

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**HOUSE RESOLUTION 49
Committee Substitute Favorable 2/7/01**

Sponsors:

Referred to:

February 5, 2001

A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE
REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF
REPRESENTATIVES OF THE 2001 GENERAL ASSEMBLY.

1 Be it resolved by the House of Representatives:

2 **SECTION 1.** The permanent rules of the Regular Sessions of the House of
3 Representatives of the 2001 General Assembly are:

4 PERMANENT RULES OF THE REGULAR SESSIONS OF THE HOUSE OF
5 REPRESENTATIVES OF THE 2001 GENERAL ASSEMBLY OF NORTH
6 CAROLINA

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16 I. Order of Business

17 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday**

18 **Legislative Sessions.** – The House shall convene each legislative day at the hour fixed
19 by the House. In the event the House adjourns on the preceding legislative day without
20 having fixed an hour for reconvening, the House shall convene on the next legislative
21 day at 2:00 P.M. During January and February of 2001, no sessions may be held on
22 Friday. No session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on
23 any other days, and the Speaker shall adjourn the House without motion at that point,
24 except that a motion may be made as to the time and day of next convening. No session
25 shall be held on Sunday.

26 **RULE 2. Opening the Session.** – At the convening hour on each legislative
27 day, the Speaker shall call the members to order and shall have the session opened with

1 prayer. At the convening hour on the first day of each legislative week, the Speaker, or
2 his designee, shall lead the members in the Pledge of Allegiance to the American Flag.

3 **RULE 3. Quorum.** – (a) A quorum consists of a majority of the
4 qualified members of the House.

5 (b) Should the point of a quorum be raised, the doors shall be closed, and
6 the Clerk shall call the roll of the House, after which the names of those not responding
7 shall again be called. In the absence of a quorum, 15 members are authorized to compel
8 the attendance of absent members and may order that absentees for whom no sufficient
9 excuses are made be taken into custody wherever they may be found by special
10 messenger appointed for that purpose.

11 **RULE 4. Approval of Journal.** – (a) The Standing Committee on Rules,
12 Calendar, and Operations of the House shall cause the Journal of the House to be
13 examined daily before the hour of convening to determine if the proceedings of the
14 previous day have been correctly recorded.

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

21 **RULE 5. Order of Business of the Day.** – After the approval of the Journal
22 of the preceding day, unless otherwise ordered by the Speaker, the House shall proceed
23 to business in the following order:

- 24 (1) The receiving of petitions, memorials, and papers addressed to the
25 General Assembly or to the House;
- 26 (1a) Messages from the Governor;
- 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.

3 II. Conduct of Debate

4 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have
5 general direction of the Hall. With the consent of or in the absence of the Speaker Pro
6 Tempore, the Speaker may name any member to perform the duties of the chair, but
7 substitution shall not extend beyond one day, except in the case of sickness or by leave
8 of the House.

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

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

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

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

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

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

40 (b) When the Speaker calls a member to order, the member shall be seated
41 except that a member called to order may clear a matter of fact, or explain, but shall not
42 proceed in debate so long as the decision stands. If the member appeals from the ruling
43 of the chair and the decision by a two-thirds vote of the members present be in favor of

1 the member called to order, the member may proceed; if otherwise, the member shall
2 not; and if the case, in the judgment of the House, requires it, the member shall be liable
3 to censure by the House.

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

6 (b) No member shall speak more than twice on the main question, nor
7 longer than 20 minutes for the first speech and 10 minutes for the second speech; nor
8 shall the member speak more than twice upon an amendment or motion to reconsider,
9 re-refer, appeal, or postpone or any motion on concurrence, and then not longer than 10
10 minutes for the first speech and five minutes for the second speech.

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

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

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

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

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

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

29 (d) Food or beverages shall not be permitted on the floor of the House
30 during the first two hours of the daily session.

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

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

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

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

40 (i) The use of wireless telephones shall not be permitted in the House
41 Chamber.

42 (j) Placards, stickers, or signs not approved by the Speaker are not
43 permitted in the House Chamber.

44 III. Motions

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

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

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

11 **RULE 14. Motions, Order of Precedence.** – When there are motions before
12 the House, the order of precedence is as follows:

13 To adjourn.

14 To lay on the table.

15 Previous question.

16 To postpone indefinitely.

17 To reconsider.

18 To postpone to a day certain.

19 To re-refer.

20 To amend an amendment.

21 To amend.

22 To pass the bill.

23 No motion to lay on the table, to postpone indefinitely, to postpone to a day
24 certain, to re-refer or to make a particular amendment, being decided, shall be again
25 allowed at the same stage of the bill or proposition.

26 **RULE 15. Motion to Adjourn.** – (a) A motion to adjourn shall be seconded
27 before the motion is put to the vote of the House.

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

32 **RULE 16. Motion to Table.** – (a) A motion to table shall be seconded
33 before the motion is put to the vote of the House and is in order except when a motion
34 to adjourn is before the House.

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

36 (c) A motion to table shall not be paired with a motion to reconsider.

37 (d) A motion to table a bill shall constitute a motion to table the bill and
38 all amendments thereto.

39 (e) When the question before the House is the adoption of an amendment
40 to a bill or resolution, a motion to table the bill is not in order; and a motion to table an
41 amendment applies to the amendment only, and the motion may not expressly or by
42 implication or construction be expanded to include a motion to table the bill also.

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

4 **RULE 17. Motion to Postpone Indefinitely.** – A motion to postpone
5 indefinitely is in order except when a motion to adjourn or to lay on the table or for the
6 previous question is before the House. However, after one motion to postpone
7 indefinitely has been decided, another motion to postpone indefinitely shall not be
8 allowed at the same stage of the bill or proposition. When a question has been
9 postponed indefinitely, it shall not thereafter be considered except on motion to
10 reconsider under Rule 18 or to place on the favorable calendar approved by a two-thirds
11 vote.

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

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

- 20 (1) A vote upon a motion to table,
- 21 (2) A motion to postpone indefinitely,
- 22 (3) A motion to remove a bill from the unfavorable calendar,
- 23 (4) A motion that a bill be read twice on the same day, or
- 24 (5) A motion to remove from the table.

