

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

Simple
S
Adopted

Resolution

SENATE RESOLUTION 83
Committee Substitute Adopted with Amendments 2/25/91

Sponsors:

Referred to:

February 18, 1991

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

4 Be it resolved by the Senate:

5 Section 1. The permanent rules for the Regular Sessions are as follows:

6 **PERMANENT RULES OF**
7 **THE REGULAR SESSIONS OF THE SENATE**
8 **1991 GENERAL ASSEMBLY OF NORTH CAROLINA**

- 9 I. Order of Business, Rules 1-7
10 II. Conduct of Debate, Rules 8-17
11 III. Motions, Rules 18-24
12 IV. Voting, Rules 25-30
13 V. Committees, Rules 31-37
14 VI. Handling Bills, Rules 38-59.1
15 VII. Legislative Officers and Employees, Rules 60-65
16 VIII. General Rules, Rules 66-77.

17 **I. ORDER OF BUSINESS**

18 **RULE 1. Rules controlling the Senate of North Carolina and its**
19 **committees.**—The following rules shall govern and control all actions and procedures of
20 the Senate and its committees.

21 **RULE 2. Convening hour.**—The Presiding Officer shall take the Chair at the
22 hour fixed by the Senate upon adjournment on the preceding legislative day, and shall
23 call the members to order. In case the Senate adjourned on the preceding legislative day

1 **RULE 8. Presiding Officer to maintain order.**—The Presiding Officer shall
2 have general direction of the Hall of the Senate and shall be authorized to take such
3 action as is necessary to maintain order, and in case of any disturbance or disorderly
4 conduct in the galleries or lobbies, he shall have the power to order those areas cleared.

5 **RULE 9. Substitution for Presiding Officer.** The Presiding Officer shall
6 have the right to call on any member to perform the duties of the Chair, but substitution
7 shall not extend beyond one day.

8 **RULE 10. Points of order.**—(a) The Presiding Officer shall preserve order and
9 decorum and proceed with the business of the Senate according to the rules adopted. He
10 shall decide all questions of order, subject to an appeal to the Senate by any member, on
11 which appeal no member shall speak more than once unless by leave of the Senate. A
12 two-thirds vote of the membership of the Senate present and voting is necessary to
13 sustain any appeal from the ruling of the Presiding Officer.

14 (b) In the event the Senate Rules do not provide for, or cover any point of order
15 raised by any Senator, the rules of the United States House of Representatives shall
16 govern.

17 (c) When a Senator is called to order he shall take his seat until the Presiding
18 Officer determines whether he was in order or not; if decided to be out of order, he shall
19 not proceed without the permission of the Senate; and every question of order shall be
20 decided by the Presiding Officer, subject to an appeal to the Senate by any Senator; and
21 if a Senator is called to order for words spoken, the words excepted to shall be
22 immediately taken down in writing, that the Presiding Officer or Senate may be better
23 able to judge the matter.

24 **RULE 11. Debating and voting by Lieutenant Governor.**—The Lieutenant
25 Governor, as President of the Senate, being a Constitutional Officer shall not have the
26 right to debate any question or to address the Senate upon any proposition unless by
27 permission of the majority of members present, and shall have the right to vote only
28 when there is a tie vote upon any question or election.

29 **RULE 12. Obtaining recognition.**—(a) When any Senator is about to speak in
30 debate or deliver any matter to the Senate, he shall rise from his seat and respectfully
31 address the Presiding Officer. No member shall speak further until recognized by the
32 Presiding Officer. The Presiding Officer shall recognize the first to rise and, when two
33 or more members rise at the same time, the Presiding Officer shall name the member to
34 speak.

35 (b) A Senator who has the floor may yield the floor to another Senator only for
36 the purpose of allowing another Senator to state a question. Only the Presiding Officer
37 may award the floor to any Senator for the purposes of allowing that Senator to engage
38 in general debate.

39 (c) A Senator who has obtained the floor may be interrupted only for the
40 following reasons:

- 41 1. a request that the member speaking yield for a question,
- 42 2. a point of order, or
- 43 3. a parliamentary inquiry.

44 (d) When a Senator refers to a bill, the bill number and short title must be used.

1 introducer at any time before decision or amendment. No motion relating to a bill shall
2 be in order which does not identify the bill by its number and short title. Except as
3 otherwise specifically provided in these rules, no second is required.

4 **RULE 19. Motion; order of precedence.**—When a question is before the
5 Senate no motion shall be received except those herein specified, which motions shall
6 have precedence as follows:

- 7 (1) To adjourn.
- 8 (2) To lay on the table.
- 9 (3) For the previous question.
- 10 (4) To postpone indefinitely.
- 11 (5) To postpone to a certain day.
- 12 (6) To commit to a standing committee.
- 13 (7) To commit to a select committee.
- 14 (8) To amend.

15 **RULE 20. Motions requiring a second.**—The motions to adjourn, to lay on
16 the table, and to call for the previous question, shall be seconded and decided without
17 debate, and the motion to adjourn shall always be in order when made by a Senator
18 entitled to the floor.

19 **RULE 21. Motions to postpone to certain day and to commit.**—The
20 respective motions to postpone to a certain day, or to commit to a standing or select
21 committee, shall preclude debate on the main question.

22 **RULE 22. Motion to substitute.**—Subject to Rule 19, a member may offer a
23 motion to substitute to any motion, except the motions for the previous question, to
24 table, or to adjourn. No motion to substitute shall be offered to a motion to substitute.

25 **RULE 23. Motion for previous question.**—The previous question shall be as
26 follows: "Shall the main question be now put?" and until it is decided shall preclude all
27 amendments and debate. If this question is decided in the affirmative, the "main
28 question" shall be on the passage of the bill, resolution, or other matter under
29 consideration; but when amendments are pending, the question shall be taken upon such
30 amendments in their inverse order, without further debate or amendment: Provided, that
31 no one shall move the previous question except the chairman of the committee
32 submitting the report on the bill or other matter under consideration, or the member
33 introducing the bill or other matter under consideration, or the member in charge of the
34 measure, who shall be designated by the chairman of the committee reporting the same
35 to the Senate at the time the bill or other matter under consideration is reported to the
36 Senate or taken up for consideration.

