

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 267

Short Title: Legislative Session Length.

(Public)

Sponsors: Senators Kincaid; Allran, Ballantine, Carrington, Clark, Cochrane, Conder, East, Forrester, Garwood, Hartsell, Horton, Kerr, Ledbetter, McDaniel, Page, Rand, Rucho, Shaw of Guilford, and Webster.

Referred to: Judiciary.

February 27, 1997

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE CONSTITUTION TO LIMIT THE LENGTH OF
2 LEGISLATIVE SESSIONS.
3

4 The General Assembly of North Carolina enacts:

5 Section 1. Section 11 of Article II of the Constitution of North Carolina reads
6 as rewritten:

7 "**Sec. 11. Sessions. (1) Regular Sessions.** ~~The General Assembly shall meet in regular~~
8 ~~session in 1973 and every two years thereafter on the day prescribed by law.~~ In each odd-
9 numbered year beginning in 1999, no more than 120 calendar days after convening of the
10 regular session, the General Assembly shall either adjourn the regular session sine die or
11 adjourn to a day certain in the next even-numbered year. If the General Assembly meets
12 in regular session in even-numbered years, it shall adjourn sine die no more than 20
13 calendar days after convening.

14 Neither house shall proceed upon public business unless a majority of all of its
15 members are actually present. No valid action, other than a resolution of adjournment,
16 may be taken by the General Assembly after the time limits prescribed in this section
17 have expired.

1 (2) **Extra sessions on legislative call.** The President of the Senate and the
2 Speaker of the House of Representatives shall convene the General Assembly in extra
3 session by their joint proclamation upon receipt by the President of the Senate of written
4 requests therefor signed by three-fifths of all the members of the Senate and upon receipt
5 by the Speaker of the House of Representatives of written requests therefor signed by
6 three-fifths of all the members of the House of Representatives. An extra session shall
7 adjourn sine die no more than five calendar days after convening. No valid action, other
8 than a resolution of adjournment, may be taken by the General Assembly after the time
9 limits prescribed in this section have expired."

10 Section 2. Section 5(7) of Article II of the Constitution of North Carolina
11 reads as rewritten:

12 "(7) **Extra sessions.** The Governor may, on extraordinary occasions, by and with the
13 advice of the Council of State, convene the General Assembly in extra session by his
14 proclamation, stating therein the purpose or purposes for which they are thus convened.
15 An extra session shall adjourn sine die no more than five calendar days after convening.
16 No valid action, other than a resolution of adjournment, may be taken by the General
17 Assembly after the time limits prescribed in this section have expired."

18 Section 3. The amendments set out in Sections 1 and 2 of this act shall be
19 submitted to the qualified voters of the State at the general election in November 1998,
20 which election shall be conducted under the laws then governing elections in the State.
21 Ballots, voting systems, or both may be used in accordance with Chapter 163 of the
22 General Statutes. The question to be used in the voting systems and ballots shall be:

23 "[] **FOR** [] **AGAINST**

24 Constitutional amendments limiting the duration of regular session of the
25 General Assembly to 120 calendar days in odd-numbered years and 20 calendar days in
26 even-numbered years, and limiting extra sessions to 5 calendar days."

27 Section 4. If a majority of votes cast on the question are in favor of the
28 amendments set out in Sections 1 and 2 of this act, the State Board of Elections shall
29 certify the amendments to the Secretary of State. The amendments become effective
30 upon this certification. The Secretary of State shall enroll the amendments so certified
31 among the permanent records of that office.

32 Section 5. This act is effective when it becomes law.