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

28 **RULE 19. Previous Question.** – (a) The previous question may be called
29 only by:

- 30 (1) The Chair of the Committee on Rules, Calendar, and Operations of the
31 House;
- 32 (2) The majority leader;
- 33 (3) The Speaker Pro Tempore;
- 34 (4) The member submitting the report on the bill or other matter under
35 consideration;
- 36 (5) The member introducing the bill or other matter under consideration;
37 or
- 38 (6) The member in charge of the measure, who shall be designated by the
39 chair of the standing committee or permanent subcommittee reporting
40 the same to the House at the time the bill or other matter under
41 consideration is reported to the House or taken up for consideration.
- 42 (7) The member designated by the Speaker under Rule 26(h) to serve as
43 an ex officio member of every standing committee and permanent
44 subcommittee.

1 (b) The previous question shall be as follows: "Call for the previous
2 question having been made, is the call sustained?" When the call for the previous
3 question has been decided in the affirmative by a majority vote of the House, the
4 question is on the passage of the bill, resolution, or other matter under consideration.

5 (c) The call for the previous question shall preclude all motions,
6 amendments, and debate, except the motion to adjourn or motion to table.

7 (d) If the previous question is decided in the negative, the question
8 remains under debate.

9 IV. Voting

10 **RULE 20. Use of Electronic Voting System.** – (a) Votes on the following
11 questions shall be taken on the electronic voting system, and the ayes and noes shall be
12 recorded on the Journal:

13 (1) The passage as required by Article II, Section 23 of the North Carolina
14 Constitution on second and third readings of any bill:

- 15 a. Raising money on the credit of the State,
- 16 b. Pledging the faith of the State for the payment of a debt,
- 17 c. Imposing a State tax, or
- 18 d. Authorizing a county, municipality, or other local governmental
19 unit to
 - 20 1. Raise money on its credit,
 - 21 2. Pledge its faith for the payment of a debt, or
 - 22 3. Impose a local tax.

23 (2) All measures affecting a fee imposed by the State or any subdivision
24 thereof.

25 (3) All questions on which a call for the ayes and noes under Rule 24(a)
26 and Article II, Section 19 of the North Carolina Constitution has been
27 sustained.

28 (4) Both second and third readings of bills proposing amendment of the
29 North Carolina Constitution or ratifying resolutions amending the
30 United States Constitution.

31 (5) The passage of a bill notwithstanding the Governor's veto thereof
32 pursuant to Article II, Section 22 of the North Carolina Constitution.

33 (b) Votes on the following questions shall be taken on the electronic
34 voting system:

35 (1) Second reading of all public bills, all amendments to public bills
36 offered after second reading, third reading if a public bill was amended
37 after second reading or if the reading occurs on a day or days
38 following the second reading, all conference reports on public bills, all
39 motions to lay public bills on the table, and all motions to postpone
40 public bills indefinitely.

41 (2) Upon a call for division.

42 (3) Any other question upon direction of the Speaker or upon motion of
43 any member supported by one-fifth of the members present.

1 (c) When the electronic voting system is used, 15 seconds shall be
2 allowed for voting on the question before the House, unless the Chair shall direct
3 otherwise. The system shall be set to close automatically when that time has expired.
4 Once the system is locked, the vote shall be recorded and printed.

5 (d) The voting station at each member's desk in the Chamber shall be used
6 only by the member to which the station is assigned. Under no circumstances shall any
7 other person vote at a member's station. It is a breach of the ethical obligation of a
8 member either to request that another person vote at the requesting member's station or
9 to vote at another member's station. The Speaker shall enforce this rule without
10 exception.

11 (e) When the electronic voting system is used, the Speaker shall state the
12 question and shall then state substantially the following: "All in favor vote 'aye'; all
13 opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the
14 member must vote by the electronic voting system within the time allowed for that vote,
15 unless the voting station assigned to a member is malfunctioning. The Speaker shall
16 enforce this rule without exception. After the allotted time for voting has elapsed, the
17 Speaker shall say: "The Clerk will now lock the machine and record the vote." After the
18 machine is locked and the vote recorded, the Speaker shall announce the vote and
19 declare the result.

20 (f) One copy of the machine printout of the vote record of all votes taken
21 on the electronic voting system shall be filed in the office of the Principal Clerk, and
22 two copies shall be filed in the Legislative Library where the copies shall be open to
23 public inspection. A legible copy of the bill, amendment, or motion on which the vote
24 was taken shall be filed with the printout of the vote in the Legislative Library.

25 (g) When the Speaker ascertains that the electronic voting system is
26 inoperative before a vote is taken or while a vote is being taken on the electronic voting
27 system, the Speaker shall announce that fact to the House, and any partial electronic
28 voting system voting record shall be voided. In such a case, if the North Carolina
29 Constitution or the Rules of the House require a call of the ayes and noes, the Clerk
30 shall call the roll of the House, and the ayes and noes shall be taken manually and shall
31 be recorded on the Journal. All roll call votes shall be taken alphabetically. If, after a
32 vote is taken on the electronic voting system, it is discovered that a malfunction caused
33 an error in the electronic voting system printout, the Speaker shall direct the Reading
34 Clerk and the Principal Clerk to verify and correct the printout record and so advise the
35 House.

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

- 38 (1) To adjourn.
- 39 (2) To lay on the table.
- 40 (3) Previous question.
- 41 (4) To postpone indefinitely.
- 42 (5) To reconsider.
- 43 (6) To postpone to a day certain.
- 44 (7) To re-refer.

1 (8) To amend an amendment.

2 (9) To amend.

3 (10) To concur or not concur.

4 (11) Miscellaneous.

5 **RULE 21. Voice Votes; Stating Questions.** – (a) All other votes except
6 those required to be taken on the electronic voting system shall be taken by voice vote.

7 (b) When a voice vote is taken the Speaker shall put the question
8 substantially as follows: "Those in favor (as the question may be) will say 'Aye'", and
9 after the affirmative voice has been expressed, "Those opposed will say 'No'".

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

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

16 (b) No member may vote unless the member is in the Chamber when the
17 question is put. This subsection of this rule cannot be suspended.

18 **RULE 23. Voting by Division.** – Any member may call for a division of the
19 members upon the question before the result of the vote has been announced. Upon a
20 call for a division, the Speaker shall cause the number voting in the affirmative and in
21 the negative to be determined. Upon a division and count of the House on any question,
22 no member away from the member's seat shall be counted.

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

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

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

34 (b) The member may make a brief oral statement of the reasons for
35 making the request. The member may send forward to the Principal Clerk, on a form
36 provided by the Clerk, a concise written statement of the reason for the request, and the
37 Clerk shall include this statement in the Journal.

