

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE BILL 2019

Short Title: Legislative Constitutional Amendments. (Public)

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Sponsors: Senator Presnell.

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Referred to: Rules and Operations of the Senate.

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May 26, 2006

A BILL TO BE ENTITLED

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

6 The General Assembly of North Carolina enacts:

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

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

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

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

18 **"Sec. 14. Other officers of the Senate.**

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

25 No person may serve as President Pro Tempore in more than two consecutive  
26 General Assemblies. The initial convening of a session of the General Assembly after  
27 the terms of members commence shall constitute a new General Assembly for the  
28 purpose of this section. Service as President Pro Tempore during any part of an  
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1 odd-numbered year shall constitute service as President Pro Tempore for that General  
2 Assembly for the purpose of this section.

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

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

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

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

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

18 **"[ ] FOR [ ] AGAINST**

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

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

26 **"[ ] FOR [ ] AGAINST**

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

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

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