

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS85466-RU-51 (05/15)

Short Title: Legislative Constitutional Amendments.

(Public)

Sponsors: Senator Presnell.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE CONSTITUTION TO LIMIT THE TERMS OF THE
SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT
PRO TEMPORE OF THE SENATE TO TWO CONSECUTIVE GENERAL
ASSEMBLIES AND TO LIMIT CONSIDERATION BY CONFERENCE
COMMITTEES OF SPECIFIC MATTERS IN CONTROVERSY.

The General Assembly of North Carolina enacts:

SECTION 1. Section 15 of Article II of the Constitution of North Carolina
reads as rewritten:

"Sec. 15. Officers of the House of Representatives.

The House of Representatives shall elect its Speaker and other officers. No person may serve as Speaker in more than two consecutive General Assemblies. The initial convening of a session of the General Assembly after the terms of members commence shall constitute a new General Assembly for the purpose of this section. Service as Speaker during any part of an odd-numbered year shall constitute service as Speaker for that General Assembly for the purpose of this section."

SECTION 2. Section 14 of Article II of the Constitution of North Carolina
reads as rewritten:

"Sec. 14. Other officers of the Senate.

(1) President Pro Tempore – succession to presidency. The Senate shall elect from its membership a President Pro Tempore, who shall become President of the Senate upon the failure of the Lieutenant Governor-elect to qualify, or upon succession by the Lieutenant Governor to the office of Governor, or upon the death, resignation, or removal from office of the President of the Senate, and who shall serve until the expiration of his term of office as Senator.

No person may serve as President Pro Tempore in more than two consecutive General Assemblies. The initial convening of a session of the General Assembly after

1 the terms of members commence shall constitute a new General Assembly for the
2 purpose of this section. Service as President Pro Tempore during any part of an
3 odd-numbered year shall constitute service as President Pro Tempore for that General
4 Assembly for the purpose of this section.

5 (2) President Pro Tempore – temporary succession. During the physical or
6 mental incapacity of the President of the Senate to perform the duties of his office, or
7 during the absence of the President of the Senate, the President Pro Tempore shall
8 preside over the Senate.

9 (3) Other officers. The Senate shall elect its other officers."

10 **SECTION 3.** Section 22 of Article II of the North Carolina Constitution is
11 amended by adding a new subsection to read:

12 "(9) Only matters in a bill as are in difference between the two houses or included
13 in the bill as passed by both houses shall become law as the result of the adoption of a
14 conference report by both houses."

15 **SECTION 4.** The amendments set out in Sections 1 and 2 of this act shall be
16 submitted to the qualified voters of the State at the general election in November 2006,
17 which election shall be conducted under the laws then governing elections in the State.
18 Ballots, voting systems, or both may be used in accordance with Chapter 163 of the
19 General Statutes. The question to be used in the voting systems and ballots shall be:

20 " FOR AGAINST

21 Constitutional amendments providing that the Speaker of the House and the
22 President Pro Tempore of the Senate may not serve more than two consecutive terms."

23 **SECTION 5.** The amendment set out in Section 3 of this act shall be
24 submitted to the qualified voters of the State at the general election in November 2006,
25 which election shall be conducted under the laws then governing elections in the State.
26 Ballots, voting systems, or both may be used in accordance with Chapter 163 of the
27 General Statutes. The question to be used in the voting systems and ballots shall be:

28 " FOR AGAINST

29 Constitutional amendment limiting laws adopted through a conference report
30 to those matters that were in difference between the House and Senate or included in the
31 bill as passed by both houses."

32 **SECTION 6.** If a majority of the votes cast on the question are in favor of
33 the amendments set out in this act, the State Board of Elections shall certify the
34 amendments to the Secretary of State. The amendments shall become effective upon
35 the convening of the General Assembly next on or after January 1, 2007, and service as
36 Speaker or President Pro Tempore prior to that date shall not be considered for the
37 purpose of the amendments. The Secretary of State shall enroll the amendments so
38 certified among the permanent records of that office.

39 **SECTION 7.** This act is effective upon ratification.