminary investigation as it may make, the Committee
44 determines to proceed with an inquiry into the conduct of any individual, the Committee

1 shall notify the individual as to the fact of the inquiry and the charges against him and
2 shall schedule one or more hearings on the matter. The individual shall have the right to
3 present evidence, cross-examine witnesses, and be represented by counsel at any
4 hearings.

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

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

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

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

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

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

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

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

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

39 **RULE 29.2. Minutes to Legislative Library.**—The Chair of a standing
40 committee or a permanent subcommittee shall insure that written minutes are compiled
41 for each of the body's meetings. The minutes shall indicate the members present and
42 the actions taken at the meeting. Not later than 20 days after the adjournment of each
43 session of the General Assembly, the Chair shall deliver the minutes to the Legislative

1 Library. The Speaker of the House may grant a reasonable extension of time for filing
2 said minutes upon written application of the Chair.

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

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

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

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

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

22 VI. HANDLING OF BILLS

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

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

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

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

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

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

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

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

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

15 (a1) All bills prepared to be introduced for departments, agencies, or
16 institutions of the State must be introduced not later than the third Thursday in March
17 (March 21) of the first year of the biennial session; provided that any such measure
18 submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m.
19 on that date and introduced in the House of Representatives before 3:00 p.m. on the next
20 Thursday (March 28) shall be treated as if it had been introduced pursuant to this
21 subsection. Bills introduced under this subsection shall be identified as an (Agency
22 Bill) after its short title.

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

29 (b) All public bills not containing appropriations or tax law changes must be
30 introduced not later than the second Thursday in April (April 11) 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 (April 18) shall be treated as
34 if it had been introduced pursuant to this subsection.

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

41 (c1) All resolutions, except those honoring the memory of deceased persons
42 or adjourning the General Assembly must be introduced not later than the second
43 Thursday in May (May 9) of the first year of the biennial session; provided that any
44 such measure submitted to the Bill Drafting Division of the Legislative Services Office

1 by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00
2 p.m. on the next Thursday (May 16) shall be treated as if it had been introduced
3 pursuant to this subsection.

4 (d) In order to be eligible for consideration by the House during the first regular
5 session, all Senate bills other than finance or appropriations bills or adjournment
6 resolutions, must be received and read on the floor of the House as a message from the
7 Senate no later than May 16; provided that a message from the Senate received by the
8 next legislative day stating that a bill has passed its third reading and is being engrossed
9 shall comply with the requirements of this subsection and provided that the Senate has a
10 similar rule.

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

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

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

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

43 Any recommendation of favorable or without prejudice may include a
44 recommendation of re-referral to another standing committee. After a bill is reported to

1 a standing committee by a permanent subcommittee of that standing committee, the
2 standing committee Chair may re-refer the bill to another permanent subcommittee of
3 that standing committee.

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

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

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

18 **RULE 34. Introduction of Resolutions and Bills, Copies Required.**—(a)
19 Whenever any resolution or bill is introduced, a duplicate copy thereof shall
20 be attached thereto, and the Principal Clerk shall cause said duplicate copy to be
21 numbered as the original resolution or bill is numbered, and shall cause the same to be
22 available at all times to the member introducing the same.

23 (b) Numbering of House Bills shall be designated as "H.B. ____." (No. following).
24 A Joint Resolution shall be designated as "H.J.R. ____." (No. following). A House
25 Resolution shall be designated as "H.R. ____." (No. following).

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

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

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

1 RULE 35.1. **Assessment Reports.**—Every bill or resolution proposing the
2 establishment of an occupational or professional licensing plan or a study for the need to
3 establish such a plan shall have attached to the jacket of the original bill or resolution at
4 the time of its consideration on second and third readings by the House or by any
5 standing committee or permanent subcommittee of the House, an assessment report
6 from the Legislative Standing Committee on New Licensing Plans pursuant to Article
7 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute
8 any part of the expression of legislative intent proposed by the formation of a licensing
9 plan. Upon receipt of the request the Legislative Standing Committee on New
10 Licensing Plans shall prepare and return the assessment report as soon as possible but
11 not later than 60 days, reserving the right to extend this time to 90 days.