38 (c) The member so excused shall not debate the bill or any amendment to
39 the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on
40 any motion concerning the bill at that reading, any subsequent reading, or any
41 subsequent consideration of the bill.

42 (d) A member may request that his or her excuse from deliberations on a
43 particular bill be withdrawn.

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

4 **RULE 25. Voting by Speaker.** – In all elections the Speaker may vote. In all
5 other instances the Speaker may vote or may reserve this right until there is a tie in
6 which event the Speaker may vote; but in no instance may the Speaker vote twice on the
7 same question.

8 V. Committees

9 **RULE 26. Standing Committees and Permanent Subcommittees**
10 **Generally.** – (a) The Speaker shall appoint a chair, or cochair, of every standing
11 committee, permanent subcommittee, and select committee, if any. In the construction
12 of these rules, the word "chair" as applied to a committee extends to and includes a
13 cochair of the committee. The Speaker shall have the exclusive right and authority to
14 establish select committees, but this does not exclude the right of the House by
15 resolution to establish select committees.

16 (b) All permanent subcommittees of each standing committee shall be
17 appointed by the Speaker, and the members appointed, along with the chair of the
18 standing committee, shall constitute the standing committee of which the permanent
19 subcommittee is a part. The Speaker shall appoint all members of permanent
20 subcommittees at the beginning of the first regular session in a manner to reflect the
21 partisan membership of the House.

22 (c) The Speaker shall appoint the members of all standing committees
23 having no permanent subcommittees at the beginning of the first regular session in a
24 manner to reflect the partisan membership of the House, except that the standing
25 committees on Congressional Redistricting and Legislative Redistricting shall have an
26 equal number of members of the two parties having the largest membership in the
27 House.

28 (d) Each chair of a permanent subcommittee shall be a vice-chair of the
29 standing committee of which it is a permanent subcommittee. The Speaker may name
30 other members as vice-chairs of the standing committee. The Speaker may name one or
31 more vice-chairs for any standing committee not having permanent subcommittees.

32 (e) The chair of the standing committee shall be a voting member of each
33 permanent subcommittee of the standing committee.

34 (f) Either the chair or acting chair, designated by the chair or by the
35 Speaker, and five other members of the standing committee or permanent
36 subcommittee, or a majority of the standing committee or permanent subcommittee,
37 whichever is fewer, shall constitute a quorum of that standing committee or permanent
38 subcommittee. For purposes of determining a quorum, the Speaker Pro Tempore,
39 Majority Leader, Majority Whips, and the person designated by the Speaker when
40 serving only as ex officio members under subsection (h) of this rule, shall be counted
41 among the membership of the committee or subcommittee only when present.

42 (g) In any joint meeting of the Senate and House committees or
43 subcommittees, the House standing committee or permanent subcommittee reserves the
44 right to vote separately.

1 (h) The Speaker Pro Tempore, Majority Leader, two Majority Whips, and one
 2 member designated by the Speaker at the time of appointments of chairs of standing
 3 committees are ex officio members of every standing committee and permanent
 4 subcommittee, except the standing committees on Congressional Redistricting and
 5 Legislative Redistricting and any permanent subcommittees thereof, with the right to
 6 vote. No more than three of these persons may vote under the authority of this
 7 subsection at any committee meeting.

8 **RULE 26.1. Mentions of Standing Committee Includes Select Committee.**

9 – Any reference in these rules to standing committees shall extend to select committees
 10 unless the context requires otherwise.

11 **RULE 27. List of Standing Committees and Permanent Subcommittees. –**

12 The standing committees and permanent subcommittees thereof are:

13 Committees	13 Subcommittees
14 Aging	14 (None)
15	
16 Agriculture	16 (None)
17	
18 Alcoholic Beverage Control	18 (None)
19	
20 Appropriations	20 -Capital
21	21 -Education
22	22 -General Government
23	23 -Health and Human Services
24	24 -Information Technology
25	25 -Justice and Public Safety
26	26 -Natural and Economic Resources
27	27 -Transportation
28	
29 Children, Youth and Families	29 (None)
30	
31 Congressional Redistricting	31 (None)
32	
33 Cultural Resources	33 (None)
34	
35 Economic Growth and Community	
36 Development	36 (None)
37	
38 Education-Community Colleges	
39	39 -Pre-School, Elementary and Secondary
40	40 Education
41	41 -Universities
42	
43 Election Law and	

1	Campaign Finance Reform	(None)
2		
3	Environment and	
4	Natural Resources	(None)
5		
6	Ethics	(None)
7		
8	Finance	(None)
9		
10	Financial Institutions	(None)
11		
12	Health	(None)
13		
14	Highway Safety	(None)
15		
16	Insurance	(None)
17		
18	Judiciary I	(None)
19		
20	Judiciary II	(None)
21		
22	Judiciary III	(None)
23		
24	Judiciary IV	(None)
25		
26	Law Enforcement	(None)
27		
28	Legislative Redistricting	(None)
29		
30	Local Government I	(None)
31		
32	Local Government II	(None)
33		
34	Marine Fisheries	(None)
35		
36	Mental Health	(None)
37		
38	Military, Veterans and	
39	Indian Affairs	(None)
40		
41	Occupational Safety and Health	(None)
42		
43	Pensions and Retirement	(None)
44		

1	Public Health	(None)
2		
3	Public Utilities	(None)
4		
5	Rules, Calendar, and	
6	Operations of the House	(None)
7		
8	Science and Technology	(None)
9		
10	Small Business	(None)
11		
12	State Government	(None)
13		
14	State Personnel	(None)
15		
16	Transportation	(None)
17		
18	Travel and Tourism	(None)
19		
20	University Board of Governors	
21	Nominating	(None)
22		
23	Ways and Means	(None)
24		
25	Welfare Reform	(None)
26		
27	Wildlife Resources	(None)
28		

29 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.**

30 – (a) Standing committees and permanent subcommittees of standing committees shall
31 be furnished with suitable meeting places pursuant to a schedule adopted by the
32 Standing Committee on Rules, Calendar, and Operations of the House. Select
33 committees shall be furnished with suitable meeting places as their needs require by the
34 Chair of the Standing Committee on Rules, Calendar, and Operations of the House.