37 **RULE 24. Motion to reconsider.**—(a) When a question has been once put
38 and decided, any Senator who voted in the majority may move to reconsideration
39 thereof; but no motion for the reconsideration of any vote shall be in order after the bill,
40 resolution, message, report, amendment, or motion upon which the vote was taken has
41 gone out of the possession of the Senate; nor shall any motion for reconsideration be in
42 order unless made on the same day or in the next following legislative day on which the
43 vote proposed to be reconsidered took place: Provided, that when the next legislative
44 day has by motion of the Senate been restricted as to matters which may be considered,

1 a motion to reconsider shall be in order on the next succeeding day upon which regular
2 business is conducted. No question shall be reconsidered more than once.

3 (b) Notwithstanding subsection (a) of this Rule, a motion to reconsider is in
4 order at any time if made by the Chairman or, in his absence, the Vice-Chairman of the
5 Committee on Rules and Operation of the Senate for the sole purpose of correcting
6 grammatical errors in bills in the possession of the Senate.

7 IV. VOTING

8 **RULE 25. Use of electronic voting system.**—(a) Votes on the following questions
9 shall be taken on the electronic voting system, and the ayes and noes shall be recorded
10 on the Journal:

11 (1) All questions on which the Constitution of North Carolina requires that
12 the ayes and noes be taken and recorded on the Journal.

13 (2) All questions on which a call for the ayes and noes under Rule 26(b)
14 has been sustained.

15 (3) Both second and third readings of bills proposing amendment of the
16 Constitution of North Carolina.

17 (b) Votes on the following questions shall be taken on the electronic voting
18 system, and the resulting totals shall be recorded on the Journal:

19 (1) Second reading of all public bills, all amendments to public bills
20 offered after second reading, third reading if a public bill was amended
21 after second reading, and all conference reports on public bills.

22 (2) Any other question upon direction of the Presiding Officer or upon
23 motion of any Senator supported by one-fifth of the Senators present.

24 (c) When the electronic voting system is used, the Presiding Officer shall fix and
25 announce the time, not to exceed one minute, which shall be allowed for voting on the
26 question before the Senate. The system shall be set to lock automatically and to record
27 the vote when that time has expired. Once the system has locked and recorded a vote,
28 the vote shall be printed by the system.

29 (d) The voting station at each Senator's desk in the Chamber shall be used only
30 by the Senator to which the station is assigned. Under no circumstances shall any other
31 person vote at a Senator's station. It is a breach of the ethical obligation of a Senator
32 either to request that another vote at the requesting Senator's station, or to vote at
33 another Senator's station. The Presiding Officer shall enforce this rule without
34 exception.

35 (e) When the electronic voting system is used, the Presiding Officer shall state
36 the question and shall then state substantially the following: "All in favor vote 'aye'; all
37 opposed vote 'no'; _____ seconds will be allowed for voting on this question; the Clerk
38 will record the vote." After the machine locks and records the vote, the Presiding
39 Officer shall announce the vote and declare the result.

40 (f) One copy of the machine print-out of the vote record shall be filed in the
41 office of the Principal Clerk, and one copy shall be filed in the Legislative Library
42 where it shall be open to public inspection.

43 (g) When the Presiding Officer ascertains that the electronic voting system is
44 inoperative before a vote is taken or while a vote is being taken on the electronic

1 system, he shall announce that fact to the Senate and any partial electronic system
2 voting record shall be voided. In such a case, if the Constitution of North Carolina or
3 the Rules of the Senate require a call of the ayes and noes, the Clerk shall call the roll of
4 the Senate, and the ayes and noes shall be taken manually and shall be recorded on the
5 Journal. All other votes shall be taken by voice vote as prescribed in Senate Rule 26(a).
6 If, after a vote is taken on the electronic system, it is discovered that a malfunction
7 caused an error in the electronic system print-out, the Presiding Officer shall direct the
8 Reading Clerk and the Principal Clerk to verify and correct the print-out record and so
9 advise the Senate.

10 (h) For the purpose of identifying motions on which the vote is taken on the
11 electronic system (the identification codes having no relation to the order of precedence
12 of motions), the motions are coded as follows:

- 13 1. To lay on the table.
- 14 2. For the previous question.
- 15 3. To postpone indefinitely.
- 16 4. To postpone to a day certain.
- 17 5. To refer to a committee.
- 18 6. To reconsider.
- 19 7. To adopt.
- 20 8. To concur.
- 21 9. To take from the table.
- 22 10. Miscellaneous.

23 **RULE 26. Voice votes; call for ayes and noes.**—(a) When the electronic
24 voting system is not used, all votes on which a call of the roll of the Senate is not
25 required shall be taken by voice vote. The question shall be put as follows: "Those in
26 favor say 'aye'," and, after the affirmative vote is expressed, "Opposed 'no'"; after which
27 the Presiding Officer shall announce the result. If a division on any vote is desired, it
28 must be called for immediately before the result of the voting is announced on any
29 question, and upon such call, the Presiding Officer shall require the members to stand
30 and be counted for and against the proposition under consideration.

31 (b) The ayes and the noes may be called for on any question before the vote is
32 taken. If a Senator desires the ayes and noes recorded on the Journal on a question, he
33 shall address the Presiding Officer and obtain recognition and say, "Upon that question I
34 call for the ayes and noes." Whereupon the Presiding Officer shall say, "Is the call
35 sustained?" If one-fifth of the Senators present then stand, the vote shall be taken on the
36 electronic voting system if it is operative, and the ayes and noes shall be recorded on the
37 Journal. If the electronic voting system is inoperative, the roll of the Senate shall be
38 called and the ayes and noes taken manually and recorded on the Journal. If fewer than
39 one-fifth of the Senators present stand to sustain the call, the Presiding Officer shall
40 announce, "An insufficient number up" and a vote by electronic voting or by voice,
41 whichever is appropriate under the Rules of the Senate, shall be taken.