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

18 With the written approval of the Chair of the standing committee and with the
19 recommendation of the subcommittee pursuant to Rule 32(4) through (6), the Chair of
20 the permanent subcommittee may report the bill directly to the floor with that
21 recommendation. If a permanent subcommittee recommends reporting a bill to the floor
22 and the Chair of the standing committee fails to give his approval, the bill shall be
23 deemed to have been reported to the standing committee with the same recommendation
24 as the subcommittee would have made to the House.

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

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

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

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

43 (e) **Minority Report.** When a bill is reported by a standing committee with
44 a recommendation that it be not passed or that it be postponed indefinitely, but it is

1 accompanied by a minority report signed by at least one-fourth (1/4) of the members of
2 the standing committee who were present and voting when the bill was considered in
3 standing committee, the question before the House shall be: "The adoption of the
4 minority report." If the minority report is adopted by majority vote, the bill shall be
5 placed on the favorable calendar for consideration. If the minority report fails of
6 adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

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

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

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

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

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

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

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

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

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

1 shall have attached to it at the time of its consideration by any standing committee or
2 permanent subcommittee a brief explanatory statement or note which shall include a
3 reliable estimate of the financial and actuarial effect of the proposed change to that
4 retirement or pension system. The actuarial note shall be attached to the jacket of each
5 proposed bill or resolution which is reported favorably by any standing committee or
6 any permanent subcommittee, shall be separate therefrom, and shall be clearly
7 designated as an actuarial note.

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

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

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

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

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

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

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

- 7 1. carries an appropriation from the State; or
- 8 2. requires or will require in the future substantial additional State monies
9 from the General Fund or Highway Fund to implement its provisions
10 shall indicate same in the report, and said bill or resolution shall be
11 referred to the Standing Committee on Appropriations for a further
12 report before being acted upon by the House.

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

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

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

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

42 **RULE 39.2. Re-referral of Bills from One Standing Committee to**
43 **Another Standing Committee.**—Upon consent of the sponsor of the bill, the Speaker,
44 the Chair of the standing committee from whom the bill is to be re-referred, and the

1 Chair of the standing committee to whom the bill is to be re-referred, the Chair may
2 move for a re-referral to another standing committee and the bill shall be re-referred
3 upon vote of the majority present during a regular session of the House.

4 **RULE 40. Calendars and Schedules of Business.**—The Clerk of the House
5 shall prepare a daily schedule of business, including the Calendar of Bills and
6 Resolutions for consideration and debate that day, in accordance with the Order of
7 Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the
8 order in which they are introduced. All bills and resolutions shall be taken up as they
9 appear in each category (Rule 5(10)) in the order they were reported by standing
10 committee; but the Standing Committee on Rules, Appointments and Calendar may at
11 any time arrange the order of precedence in which bills may be considered.

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

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

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

- 24 1. been tabled,
- 25 2. been postponed indefinitely,
- 26 3. failed to pass on any of its readings, or
- 27 4. been placed on the unfavorable calendar,

28 the contents of that bill or the principal provisions of its subject matter shall not be
29 considered in any other measure originating in the Senate or originating thereafter in the
30 House. Upon the point of order being raised and sustained by the Chair, that measure
31 shall be laid upon the table, and shall not be taken therefrom except by a two-thirds
32 (2/3) vote of the members present and voting.

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

37 **RULE 43. Amendments.**—No amendment to a measure before the House
38 shall be in order unless the amendment is germane to the measure under consideration.
39 A House amendment deleting a previously adopted House amendment shall not be in
40 order.