35 (b) Subject to the provisions of subsection (c) of this rule, standing
36 committees and permanent subcommittees thereof shall permit other members of the
37 General Assembly, the press, and the general public to attend all sessions of said
38 standing committees or permanent subcommittees.

39 (c) The Chair or other presiding officer shall have general direction of the
40 meeting place of the standing committee or permanent subcommittee and, in case of any
41 disturbance or disorderly conduct therein, or if the peace, good order, and proper
42 conduct of the legislative business is hindered by any person or persons, the chair or

1 presiding officer shall have power to exclude from the session any individual or
2 individuals so hindering the legislative business.

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

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

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

21 (1) 15 minutes preceding a regular session of the House, and

22 (2) 10 minutes preceding the hour of the next regularly scheduled standing
23 committee or permanent subcommittee meeting.

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

30 (h) During standing committee and permanent subcommittee meetings,
31 the chair may exercise the right to vote, or may reserve this right until there is a tie, in
32 which event the chair may vote, but in no instance may the chair vote twice on the same
33 question.

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

40 (b) If, after such preliminary investigation as it may make, the Committee
41 determines to proceed with an inquiry into the conduct of any individual, the Committee
42 shall notify the individual as to the fact of the inquiry and the charges against him and
43 shall schedule one or more hearings on the matter. The individual shall have the right to

1 present evidence, cross-examine witnesses, and be represented by counsel at any
2 hearings.

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

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

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

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

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

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

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

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

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

37 **RULE 29.2. Minutes to Legislative Library.** – The Chair of a standing
38 committee or a permanent subcommittee shall insure that written minutes are compiled
39 for each of the body's meetings. The minutes shall indicate the members present and the
40 actions taken at the meeting. Not later than 20 days after the adjournment of each
41 session of the General Assembly, the chair shall deliver the minutes to the Legislative
42 Library. The Speaker of the House may grant a reasonable extension of time for filing
43 said minutes upon written application of the chair.

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

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

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

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

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

20 VI. Handling of Bills

21 **RULE 31. Introduction of Bills and Resolutions.** – (a) All bills and
22 resolutions shall be introduced by submitting same to the Principal Clerk's office on the
23 legislative day prior to the first reading and reference thereof according to the following
24 schedule: by 30 minutes after adjournment each Monday; and by 3:00 P.M. each
25 Tuesday, Wednesday, Thursday, and Friday.

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

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

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

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

43 "House Committee Substitute for _____".

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

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

4 (h) Any reference in these rules to bills shall extend to resolutions unless
5 the context requires otherwise.

6 **RULE 31.1. Deadlines on Introduction and Receipt; Single Subject Rule.**

7 – (a) All public bills or resolutions recommended by commissions or
8 standing committees authorized or directed by act or resolution of the General
9 Assembly to report to the 2001 Regular Session of the General Assembly, or to report
10 prior to convening of that session, must have been submitted to the Bill Drafting
11 Division of the Legislative Services Office by 4:00 P.M. on the third Wednesday in
12 February (February 21) and must be introduced not later than 3:00 P.M. on the next
13 Wednesday (February 28) of the first year of the biennial session; and

14 (a1) All bills prepared to be introduced for departments, agencies, or
15 institutions of the State must have been submitted to the Bill Drafting Division of the
16 Legislative Services Office by 4:00 P.M. on the third Wednesday in February (February
17 21) and must be introduced not later than 3:00 P.M. on the next Wednesday (February
18 28). A bill introduced under this subsection shall be identified as an Agency Bill after its
19 short title.

20 (a2) All local bills must have been submitted to the Bill Drafting Division
21 of the Legislative Services Office by 4:00 P.M. on the third Wednesday in March
22 (March 21) and must be introduced not later than 3:00 P.M. on the next Wednesday
23 (March 28) of the first year of the biennial session.

24 (b) All public bills which would not be required to be re-referred to the
25 Appropriations or Finance Committees under Rule 38 must have been submitted to the
26 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the first
27 Wednesday in April (April 4) and must be introduced not later than 3:00 P.M. on the
28 next Wednesday (April 11) of the first year of the biennial session.

29 (c) All public bills which under Rule 38 would be required to be re-
30 referred to the Appropriations Committee, or to both the Appropriations and Finance
31 Committees, must have been submitted to the Bill Drafting Division of the Legislative
32 Services Office by 4:00 P.M. on the third Wednesday in April (April 18) and must be
33 introduced not later than 3:00 P.M. on the next Wednesday (April 25) of the first year of
34 the biennial session. All public bills which under Rule 38 would be required to be re-
35 referred to the Finance Committee but not the Appropriations Committee must have
36 been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00
37 P.M. on the first Wednesday in May (May 2) and must be introduced not later than 3:00
38 P.M. on the next Wednesday (May 9) of the first year of the biennial session. If any bill
39 is eligible for introduction on account of the date only under this subsection, and the bill
40 is amended so that qualifying appropriation or tax law change does not remain in the
41 bill, it shall not be eligible for further consideration. For the purpose of this section, a
42 "tax law change" includes any provision that would require a bill under Rule 38(b) to be
43 referred to the Standing Committee on Finance.

1 (d) In order to be eligible for consideration by the House during the first
2 Regular Session, all Senate bills other than finance or appropriations bills which would
3 be required to be re-referred to the Appropriations or Finance Committees under Rule
4 38 or adjournment resolutions, must be received and read on the floor of the House as a
5 message from the Senate no later than April 26; provided that a message from the
6 Senate received by the next legislative day stating that a bill has passed its third reading
7 and is being engrossed shall comply with the requirements of this subsection and
8 provided that the Senate has a similar rule.

9 (d1) Except by motion approved by a majority of members of the House
10 present and voting, no public House bill other than the Current Operations
11 Appropriations Act or the Capital Improvement Appropriations Act may contain more
12 than one subject.

13 (e) This rule, other than subsection (d1), does not apply to bills
14 establishing districts for Congress or State or local entities. This rule, other than
15 subsection (d1), does not apply to measures ratifying an amendment or amendments to
16 the Constitution of the United States.

17 **RULE 32. Reference to Standing Committee and to Permanent**
18 **Subcommittees; Serial Referrals.** – (a) Each bill, joint resolution, or House resolution
19 not introduced on the report of a standing committee shall immediately upon its first
20 reading be referred by the Speaker to such standing committee or permanent
21 subcommittee as the Speaker deems appropriate. The Speaker at the same time may
22 order that, if the bill is reported with any favorable recommendation or without
23 prejudice, it be re-referred automatically upon the committee report to another
24 committee or permanent subcommittee designated in the order.