42 **RULE 27. Pairs.**—(a) If a Senator is paired with another Senator on a
43 question, the Senator shall announce the pair as follows: "Mr. President, I desire to
44 announce a pair. If Senator _____ were present, he would vote _____; I would vote

1 _____ (the opposite).' The Senator shall send forward at that time a written statement of
2 the pair on a form provided by the Principal Clerk and neither member of the pair shall
3 vote on the question. A pair shall be announced before the vote is taken **viva voce**, or if
4 the electronic voting system is used, before the machine is unlocked. The Clerk shall
5 record the pair on the Journal when the Constitution or Rules of the Senate require a call
6 of the roll and shall record on the electronic system print-out all pairs announced.

7 (b) This rule does not apply to committee or subcommittee proceedings.

8 **RULE 28. Dividing question.**—If any question contains several distinct
9 propositions, it shall be divided by the Presiding Officer, at the request of any Senator,
10 provided each subdivision, if left to itself, forms a substantive proposition.

11 **RULE 29. Duty to vote; excuses.**—(a) Every Senator who is within the bar of
12 the Senate when the question is stated by the Presiding Officer shall vote thereon unless
13 he is excused by the Senate. The bar of the Senate shall include the entire Senate
14 Chamber.

15 (b) A Senator who is a member of a committee shall, upon request, be excused
16 from deliberations and voting on the bill while it is before the committee. The Senator
17 must make the request to the chair of the committee when the bill is first taken up for
18 consideration and before any motion or vote on the bill or any amendment to the bill.
19 The Senator making the request for excuse in Committee must renew his request for
20 excuse on the floor of the Senate as set forth in this Rule.

21 (c) Any Senator, upon his own motion and after being adopted, shall be excused
22 from the deliberations and voting on a particular bill, but to do so must make that
23 motion immediately before or after the second reading of the bill and before any motion
24 or vote on the bill or any amendment thereto. If the reason for the request arises at
25 some point later in the proceedings, the motion may be made at that time.

26 (d) The Senator may make a brief statement of the reasons for making that
27 motion. The Senator may send forward to the Principal Clerk, on a form provided by
28 the Clerk, a concise statement of the reason for the motion, and the Clerk shall include
29 this statement in the Journal.

30 (e) The Senator so excused shall not debate the bill or any amendment to the bill,
31 vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any
32 motion concerning the bill at that reading, any subsequent reading, or any subsequent
33 consideration of the bill.

34 (f) A Senator may move that his excuse from deliberations on a particular bill be
35 withdrawn.

36 (g) A motion to be excused or for the withdrawal of an excuse shall be taken
37 without debate.

38 **RULE 30. Explanation of vote.**—Any Senator may explain his vote on any
39 bill pending by obtaining permission of the Presiding Officer after the final vote is
40 taken: Provided, that not more than three minutes shall be consumed in such
41 explanation.

42 V. COMMITTEES

43 **RULE 31. Appointment of committees.**—(a) The President Pro Tempore of
44 the Senate shall have the exclusive right and authority to appoint the majority party's

1 membership of all committees, regular and select, and to appoint committee chairmen
2 and vice-chairmen and to establish select committees, but this does not exclude the right
3 of the Senate by resolution to establish select committees. The minority leader shall
4 have the exclusive right and authority to appoint all minority party's members of said
5 committees and appoint the ranking minority member. Upon the recommendation of
6 the committee on Rules and Operation of the Senate, the Senate may authorize by
7 majority vote of the Senators present and voting a change in the number of standing
8 committees.

9 (b) The President Pro Tempore and Minority Leader shall designate their party's
10 members to all standing committees at the beginning of the session.

11 **RULE 32. List of standing committees.**—The standing committees shall be:

12 Agriculture, Marine Resources, and Wildlife

13 Alcoholic Beverage Control

14 Appropriations

15 Appropriations on Education

16 Appropriations on General Government

17 Appropriations on Human Resources

18 Appropriations on Justice and Public Safety

19 Appropriations on Natural and Economic Resources

20 Banks and Thrift Institutions

21 Base Budget

22 Constitution

23 Economic Development

24 Education

25 Election Laws

26 Environment and Natural Resources

27 Finance

28 Higher Education

29 Human Resources

30 Insurance

31 Judiciary I

32 Judiciary II

33 Local Government and Regional Affairs

34 Manufacturing and Labor

35 Pensions and Retirement

36 Public Utilities

37 Redistricting

38 Legislative Redistricting

39 Congressional Redistricting

40 Rules and Operation of the Senate

41 State Personnel and State Government

42 Transportation

43 Travel, Tourism, and Cultural Resources

44 Veteran and Military Affairs, Law Enforcement, and Senior Citizens

1 RULE 38. **Application of rules.**—All provisions of these rules applying to
2 bills shall apply also to resolutions, memorials and petitions.

3 RULE 39. **Form and copies of bills.**—(a) Unless variation is authorized by the
4 Committee on Rules and Operation of the Senate, bills submitted for introduction shall
5 be in a computer-typed form prepared by the Legislative Services Office. When a bill
6 which is introduced is not in the prescribed form, the Principal Clerk shall cause the bill
7 to be retyped in the prescribed form, and the retyped copy shall become the official
8 copy of the bill for all purposes. The original bill shall then be returned to the
9 introducer of the bill and shall not become a part of the records or documents of the
10 Senate.

11 (b) Whenever a bill is introduced, 25 copies shall be submitted to the Principal
12 Clerk. Any bill submitted without the required number of copies shall be immediately
13 returned to the introducer.

14 RULE 39.1. **Public and local bills; availability of copies of bills.**—A public
15 bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15
16 counties. No public bill and, upon objection by a member, no local bill may be
17 considered unless copies of the bill have been made available to the entire membership
18 of the Senate.

19 RULE 40. **Introduction of bills.**—(a) Every bill filed for introduction shall contain
20 on the outside cover the title of the document and the name of the Senator or Senators
21 presenting it. Bills shall be delivered by the primary sponsor of the document or with
22 the prescribed authorization form signed by the primary sponsor to the office of the
23 Senate Principal Clerk who shall receive them during regular session according to the
24 following schedule:

25 Monday until 8:30 o'clock P.M.;

26 Tuesday, Wednesday, and Thursday until
27 4:00 o'clock P.M.;

28 Friday until 3:00 o'clock P.M.

29 All bills shall be numbered by the Office of the Principal Clerk when filed and shall be
30 considered introduced when presented to the Senate on the next following legislative
31 day for the first reading and reference to committee.