41 Only one principal (first degree) amendment shall be pending at any one
42 time. If a subsequent or substitute principal amendment shall be offered, the Speaker
43 shall rule it out of order. However, any member desiring to offer a subsequent or
44 substitute principal amendment in opposition to the pending amendment may inform the

1 House by way of argument against the pending amendment that if it is defeated he
2 proposes to offer another principal amendment, and he may then read and explain such
3 proposed amendment.

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

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

10 RULE 43.2. **House Concurrence in Senate Amendments to House Bills.**—
11 The House shall not concur in a Senate amendment to a bill originating in the House
12 until the next legislative day after the day on which the House receives the Senate
13 amendment.

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

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

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

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

34 If the committee substitute was referred to standing committee, the standing
35 committee shall:

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

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

43 (e) If the committee substitute for a bill is a material amendment, the
44 receiving of that bill on messages shall constitute first reading and the question before

1 the House shall be concurrence on second reading. If the motion is passed, the question
2 then shall be concurrence on third reading on the next legislative day.

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

5 **RULE 44. Conference Standing Committees.**—(a) Whenever the House
6 shall decline or refuse to concur in amendments put by the Senate to a bill originating in
7 the House, or shall refuse to concur in a substitute adopted by the Senate for a bill
8 originating in the House or whenever the Senate shall decline or refuse to concur in
9 amendments put by the House to a bill originating in the Senate, or shall refuse to
10 concur in a substitute adopted by the House for a bill originating in the Senate, a
11 conference committee may be appointed by the Speaker upon his own motion or shall
12 be appointed upon request by the principal sponsor of the original bill, the Chair of the
13 House standing committee which reported the bill, or by the sponsor of the amendment
14 in which the Senate refused to concur; and the bill under consideration shall thereupon
15 go to and be considered by the joint conferees on the part of the House and Senate. In
16 appointing members to conference committees the Speaker shall appoint no less than a
17 majority of members who generally supported the House position as determined by the
18 Speaker.

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

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

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

29 **VII. LEGISLATIVE OFFICERS AND EMPLOYEES**

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

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

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

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

1 No member shall orally ask the Speaker to extend these courtesies during the daily
2 session.

3 **RULE 53. Order in Galleries and Lobby.**—In case of any disturbance or
4 disorderly conduct in the galleries or lobby, the Speaker or other presiding officer is
5 empowered to order the same to be cleared.

6 **IX. GENERAL RULES**

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

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

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

16 **RULE 57. Placement or Circulation of Materials.**—Persons other than
17 members of the House shall not place or cause to be placed any materials on members'
18 desks in the House Chamber without obtaining approval of the Speaker. Any material
19 placed on members' desks in the House Chamber, or circulated to House members
20 anywhere in the Legislative Building or the Legislative Office Building, shall bear the
21 name of the originator.

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

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

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

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

40 **RULE 61. Assignment of Seats.**—A member who has served in the
41 immediate preceding session may retain his seat in the subsequent biennial session.
42 After initial assignment of seats, a member shall continue to occupy the seat to which
43 initially assigned for the entire biennial session. In event of vacancy that member's
44 successor will occupy the seat of the member he replaces for the remainder of the

1 biennial session, but such successor shall not be considered as one who has served in the
2 immediate preceding session for the purposes of seat assignment in the subsequent
3 biennial session.

4 **RULE 61.1. Office Assignments.**—The Chair of the Standing Committee on
5 Rules, Appointments and Calendar shall assign to each member an office space. When
6 available, Chairs of standing committees and permanent subcommittees shall be
7 assigned an office adjacent to the room in which the standing committee or permanent
8 subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an
9 office of his choice.

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

18 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
19 Appointments and the Calendar of the prior House to assign seats to the members of the
20 House of Representatives in its Chamber. In the case of a death of the Chair of the
21 Standing Committee on Rules, Appointments and the Calendar, or that Chair's inability
22 or refusal to serve, the Speaker of the prior House of Representatives shall appoint a
23 person to assign seats to members of the House of Representatives in its Chamber.

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

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