25 (b) The standing committee chair may refer each bill referred to the
26 standing committee to the permanent subcommittee specifically charged with the
27 subject matter of the bill. A report of that referral shall be made in writing and
28 submitted to the body pursuant to Rule 5(5). Except as provided in Rule 36, the
29 permanent subcommittee to which the bill is referred shall report the bill back to the full
30 standing committee. That subcommittee report shall include one of the following
31 recommendations:

- 32 (1) Favorable, without prejudice, or unfavorable as to the original bill with
33 the recommendation that the report be made to the standing
34 committee;
- 35 (2) Favorable, without prejudice, or unfavorable as to the original bill, as
36 amended, with the recommendation that the report be made to the
37 standing committee;
- 38 (3) Favorable or without prejudice to the proposed committee substitute,
39 and unfavorable to the original bill, with the recommendation that the
40 report be made to the standing committee;
- 41 (4) Favorable as to the original bill with the recommendation that the
42 report be made directly to the floor of the House, if approved by the
43 standing committee chair;

- 1 (5) Favorable to the original bill, as amended, with the recommendation
2 that the report be made directly to the floor of the House, if approved
3 by the standing committee chair; or
4 (6) Favorable to the proposed committee substitute with the
5 recommendation that the report be made directly to the floor of the
6 House, if approved by the standing committee chair, and unfavorable
7 to the original bill.

8 Any recommendation of favorable or without prejudice may include a
9 recommendation of re-referral to another standing committee. After a bill is reported to
10 a standing committee by a permanent subcommittee of that standing committee, the
11 standing committee chair may re-refer the bill to another permanent subcommittee of
12 that standing committee.

13 Upon recommendation to the standing committee, the bill shall be before that
14 body for further action unless the permanent subcommittee chair reports the bill directly
15 pursuant to Rule 36.

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

21 **RULE 34. Introduction of Resolutions and Bills, Copies Required.** – (a)

22 Whenever any resolution or bill is introduced, a duplicate copy thereof
23 shall be attached thereto, and the Principal Clerk shall cause said duplicate copy to be
24 numbered as the original resolution or bill is numbered, and shall cause the same to be
25 available at all times to the member introducing the same.

26 (b) Numbering of House Bills shall be designated as "H.B.____." (No.
27 following). A Joint Resolution shall be designated as "H.J.R. ____."(No. following). A
28 House Resolution shall be designated as "H.R.____." (No. following).

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

34 **RULE 35. Duplicating and Availability of Copies of Bills.** – (a) The
35 Legislative Services Officer shall cause such bills as are introduced to be duplicated in
36 such numbers as may be specified by the Speaker. The Legislative Services Officer
37 shall cause one copy of each resolution and public bill for each member to be delivered
38 to the member's committee assistant or legislative assistant who shall place it in the
39 appropriate notebook on the member's desk. If a member so requests, a second copy
40 shall be delivered to the member's committee assistant or legislative assistant who shall
41 place it in the member's office. The remaining copies shall be placed in the Printed Bills
42 Room and made available to the committees to which the bill is referred, to individual
43 members on request, and to the general public.

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

5 **RULE 35.1. Assessment Reports.** – (a) Every bill or resolution proposing
6 the establishment of an occupational or professional licensing board, as defined in
7 Article 18A of Chapter 120 of the General Statutes, or a study for the need to establish
8 such a board shall have attached to the jacket of the original bill or resolution at the time
9 of its consideration on second and third readings by the House or by any standing
10 committee or permanent subcommittee of the House, an assessment report from the
11 Legislative Committee on New Licensing Boards pursuant to Article 18A of Chapter
12 120 of the General Statutes. The assessment report shall not constitute any part of the
13 expression of legislative intent proposed by the formation of a licensing board. Upon
14 receipt of the request, the Legislative Committee on New Licensing Boards shall
15 prepare and return the assessment report as soon as possible but not later than 60 days,
16 reserving the right to extend this time to 90 days.

17 (b) Every legislative proposal introduced in the House of Representatives,
18 or received in the House of Representatives from the Senate, proposing the
19 incorporation of a municipality shall have attached to the jacket of the original bill at the
20 time of its consideration on second or third readings by the House of Representatives or
21 by any committee of the House of Representatives prior to a favorable report, a
22 recommendation from the Joint Legislative Commission on Municipal Incorporations,
23 established by Article 20 of Chapter 120 of the General Statutes. The recommendation
24 of the Joint Legislative Commission on Municipal Incorporations shall be made in
25 accordance with the provisions and criteria set forth in Article 20 of Chapter 120 of the
26 General Statutes and shall include the findings required to be made by G.S. 120-166
27 through G.S. 120-170.

28 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** –
29 (a) **When Reports Required.** – All House bills and resolutions shall be reported from
30 the standing committee or permanent subcommittee to which referred with such
31 recommendations as the standing committee or permanent subcommittee may desire to
32 make except in the case where the principal introducer requests in writing to the chair of
33 the standing committee or permanent subcommittee that the bill not be considered.

34 With the written approval of the chair of the standing committee and with the
35 recommendation of the subcommittee pursuant to Rule 32(b)(4) through (6), the chair of
36 the permanent subcommittee may report the bill directly to the floor with that
37 recommendation. If a permanent subcommittee recommends reporting a bill to the floor
38 and the chair of the standing committee fails to give approval, the bill shall be deemed
39 to have been reported to the standing committee with the same recommendation as the
40 subcommittee would have made to the House.

41 (b) **Favorable Report.** – When a standing committee or permanent
42 subcommittee reports a bill with the recommendation that it be passed, the bill shall be
43 placed on the favorable calendar on the day and in the order designated by the Chair of
44 the Committee on Rules, Calendar, and Operations of the House, but not later than the

1 fourth legislative day after submission of the report or Senate message under Rule 43.2
2 or Rule 43.3(a), unless:

- 3 (1) The bill is re-referred to the Committee on Appropriations or
4 Committee on Finance under Rule 38 or was serially referred under
5 Rule 32; or
6 (2) The bill has not yet been placed on the calendar, and the Speaker refers
7 the bill to another committee.