32 (b) Filing of bills during the interim shall be under the direction of the Rules and
33 Operation of the Senate Committee as approved by the Senate.

34 (c) All memorializing, celebration, commendation, and commemoration
35 resolutions, except those which solely honor the memory of deceased persons or a
36 North Carolina institution, or both, shall be excluded from introduction and
37 consideration in the Senate.

38 RULE 41. **Deadlines on filing for introduction of bills and resolutions.**

39 (a) All bills or resolutions recommended by commissions or committees
40 authorized or directed by act or resolution of the General Assembly to report to the 1991
41 Regular Session of the General Assembly, or to report prior to convening of that
42 session, must be filed for introduction not later than the third Thursday in March (March
43 21) of the first year of the biennial session; provided that any such measure submitted to
44 the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date

1 and filed for introduction in the Senate before 3:00 p.m. on the next Thursday (March
2 28) shall be treated as if it had been filed for introduction pursuant to this subsection.

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

10 (a2) All local bills must be filed for introduction not later than the first Thursday
11 in April (April 4) of the first year of the biennial session; provided that any such
12 measure submitted to the Bill Drafting Division of the Legislative Services Office by
13 4:00 p.m. on that date and filed for introduction in the Senate before 3:00 p.m. on the
14 next Thursday (April 11) shall be treated as if it had been filed for introduction pursuant
15 to this subsection.

16 (a3) All resolutions, except those honoring the memory of deceased persons or
17 adjourning the General Assembly must be filed for introduction not later than the
18 second Thursday in May (May 9) of the first year of the biennial session; provided that
19 any such measure submitted to the Bill Drafting Division of the Legislative Services
20 Office by 4:00 p.m. on that date and filed for introduction in the Senate before 3:00 p.m.
21 on the next Thursday (May 16) shall be treated as if it had been filed for introduction
22 pursuant to this subsection.

23 (a4) All public bills not containing appropriations or not requiring to be referred to
24 the Committee on Finance by Rule 42 must be filed for introduction not later than the
25 second Thursday in April (April 11) of the first year of the biennial session; provided
26 that any such measure submitted to the Bill Drafting Division of the Legislative
27 Services Office by 4:00 p.m. on that date and filed for introduction in the Senate before
28 3:00 p.m. on the next Thursday (April 18) shall be treated as if it had been filed for
29 introduction pursuant to this subsection.

30 (a5) All public bills containing appropriations or requiring to be referred to the
31 Committee on Finance by Rule 42 must be filed for introduction not later than the first
32 Thursday in May (May 2) of the first year of the biennial session; provided that any
33 such measure submitted to the Bill Drafting Division of the Legislative Services Office
34 by 4:00 p.m. on that date and filed for introduction in the Senate before 3:00 p.m. on the
35 next Thursday (May 9) shall be treated as if it had been filed for introduction pursuant
36 to this subsection.

37 (a6) A two-thirds vote of the membership of the Senate present and voting shall be
38 required to file for introduction any bill or resolution after the dates established by this
39 section.

40 (a7) Except for subsection (c), this rule shall not apply to any reconvened session
41 following the adjournment of the first year of the biennial session.

42 (b) In order to be eligible for consideration by the Senate during the first regular
43 session, all House Bills other than those required to be referred to the Committee on
44 Redistricting, or the Committee on Finance by Rule 42, appropriations bills or

1 adjournment resolutions, must be received and read on the floor of the Senate as a
2 message from the House no later than May 16 of the first regular session; provided that
3 a message from the House received by the next legislative day stating that a bill has
4 passed its third reading and is being engrossed shall comply with the requirements of
5 this subsection and provided that the House has a similar rule.

6 (c) No Senate local appropriations bill may be filed for introduction in the Senate
7 during the second year of the biennial session unless it is filed for introduction on or
8 before June 16 of the second year of the biennial session.

9 (d) This rule does not apply to bills establishing districts for Congress or State or
10 local entities.

11 RULE 41.1. Relationship between Ways and Means Committee and other
12 committees dealing with money matters; relationship between these other committees
13 dealing with money matters.—In those instances specified herein, the Committee on
14 Ways and Means shall have responsibility for final consideration of bills dealing with
15 money matters before the bills are considered on the floor of the Senate. Upon the
16 agreement of the chairmen or, in his absence, a vice-chairman designated by the
17 President Pro Tempore of any two of the following committees: Appropriations,
18 Finance, and Ways and Means, any bill which net effect decreases revenues or which
19 net effect increases appropriations and is reported favorably from the Committee on
20 Appropriations or the Committee on Finance shall be re-referred by the Presiding
21 Officer to the Committee on Ways and Means for consideration. Bills referred to the
22 Committee on Appropriations pursuant to Rule 43 may be referred by the Chairman of
23 the Committee on Appropriations to the Appropriations Committee on Human
24 Resources, Appropriations Committee on Education, Appropriations Committee on
25 General Government, Appropriations Committee on Justice and Public Safety, or
26 Appropriations Committee on Natural and Economic Resources for a report back to the
27 Committee on Appropriations.

28 RULE 42. **References of appropriations and finance bills.**—(a) All bills
29 introduced in the Senate providing for appropriations from the State, or any subdivision
30 thereof, shall, before being considered for passage by the Senate, be referred to the
31 Committee on Appropriations, and bills referred to other committees carrying any such
32 provisions shall be reported to the Senate as being bills to be referred to the
33 Appropriations Committee before being considered for passage by the Senate. All bills
34 introduced in the Senate providing for bond issues, imposing fees payable to the State,
35 its agencies, its licensing boards, or any of its subdivisions, levying taxes, or in any
36 manner affecting the taxing power of the State or any subdivision thereof, shall, before
37 being considered for passage by the Senate, be referred to the Committee on Finance,
38 and bills referred to other committees carrying any such provisions shall be reported to
39 the Senate as being bills to be referred to the Finance Committee before being
40 considered for passage by the Senate.

41 (b) This rule shall not apply to bills imposing civil penalties, criminal fines,
42 forfeitures, or penalties for infractions.