8 In order to place a bill on the calendar for a legislative day, notice shall be given by the
9 Chair of the Committee on Rules, Calendar, and Operations of the House orally in the
10 House or in writing to the Principal Clerk. When a committee substitute is adopted and
11 receives a favorable report by the committee or permanent subcommittee, the standing
12 committee or permanent subcommittee chair shall submit to the standing committee or
13 permanent subcommittee the question of an unfavorable report on the original bill. The
14 standing committee's or permanent subcommittee's action, if any, on the original bill
15 shall be reported at the same time the committee substitute is reported.

16 (c) **Report Without Prejudice.** – When a standing committee reports a
17 bill without prejudice, the bill shall be placed on the favorable calendar in the same
18 manner as provided in subsection (a) of this rule.

19 (d) **Postponed Indefinitely.** – When a standing committee reports a bill
20 with the recommendation that it be postponed indefinitely and no minority report
21 accompanies it, the bill shall be placed on the unfavorable calendar.

22 (e) **Unfavorable Report.** – When a standing committee reports a bill with
23 the recommendation that it not be passed and no minority report accompanies it, the bill
24 shall be placed on the unfavorable calendar.

25 (f) **Minority Report.** – When a bill is reported by a standing committee
26 with a recommendation that it not be passed or that it be postponed indefinitely, but it is
27 accompanied by a minority report signed by at least one-fourth of the members of the
28 standing committee who were present and voting when the bill was considered in
29 standing committee, the question before the House shall be: "The adoption of the
30 minority report." If the minority report is adopted by majority vote, the bill shall be
31 placed on the favorable calendar for consideration. If the minority report fails of
32 adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

33 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
34 Committee, of the Finance Committee, or of the Rules, Calendar, and Operations of the
35 House Committee, upon the floor of the House, may request that a fiscal analysis be
36 made of a bill, resolution, or an amendment to a bill or resolution which is in the
37 possession of the House and that a fiscal note be attached to the measure, when in the
38 opinion of that Chair the fiscal effects of that measure are not apparent from the
39 language of the measure.

40 (b) The fiscal note shall be filed and attached to the bill or amendment
41 within two legislative days of the request. If it is impossible to prepare a fiscal note
42 within two legislative days, the Director of Fiscal Research shall, in writing, so advise

1 the Speaker, the Principal Clerk, and the member introducing or proposing the measure
2 and shall indicate the time when the fiscal note will be ready.

3 (c) The fiscal note shall be prepared by the Fiscal Research Division on a
4 form approved by the Rules, Calendar, and Operations of the House Committee as to
5 content and form and signed by the staff member or members preparing it. If no
6 estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate
7 is provided. The fiscal note shall not comment on the merit but may identify technical
8 problems. The Fiscal Research Division shall make the fiscal note available to the
9 membership of the House.

10 (d) A sponsor of a bill or amendment may deliver a copy of the bill or
11 amendment to the Fiscal Research Division for the preparation of a fiscal note. The
12 sponsor shall attach the fiscal note to the bill when filed or to the amendment when its
13 adoption is moved.

14 (e) The sponsor of a bill or amendment to which a fiscal note is attached
15 who objects to the estimates and information provided may reduce to writing the
16 objections. These objections shall be appended to the fiscal note attached to the bill or
17 amendment and to the copies of the fiscal note available to the membership.

18 (f) Subsection (a) of this rule shall not apply to the Current Operations
19 Appropriations Bill or the Capital Improvement Appropriations Bill. This rule shall not
20 apply to a bill or amendment requiring an actuarial note under these rules.

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

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

25 (2) Program of hospital, medical, disability or related benefits provided for
26 teachers and State employees, funded in whole or in part by State
27 funds shall have attached to it at the time of its consideration by any
28 standing committee or permanent subcommittee a brief explanatory
29 statement or note which shall include a reliable estimate of the
30 financial and actuarial effect of the proposed change to that retirement
31 or pension system. The actuarial note shall be attached to the jacket of
32 each proposed bill or resolution which is reported favorably by any
33 standing committee or any permanent subcommittee, shall be separate
34 there from, and shall be clearly designated as an actuarial note. A bill
35 described in subdivision (a)(1) of this rule shall be referred to the
36 Committee on Pensions and Retirement upon its introduction.

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

1 (c) The sponsor of the bill or resolution shall also present a copy of the
2 measure to the actuary employed by the system or program affected by the measure.
3 Actuarial notes shall be prepared and transmitted to the sponsor of the measure not later
4 than two weeks after the request is received, unless an extension of time is agreed to by
5 the sponsor as being necessary in the preparation of the note. The actuarial note shall be
6 attached to the jacket of the measure. The provisions of this subsection may be waived
7 by the measure's sponsor for a measure affecting local government retirement or
8 pension plans not administered by the State or any local government program of
9 hospital, medical, disability, or related benefits for local government employees not
10 administered by the State.

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

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

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

33 **RULE 36.3. Local Legislation Affecting State Highway System.** – A local
34 bill affecting the State Highway System shall be referred to the Committee on
35 Transportation.

36 **RULE 37. Removing Bill From Unfavorable Calendar.** – A bill may be
37 removed from the unfavorable calendar upon motion carried by a two-thirds vote. A
38 motion to remove a bill from the unfavorable calendar is debatable.

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

42 (1) Carries an appropriation from the State; or

1 (2) Requires or will require in the future substantial additional State
2 monies from the General Fund or Highway Fund to implement its
3 provisions, shall indicate same in the report, and said bill or resolution
4 shall be referred to the Standing Committee on Appropriations for a
5 further report before being acted upon by the House.

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

12 (c) **Action on Amendment Before Re-Referral.** – If any standing
13 committee recommends adoption of an amendment or committee substitute of a bill
14 which, under the rules of the House must be referred to the Standing Committees on
15 Appropriations or the Standing Committee on Finance, the amendment or committee
16 substitute shall be considered and, if adopted, the amendment or substitute engrossed
17 before the bill is re-referred.

18 **RULE 39. Recall of Bill From Standing Committee.** – (a) When a House
19 bill has been introduced and referred to a standing committee, or when a Senate bill has
20 been referred to a standing committee, if after 10 legislative days the standing
21 committee has failed to act thereon, then the introducer of the House bill or some
22 member designated by him, or some House member designated by the introducer of the
23 Senate bill, may, after three legislative days' public notice given in the House and
24 delivered in writing to the chair of the standing committee, on motion supported by a
25 vote of three-fifths of the members of the House, recall the same from the standing
26 committee to the floor of the House for consideration and such action thereon as a
27 majority of the members present may direct.

28 (b) This rule shall not be temporarily suspended without one day's notice on
29 the motion given in the House and delivered in writing to the chair of the standing
30 committee, and to sustain that motion two-thirds of the members of the House shall be
31 required.

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

38 **RULE 39.2. Re-Referral of Bills From One Standing Committee to**
39 **Another Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker,
40 the chair of the standing committee from whom the bill is to be re-referred, and the
41 chair of the standing committee to whom the bill is to be re-referred, the chair of the
42 standing committee from whom the bill is to be re-referred or the chair of the
43 Committee on Rules, Calendar, and Operations of the House may move for a re-referral

1 to another standing committee and the bill shall be re-referred upon vote of the majority
2 present during a regular session of the House.

3 **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House
4 shall prepare a daily schedule of business, including the Calendar of Bills and
5 Resolutions for consideration and debate that day, in accordance with the Order of
6 Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the
7 order in which they are introduced. All bills and resolutions shall be taken up as they
8 appear in each category (Rule 5(10)) in the order they were placed on the Calendar
9 under Rule 36(b).

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

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

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

- 22 (1) Been tabled,
- 23 (2) Been postponed indefinitely,
- 24 (3) Failed to pass on any of its readings, or
- 25 (4) Been placed on the unfavorable calendar,

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

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

35 **RULE 43. Amendments.** – No amendment to a measure before the House
36 shall be in order unless the amendment is germane to the measure under consideration.
37 A House amendment deleting a previously adopted House amendment shall not be in
38 order, except that this sentence does not apply to amendments adopted under Rule
39 38(c).

40 If the Senate adopts an amendment or committee substitute to a House bill,
41 the House may refuse to receive the bill on account of lack of germaneness if the Senate
42 has a similar rule.

1 Only one principal (first degree) amendment shall be pending at any one
2 time. If a subsequent or substitute principal amendment shall be offered, the Speaker
3 shall rule it out of order. However, any member desiring to offer a subsequent or
4 substitute principal amendment in opposition to the pending amendment may inform the
5 House by way of argument against the pending amendment that if it is defeated the
6 member proposes to offer another principal amendment, and the member may then read
7 and explain such proposed amendment.

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

11 **RULE 43.1. Engrossment.** – Bills and resolutions, except those making
12 appropriations, which originate in the House and which are amended, shall be engrossed
13 before being sent to the Senate.

14 **RULE 43.2. House Concurrence in Senate Amendments to House Bills.** –
15 When the House receives a Senate amendment to a bill originating in the House, it shall
16 be placed on the calendar in accordance with Rule 36(b).

17 **RULE 43.3. Committee Substitutes Adopted by the Senate to Bills**
18 **Originating in the House; Procedure for Treatment of Material Amendments**
19 **There to.** – (a) Whenever the Senate has adopted a committee substitute for a bill
20 originating in the House and has returned the bill to the House for concurrence in that
21 committee substitute, it shall be placed on the calendar in accordance with Rule 36(b).

22 (b) The Speaker shall rule whether the committee substitute is a material
23 amendment under Article II, Section 23 of the State's Constitution which reads:

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

32 If the committee substitute was referred to standing committee, the standing
33 committee shall:

34 (1) Report the bill with the recommendation either that the House do
35 concur or that the House do not concur; and

36 (2) Advise the Speaker as to whether or not that committee substitute is a
37 material amendment under Article II, Section 23 of the North Carolina
38 Constitution.

39 (c) If the committee substitute for a bill is not a material amendment, the
40 question before the House shall be concurrence.

41 (d) If the committee substitute for a bill is a material amendment, the
42 receiving of that bill on messages shall constitute first reading and the question before
43 the House shall be concurrence on second reading. If the motion is passed, the question
44 then shall be concurrence on third reading on the next legislative day.

1 (e) No committee substitute adopted by the Senate for a bill originating in
2 the House may be amended by the House.

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

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

21 (c) If the conferees fail to agree or if either House fails to adopt the report
22 of its conferees, new conferees may be appointed.

23 (d) No vote shall be taken on adoption of a conference report until the next
24 legislative day following the report.

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

28 VII. Legislative Officers and Employees

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

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

35 (c) The House shall elect a Principal Clerk, who shall continue in office
36 until another is elected. The Speaker shall appoint a Reading Clerk and a Sergeant-at-
37 Arms, who shall serve at the Speaker's pleasure. The Principal Clerk, Reading Clerk,
38 and Sergeant-at-Arms shall have and perform duties and responsibilities, not
39 inconsistent with these rules, as the Speaker may assign. Unless directed otherwise by
40 the Speaker on behalf of the House, the Principal Clerk or an employee designated by
41 the Principal Clerk shall receive House bills not approved by the Governor. In addition,
42 the Sergeant-at-Arms may assign the Reading Clerk additional duties, to be performed
43 while the House is not in its daily session.

1 **RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms.** – The
2 Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the
3 Speaker, such assistants as may be necessary to the efficient discharge of the duties of
4 their respective offices.

5 **RULE 47. Speaker's Staff, Chaplain, and Pages.** – (a) The Speaker may
6 appoint one or more staff members to the Speaker, a Chaplain of the House, and pages
7 to wait upon the sessions of the House.

8 (b) When the House is not in session, the pages shall be under the
9 supervision of the Supervisor of Pages.

10 (c) The Speaker at the request of a member may appoint honorary pages.

11 **RULE 48. Member's Staff.** – (a) Each standing committee and
12 permanent subcommittee shall have a committee assistant. The committee assistant to a
13 standing committee or permanent subcommittee shall serve as staff to the chair of the
14 standing committee or permanent subcommittee.

15 (b) Each member shall be assigned a legislative assistant, unless the
16 member has a committee assistant to serve as legislative assistant.

17 (c) The selection and retention of committee assistants, legislative
18 assistants, and office assistants shall be the sole prerogative of the individual member or
19 members. Such staff shall file initial applications for employment with the Principal
20 Clerk and shall receive compensation as prescribed by the Legislative Services
21 Commission. The employment period of such staff shall commence not earlier than the
22 convening date of the General Assembly and shall terminate not later than the final
23 adjournment or recess of the General Assembly unless employment for an extended
24 period is approved by the Speaker. The committee assistants, legislative assistants, and
25 office assistants shall adhere to such uniform rules and regulations not inconsistent with
26 these rules regarding hours and other conditions of employment as the Legislative
27 Services Commission shall fix by appropriate regulations.