43 RULE 42.1. **Fiscal notes.**—(a) The chairman or cochairmen or vice-chairman of the
44 Appropriations Committee, of the Finance Committee or of the Rules Committee, or of

1 the Ways and Means Committee, upon the floor of the Senate, may request that a fiscal
2 analysis be made of a bill, resolution or an amendment to a bill or resolution which is in
3 the possession of the Senate and that a fiscal note be attached to the measure, when in
4 the opinion of that chairman or vice-chairman the fiscal effects of that measure are not
5 apparent from the language of the measure. No bill for which a fiscal note has been
6 requested may be considered for passage prior to the fiscal note being attached to the
7 bill.

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 Presiding
11 Officer, the Principal Clerk, and the member introducing or proposing the measure and
12 shall 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 Committee as to content and form and signed by the staff
15 member or members preparing it. If no estimate in dollars is possible, the fiscal note
16 shall indicate the reasons that no estimate is provided. The fiscal note shall not
17 comment on the merit but may identify technical problems. The Fiscal Research
18 Division shall make the fiscal note available to the membership of the Senate.

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

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

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

30 **RULE 42.2. Actuarial notes.**—(a) Every bill or resolution proposing any change
31 in the law relative to any

- 32 1. State, municipal or other retirement system funded in whole or in part
33 out of public funds; or
- 34 2. Program of hospital, medical, disability or related benefits provided for
35 teachers and State employees, funded in whole or in part by State
36 funds

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

43 (b) The sponsor of the bill or resolution shall present a copy of the measure, with
44 his request for an actuarial note, to the Fiscal Research Division which shall prepare the

1 actuarial note as promptly as possible but not later than two weeks after the request is
2 made. Actuarial notes shall be prepared in the order of receipt of request and shall be
3 transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research
4 Division shall be prepared and signed by an actuary.

5 (c) The sponsor of the bill or resolution shall also present a copy of the measure
6 to the chief administrative officer of the retirement or pension system affected by the
7 measure. The chief administrative officer shall have an actuarial note prepared by the
8 system's actuary on the measure and shall transmit the note to the sponsor of the
9 measure not later than two weeks after the request is received. The actuarial note shall
10 be attached to the jacket of the measure.

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

18 (e) When any committee reports a measure to which an actuarial note is attached
19 at the time of committee consideration, with any amendment of such nature as would
20 substantially affect the cost to or the revenues of any retirement or pension system, the
21 chairman of the committee reporting the measure shall obtain from the Fiscal Research
22 Division an actuarial note of the fiscal and actuarial effect of the proposed amendment.
23 The actuarial note shall be attached to the jacket of the measure. An amendment to any
24 bill or resolution shall not be in order if the amendment affects the costs to or the
25 revenues of a State-administered retirement or pension system, unless the amendment is
26 accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the
27 actuarial effect of the amendment.

28 (f) The Fiscal Research Division shall make all relevant actuarial notes available
29 to the membership of the Senate.

30 **RULE 42.3. Assessment reports.**—Every legislative proposal introduced in
31 the Senate proposing the establishment of an occupational or professional licensing
32 board or a study for the need to establish such a board shall have attached to the jacket
33 of the original bill at the time of its consideration on second or third readings by the
34 Senate or by any committee of the Senate prior to a favorable report, an assessment
35 report from the Legislative Committee on New Licensing Boards, pursuant to Article
36 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute
37 any part of the expression of legislative intent proposed by the formation of a licensing
38 board.

39 Upon receipt of the request the Legislative Committee on New Licensing Boards
40 shall prepare and return the assessment report as soon as possible but not later than 60
41 days, reserving the right to extend this time to 90 days. A supplementary report shall be
42 prepared and submitted to the requesting Senator not later than 30 days after the receipt
43 of the request.

1 **RULE 42.4. Content of appropriations bills.**—(a) No provision changing existing
2 law shall be contained in any of the following bills: (1) the Current Operations
3 Appropriations Bill; (2) the Capital Improvement Appropriations Bill; (3) any bill
4 generally revising appropriations for the second fiscal year of a biennium.

5 (b) No amendment to any bill listed in subsection (a) of this rule shall be in order
6 if the language is prohibited by that subsection.

7 (c) Notwithstanding subsections (a) and (b) of this section, any of the bills listed
8 in subsection (a) of this section or an amendment to such bill may change existing law if
9 the change:

10 (1) Alters expenditures or salaries;

11 (2) Changes the scope or character of a program which must be reduced,
12 increased, or changed because of an increase or decrease of funds
13 appropriated for the program or because of changes in federal law or
14 regulation; or

15 (3) Modifies any function of State government which necessitates a
16 transfer of funds from one department to another;

17 provided, that for a provision to be in order under this subsection, it must be
18 recommended to the General Assembly in a written report adopted by the
19 Appropriations Committee before or at the same time the bill is reported, or if such
20 provision is contained in a floor amendment, the sponsor of the amendment must
21 present to the Principal Clerk at or before the time the amendment is offered an
22 explanation of the amendment for distribution to each member of the Senate.

23 **RULE 42.5. Appropriations committee meetings.**—Notwithstanding the
24 provisions of G.S. 143-14, and pursuant to the last sentence thereof, the Appropriations
25 Chairman may in his or her sole discretion direct that the Appropriations Committee or
26 its subcommittees or both may consider the budget and the budget plan including all
27 appropriations in separate meetings from the House of Representatives and may do all
28 things set forth in said Statute separately from the House of Representatives.

29 **RULE 43. First reading; reference to committee.**—All bills filed for
30 introduction and all House bills received in the office of the Principal Clerk not later
31 than one and one-half hours preceding the convening of the Senate, upon presentation to
32 the Senate, shall be read in regular order of business by their number and title which
33 shall constitute the first reading of the bill. Unless otherwise disposed of, the Reading
34 Clerk shall announce the referral of the bill which shall have been referred by the
35 Principal Clerk of the Senate under the supervision of the Chairman of the Committee
36 on Rules and Operation of the Senate or in his absence the Vice-Chairman of said
37 Committee. The Principal Clerk shall inform the Presiding Officer of the referral. The
38 title and referral shall be entered upon the Journal.