28 **RULE 49. Compensation of Legislative Assistants.** – No clerk, committee
29 assistant, legislative assistant, office assistant, or other person employed or appointed
30 under Rules 46, 47, and 48 hereof shall receive during such employment, appointment,
31 or service, any compensation from any department of the State government, and there
32 shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of
33 them; but they shall receive only the pay now provided by law for such duties and
34 services.

35 VIII. Privileges of the Hall

36 **RULE 50. Admittance to Floor.** – No person except members, officers, and
37 employees of the General Assembly who have been issued identification tags as
38 provided by this rule, and former members of the General Assembly who are not
39 registered under the provisions of Article 9 of Chapter 120 of the General Statutes of
40 North Carolina, shall be allowed on the floor of the House during its session, unless
41 permitted by the Speaker or otherwise provided by law. Employees of the General
42 Assembly shall wear identification tags, approved by the Legislative Services Officer,
43 when on the floor of the House.

1 **RULE 51. Admittance of Press.** – Reporters wishing to take down debates
2 may be admitted by the Speaker, who shall assign such places to them on the floor or
3 elsewhere, to effect this object, as shall not interfere with the convenience of the House.
4 Reporters admitted to the floor of the House shall observe the same requirements of
5 attire for members contained in Rule 12(h).

6 **RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or
7 lobby shall be extended at the discretion of the Speaker and only by the Speaker.
8 Requests by members to extend these courtesies shall be typewritten and delivered to
9 the Speaker. No member shall orally ask the Speaker to extend these courtesies during
10 the daily session.

11 **RULE 53. Order in House Chamber, Galleries, and Lobby.** – In case of
12 any disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the
13 Speaker or other presiding officer is empowered to order the same to be cleared to the
14 extent they deem necessary.

15 IX. General Rules

16 **RULE 54. Attendance of Members.** – No member or officer of the House
17 shall absent himself from the service of the House without leave, unless from sickness
18 or disability.

19 **RULE 55. Documents to Be Signed by the Speaker.** – All acts, addresses,
20 and resolutions and all warrants and subpoenas issued by order of the House shall be
21 signed by the Speaker or other presiding officer.

22 **RULE 56. Printing or Reproducing Materials.** – There shall be no printing
23 or reproducing of paper(s) that are not legislative in essence except upon approval of the
24 Speaker.

25 **RULE 57. Placement or Circulation of Materials.** – Persons other than
26 members of the House shall not place or cause to be placed any materials on members'
27 desks in the House Chamber without obtaining approval of the Speaker. Any material
28 placed on members' desks in the House Chamber, or circulated to House members
29 anywhere in the Legislative Building or the Legislative Office Building, shall bear the
30 name of the originator.

31 **RULE 58. Rules, Rescission, and Alteration.** – (a) These rules shall not be
32 permanently rescinded or altered except by House simple resolution passed by a two-
33 thirds vote of the members present and voting. The introducer of the resolution must on
34 the floor of the House give notice of intent to introduce the resolution on the legislative
35 day preceding its introduction.

36 (b) Except as otherwise provided herein, the House upon two-thirds vote
37 of the members present and voting may temporarily suspend any rule.

38 **RULE 59. Cosponsorship of Bills and Resolutions.** – (a) Any
39 member wishing to cosponsor a bill or resolution which has been introduced may do so
40 by appearing in the office of the Principal Clerk for such purpose within one-half hour
41 following the adjournment of the session during which such bill or resolution was first
42 read and referred.

1 (b) Members wishing to jointly sponsor legislation should indicate such to
2 the drafter at the time the bill is requested or upon filing the bill with the Principal
3 Clerk's office. The names of the members who are the primary sponsors shall be listed
4 in the order requested by them, followed by the words (Primary Sponsors); and the
5 remaining names of members cosponsoring shall follow. No more than four members
6 may be listed as primary sponsors.

7 (c) No member shall permit anyone, other than that member's committee
8 assistant, legislative assistant, office assistant, or another member, to have possession of
9 and solicit for bill or resolution cosponsorship, the jacket of a bill or resolution.

10 **RULE 60. Correcting of Typographical Errors.** – The Legislative Services
11 Officer may correct typographical errors appearing in House bills or resolutions
12 provided that such corrections are made before ratification and do not conflict with any
13 actions or rules of the Senate and provided further that such correction be approved by
14 the Chair of the Standing Committee on Rules, Calendar, and Operations of the House,
15 the Speaker, or other presiding officer.

16 **RULE 61. Assignment of Seats.** – After initial assignment of seats, a
17 member shall continue to occupy the seat to which initially assigned until assigned a
18 permanent seat; once assigned a permanent seat, the member shall occupy it for the
19 entire biennial session. In event of vacancy, that member's successor will occupy the
20 seat of the member replaced for the remainder of the biennial session.

21 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on
22 Rules, Calendar, and Operations of the House shall assign to each member an office
23 space. When available, Chairs of standing committees and permanent subcommittees
24 shall be assigned an office adjacent to the room in which the standing committee or
25 permanent subcommittee generally meets if the Chair so desires. The Speaker shall be
26 assigned an office of his or her choice.

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

34 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
35 Calendar, and Operations of the House of the prior House to assign temporary seats to
36 the members of the House of Representatives in its Chamber. In the case of the inability
37 or refusal to serve of the Chair of the Standing Committee on Rules, Calendar, and
38 Operations of the House, the Speaker of the prior House of Representatives shall
39 appoint a person to assign seats to members of the House of Representatives in its
40 Chamber. In the event that the party that had a majority of members in the prior House
41 will no longer have a majority of members of the new House, then the duty assigned in
42 this subsection to the Chair of the committee of the prior House shall instead be the duty
43 of the person nominated as Speaker by the majority party caucus for the new House, or
44 some member-elect designated by the Speaker-nominee. In the event no party will have

1 a majority, then the duty assigned in this subsection to the Chair of the committee of the
2 prior House shall instead be the joint duty of one person chosen each by the caucuses of
3 the two parties having the greatest numbers of members.

4 **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out
5 the rules of Mason's Manual of Legislative Procedure shall govern the operation of the
6 House.

7 Section 2. This resolution is effective upon adoption.