39 Bills may be referred to more than one committee serially, i.e. "S.B. _____ is
40 referred to the Committee on Agriculture and upon a favorable report referred to the
41 Appropriations Committee."

42 **RULE 44. Bills to receive three readings.**—Every bill shall receive three
43 readings previous to being passed, and the Presiding Officer shall give notice at each
44 whether it be the first, second, or third. After the first reading, unless a motion is made

1 by some Senator, the Reading Clerk shall announce the referral as set forth in Rule 43.
2 No bill shall be amended upon the floor of the Senate until it has been twice read.
3 Senate simple resolutions shall not require three readings.

4 **RULE 45. Reports of committees.**—Every Senator presenting a report of a
5 committee shall endorse the report with the name of the committee and, in case of a
6 minority report, with the names of the members making the report. The report of the
7 committee shall show that a majority of the committee was present and voted. Every
8 report of the committee upon a bill or resolution shall stand upon the general orders
9 with the bill or resolution. No committee shall report a bill or resolution without
10 prejudice.

11 **RULE 45.1. Action on amendment before re-referral.**—If any committee
12 recommends adoption of an amendment or committee substitute of a bill which, under
13 the rules of the Senate is sequentially referred to another committee, the amendment or
14 committee substitute shall be considered and, if adopted, the amendment or substitute
15 engrossed before the bill is re-referred.

16 **RULE 46. Unfavorable report by committee.**—(a) All bills reported
17 unfavorably by the committee to which they were referred, and having no minority
18 report, shall lie upon the table, but may be taken from the table, and placed upon the
19 calendar by a two-thirds vote of the membership of the Senate present and voting.

20 (b) When a bill is reported by a committee with an unfavorable report, but
21 accompanied by a minority report, signed by at least three members of the committee
22 who were present and who voted on the bill when the bill was considered in committee,
23 then the minority report shall be placed on the calendar and considered the following
24 day, and the question before the Senate shall be "The adoption of the Minority Report."
25 If the minority report is adopted by a majority vote, the bill shall be placed upon the
26 calendar; if the minority report is not adopted, the bill shall lie upon the table.

27 **RULE 47. Recall of bill from committee.**—When a bill has been introduced
28 and referred to a committee, if after 10 days the committee has failed to report thereon,
29 then the author of the bill may, after three days' public notice given in the Senate and
30 delivered in writing to the chairman of the committee, on motion supported by a vote of
31 two-thirds of the membership of the Senate present and voting, recall the bill from the
32 committee to the floor of the Senate for consideration and such action thereon as a
33 majority of the Senators present may direct. This rule shall not be temporarily
34 suspended except upon one day's notice on the motion given in the Senate and delivered
35 in writing to the chairman of the committee and to sustain that motion two-thirds of the
36 membership of the Senate present and voting shall be required.

37 **RULE 48. Calendar; order to be followed.**—The Presiding Officer and the
38 Principal Clerk of the Senate shall see that all bills are acted upon by the Senate in the
39 order in which they stand upon the calendar, unless otherwise ordered as hereinafter
40 provided. The published calendar shall include all bills reported favorably from
41 committees, or reported with a minority report attached, or placed on the calendar on
42 motion: Provided, that the published local calendar may carry the number of each bill,
43 the county or counties referred to, and an abbreviated statement of the title of the bill.

1 RULE 49. **Considering bills out of regular order.**—Except as provided in
2 Rule 50, any bill or other matter may be taken up out of order upon order of the
3 Presiding Officer or upon motion sustained by a majority of the membership of the
4 Senate.

5 RULE 50. **Third reading requirements.**—No bill on its third reading shall
6 be acted upon out of the regular order in which it stands on the calendar, and no bill
7 shall be acted upon on its third reading the same day on which it passed its second
8 reading, unless so ordered by two-thirds of the membership of the Senate present and
9 voting.

10 RULE 51. **Special orders.**—Any bill or other matter may be made a special
11 order for a particular day or hour by a vote of the majority of the Senators voting, and if
12 action on the bill is not completed on that day, it shall be returned to its place on the
13 calendar, unless it is made a special order for another day; and when a special order is
14 under consideration it shall take precedence over any special order or subsequent order
15 for the day, but such subsequent order may be taken up immediately after the previous
16 special order has been disposed of.

17 RULE 52. **Procedure when necessary number of Senators not present.**—
18 If, on taking the question on a bill, it appears that a constitutional quorum is not present,
19 or if the bill requires a vote of a certain proportion of all the Senators to pass it, and it
20 appears that such number is not present, the bill shall be again read and the question
21 taken thereon; if the bill fails a second time for the want of the necessary number being
22 present and voting, the bill shall not be finally lost, but shall be returned to the calendar
23 in its proper order.

24 RULE 53. **Effect of defeated bill.**—(a) After a bill has been tabled, or has
25 failed to pass on any of its readings, the contents of such bill or the principal provisions
26 of its subject matter shall not be embodied in any other measure. Upon the point of
27 order being raised and sustained by the Presiding Officer, such measure shall be laid
28 upon the table, and shall not be taken therefrom except by a vote of two-thirds of the
29 membership of the Senate present and voting: Provided, no local bill shall be held by
30 the Presiding Officer as embodying the provisions, or being identical with any statewide
31 measure which has been laid upon the table or failed to pass any of its readings.

32 (b) When a bill has been postponed indefinitely by the Senate, the bill shall lie
33 upon the table, and shall not be taken therefrom except by a vote of two-thirds of the
34 membership of the Senate present and voting.

35 RULE 54. **Taking bill from table.**—No bill which has been laid upon the
36 table shall be taken therefrom except by a vote of two-thirds of the membership of the
37 Senate present and voting.

38 RULE 54.1. **Bill title.**—The title of each bill shall adequately and fairly reflect
39 its subject matter.

40 RULE 55. **Amending titles of bills.**—When a bill is materially modified or
41 the scope of its application extended or decreased, or if the county, or counties, to which
42 it applies is changed, the title of the bill shall be changed by the Senator introducing the
43 bill or by the committee having it in charge, or by the Principal Clerk, so as to indicate
44 the full purport of the bill as amended and the county or counties to which it applies.

1 **RULE 56. Corrections of typographical errors in bills.**—The Enrolling
2 Clerk is authorized to make corrections of typographical errors in the text of bills at any
3 time prior to ratification. Before the correction is made, the Enrolling Clerk shall have
4 the approval of the Chairman of the Committee on Rules and Operation of the Senate
5 or, in his absence, the Vice-Chairman of said Committee.

6 **RULE 56.1. Amendments and committee substitutes adopted by the House to**
7 **bills originating in the Senate.**—(a) Whenever the House has adopted an
8 amendment or a committee substitute for a bill originating in the Senate, and has
9 returned the bill to the Senate for concurrence in that amendment or committee
10 substitute, the Senate may not concur in that amendment or committee substitute until
11 the next legislative day following the day on which the Senate receives that measure.

12 (b) The Principal Clerk under the supervision of the Chairman of the Rules and
13 Operation Committee of the Senate may, and upon motion supported by a majority of
14 the Senate present and voting, shall refer the bill to an appropriate committee for
15 consideration of the amendment or committee substitute.

16 (c) The Presiding Officer shall, in placing the bill on the calendar, rule whether
17 the amendment or committee substitute is a material amendment under Article II,
18 Section 23, of the State's Constitution. If the measure is referred to committee, the
19 committee shall:

- 20 i. Report the bill with the recommendation either that the Senate concur
21 or that the Senate do not concur; and
- 22 ii. Advise the Presiding Officer as to whether or not the amendment or
23 committee substitute is a material amendment under Article II, Section
24 23, of the State's Constitution.

25 (d) If the amendment or committee substitute for a bill is not a material
26 amendment, the question before the Senate shall be concurrence. In the event there is
27 more than one House Amendment, the question shall be concurrence in all the House
28 amendments and the question may not be divided, notwithstanding Rule 28. The
29 question which shall be put before the Senate by the Presiding Officer shall be: "Does
30 the Senate concur in the House amendments (Committee Substitute) to S.B. ?".

31 (e) If the amendment or committee substitute for a bill is a material amendment,
32 the receiving of that bill on messages shall constitute first reading and the question
33 before the Senate shall be concurrence on second reading. If the motion is passed, the
34 question then shall be concurrence on third reading on the next legislative day.

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

37 **RULE 57. Conference committee.**—Whenever the Senate fails to concur in
38 amendments or committee substitutes put by the House to a bill originating in the
39 Senate, or whenever the House of Representatives fails to concur in amendments or
40 committee substitutes put by the Senate to a bill originating in the House, a conference
41 committee shall be appointed by the President Pro Tempore of the Senate or in his
42 absence the Deputy President Pro Tempore, upon motion, and the bill under
43 consideration shall thereupon go to and be considered by the joint conferees on the part
44 of the Senate and House of Representatives. Senate conferees shall not be less than

1 three nor more than twelve and shall include the primary sponsor and the chairman of
2 each committee which considered the bill. In considering matters in difference between
3 the Senate and House committed to the conferees, only such matters as are in difference
4 between the two houses shall be considered by the conferees, and the conference report
5 shall deal only with such matters. In conference committee a majority of the Senate
6 conferees shall be the Senate's position on any matter in which a vote is taken. The
7 conference report shall not be amended.

8 **RULE 57.1. Germaneness of amendment.**—All amendments and
9 committee substitutes shall be germane to the original subject matter of the bill.

10 **RULE 58. Certification of passage of bills.**—The Principal Clerk shall
11 certify the passage of bills by the Senate, with the date thereof, together with the fact
12 whether passed by vote of three-fifths or two-thirds of the membership of the Senate
13 present and voting, whenever such vote may be required by the Constitution or laws of
14 the State.

15 **RULE 59. Transmittal of bills to House.**—No bill shall be sent from the
16 Senate on the day of its passage except on the last day of the session, unless otherwise
17 ordered by a vote of two-thirds of the membership of the Senate present and voting.

18 **RULE 59.1. Engrossment.**—Bills and resolutions, except those making
19 appropriations, which originate in the Senate and which are amended shall be engrossed
20 before being sent to the House.

21 **VII. LEGISLATIVE OFFICERS AND EMPLOYEES**

22 **RULE 60. Pages.**—(a) The President Pro Tempore of the Senate shall appoint
23 pages. The President Pro Tempore, or such person as he may designate, shall supervise
24 the pages and assign to them their duties. Each page shall be at least 14 years of age.

25 (b) Members may designate honorary pages by a statement delivered to the
26 Principal Clerk who will have a certificate issued therefor.

27 **RULE 61. Sergeants-at-Arms.**—(a) There shall be 15 positions of Assistant
28 Sergeants-at-Arms to be appointed, upon the recommendation of the President Pro
29 Tempore, by the Sergeant-at-Arms who are to work under his or her supervision and to
30 be assigned such duties and powers as he or she shall direct.

31 (b) The Sergeant-at-Arms shall be responsible for the safety of the members and
32 employees of the Senate while in the Senate Chamber, or any place in which the Senate
33 or its committees are in session.

34 (c) The Sergeant-at-Arms shall serve all warrants and subpoenas issued by orders
35 of the Senate and signed by the Presiding Officer of the Senate, and said warrants and
36 subpoenas shall be returnable to the Principal Clerk of the Senate.

37 **RULE 62. Principal Clerk's staff.**—The Principal Clerk of the Senate shall
38 employ all necessary employees and clerks required to carry out the duties of his or her
39 office. The Principal Clerk shall have supervision and control, and shall assign such
40 duties and powers as he or she shall direct to his or her employees and clerks.

41 **RULE 63. Committee clerks and secretaries.**—(a) Each committee shall have a
42 clerk. The clerk to a committee shall serve as secretary to the chairman of that
43 committee.

1 (b) Each member shall be assigned a secretary, unless he or she has a committee
2 clerk to serve as his or her secretary.

3 (c) The selection of said clerk and/or secretary shall be the prerogative of the
4 individual member. Such clerks and secretaries shall file initial applications for
5 employment with the Supervisor of Clerks and shall receive compensation as prescribed
6 by the Legislative Services Commission. The employment period of clerks and
7 secretaries shall comply with the period as established by the Legislative Services
8 Commission unless employment for an extended period is approved by the President
9 Pro Tempore. The clerks and secretaries shall adhere to such uniform regulations and
10 other conditions of employment (including retention) under the direction of the
11 Supervisor of Clerks as the Committee on Rules and Operation of the Senate shall
12 adopt.

13 (d) The Supervisor of Clerks and any assistants shall be appointed by the
14 President Pro Tempore of the Senate.

15 **RULE 64. Senate Journal.**—The Principal Clerk shall prepare and be
16 responsible for the Journal. The President Pro Tempore or, in his absence, the Deputy
17 President Pro Tempore shall examine the Journal to determine if the proceedings of the
18 previous day have been correctly recorded.

19 **RULE 65. Deputy President Pro Tempore.**—The Senate shall elect a
20 Deputy President Pro Tempore. The Deputy President Pro Tempore shall become the
21 President Pro Tempore upon the death, resignation or removal from office of the
22 President Pro Tempore.

23 **VIII. GENERAL RULES**

24 **RULE 66. President to sign papers.**—All acts, addresses and resolutions,
25 and all warrants and subpoenas issued by order of the Senate shall be signed by the
26 President or by the President Pro Tempore presiding in his absence.

27 **RULE 67. Admission to the floor of the Senate.**—No person except
28 members of the Senate, members of the House of Representatives, staff of the General
29 Assembly; staff of the Lieutenant Governor; Judges of the Supreme Court, Court of
30 Appeals, and Superior Courts; the Governor and members of the Council of State;
31 former members of the General Assembly; and persons particularly invited and
32 extended the privileges of the floor by the Presiding Officer shall be admitted to the
33 floor of the Senate during its session. Notwithstanding any other provision of these
34 rules, no registered lobbyist shall be admitted to the floor of the Senate or Senate
35 Chamber while the Senate is in session. When the Senate is not in daily session, the
36 President Pro Tempore shall determine the privileges of the floor.

37 **RULE 67.1. Recognition for extending courtesies.**—(a) Courtesies of the
38 floor and galleries shall be extended only by the Presiding Officer on his own motion or
39 upon the written request of a member of the Senate to former members of the General
40 Assembly or to distinguished visitors.

41 (b) The Presiding Officer, upon written request at intervals between various
42 orders of business, may extend courtesies to schools or other special large groups
43 visiting in the galleries while they are present, and the Presiding Officer shall, at such

1 times as he deems appropriate, express to those visitors in the galleries the pleasure of
2 the Senate for their presence.

3 **RULE 68. Privileges of the floor.**—Any group or individual other than
4 members of the Senate who desires to make remarks upon the floor of the Senate will
5 first obtain approval of the President Pro Tempore or, in his absence, the Deputy
6 President Pro Tempore of the Senate.

7 **RULE 69. News media.**—The President is authorized to assign area and
8 equipment on the floor of the Senate for the use of the representatives of news media;
9 and the President shall provide regulations for the operation of the representatives of the
10 news media on the floor of the Senate.

11 **RULE 70. Absence without leave.**—No Senator or officer of the Senate shall
12 depart the service of the Senate without leave, or receive pay as a Senator or officer for
13 the time he is absent without leave.

14 **RULE 71. Placing material on Senators' desks.**—Any person other than a
15 member of the Senate desiring to place articles of any kind on or about desks in the
16 Senate Chamber or in the offices of the members of the Senate shall make written
17 application to, and obtain written approval from the Principal Clerk.

18 **RULE 72. Assignment of seats; offices.**—(a) The President Pro Tempore of
19 the Senate shall assign seats in the Senate Chamber to the members elected. In making
20 such assignments, each member elected to the immediate preceding session of the
21 Senate shall be entitled to the seat occupied by him or to his selection of any other seat
22 vacated. The President Pro Tempore, when assigning seats, shall give preferential
23 consideration to the respective members according to the length of service which each
24 member has rendered in the Senate. No incumbent appointed to fill an unexpired term
25 in the immediate preceding session shall retain the seat if requested by a Senator elected
26 to said session.

27 (b) Not later than two days after the initial committee assignments become final,
28 the President Pro Tempore of the Senate is authorized to make assignments of
29 committee rooms and offices to designated committees, chairmen, and members of the
30 Senate. The office adjacent to any committee room assigned to a principal committee
31 by the President Pro Tempore shall be automatically assigned to the chairman of the
32 principal committee. In making such assignments of individual offices, the President
33 Pro Tempore shall give preferential consideration to the respective members according
34 to the length of service which each member has rendered in the Senate.

35 **RULE 73. Administrative rules and regulations involving Senate**
36 **employees.**—All administrative rules, regulations and orders involving all individuals
37 employed to perform duties for the Senate, other than those appointed by the Principal
38 Clerk and the Sergeant-at-Arms, shall be first approved by the Committee on Rules and
39 Operation of the Senate.

40 **RULE 74. Public hearings.**—Any Senator may request in writing a public
41 hearing on a public bill. Requests may be granted in the discretion of the Chairman.
42 Notice shall be given not less than five calendar days prior to public hearings. Such
43 notices shall be issued as information for the press and the information shall be posted
44 in the places designated by the Principal Clerk.

1 RULE 75. **Public hearings, filing of written statements.**—Persons desiring
2 to appear and be heard at a public hearing are encouraged to file with the chairman of
3 the committee a brief or a written statement of the remarks to be made at least 24 hours
4 before the time of the hearing.

5 RULE 76. **Voting in joint sessions.**—When any Senate Committee sits
6 jointly with the House Committee, the Senate Committee reserves the right to vote
7 separately from the House Committee.

8 RULE 77. **Alterations, suspension or rescission of rules.**—(a) These rules may
9 not be permanently rescinded or altered except by Senate simple resolution passed by a
10 two-thirds vote of the membership of the Senate. The introducer of the resolution must,
11 on the floor of the Senate, give notice of his intent to introduce the resolution on the
12 legislative day preceding its introduction.

13 (b) Except as otherwise provided herein, the Senate, upon two-thirds vote of the
14 membership of the Senate present and voting, may temporarily suspend any of these
15 rules.

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