

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE RESOLUTION 1263

Sponsors: Representative Ellis.

Referred to: Rules, Calendar, and Operations of the House.

April 28, 2003

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE
2 REGULAR SESSION OF THE HOUSE OF REPRESENTATIVES FOR THE 2003
3 REGULAR SESSION.

4 Be it resolved by the House of Representatives:

5 **SECTION 1.** The permanent rules of the Regular Sessions of the House of
6 Representatives of the 2003 General Assembly are:

7 PERMANENT RULES OF THE REGULAR SESSIONS OF THE HOUSE OF
8 REPRESENTATIVES OF THE 2003 GENERAL ASSEMBLY OF NORTH
9 CAROLINA

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I. Order of Business

22 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday**
23 **Legislative Sessions.** – The House shall convene each legislative day at the hour fixed
24 by the House. In the event the House adjourns on the preceding legislative day without
25 having fixed an hour for reconvening, the House shall convene on the next legislative
26 day at 2:00 P.M. During January and February of 2003, no sessions may be held on
27 Friday. No session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on
28 any other days, and the Speaker shall adjourn the House without motion at that point,
29 except that a motion may be made as to the time and day of next convening. No session
30 shall be held on Sunday.

1 **RULE 2. Opening the Session.** – At the convening hour on each legislative
2 day, the Speaker shall call the members to order and shall have the session opened with
3 prayer. At the convening hour on the first day of each legislative week, the Speaker, or
4 his designee, shall lead the members in the Pledge of Allegiance to the American Flag.

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

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

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

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

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

- 26 (1) The receiving of petitions, memorials, and papers addressed to the
27 General Assembly or to the House;
- 28 (1a) Messages from the Governor;
- 29 (2) Ratification of bills;
- 30 (3) Reports of standing committees and permanent subcommittees;
- 31 (4) Reports of select committees;
- 32 (5) Reports of referral by standing committee Chairs of bills to permanent
33 subcommittees;
- 34 (6) First reading and reference to committee of bills and resolutions;
- 35 (7) Messages from the Senate;
- 36 (8) Concurrence with Senate amendments or Senate committee
37 substitutes;
- 38 (9) The unfinished business of the preceding day;
- 39 (10) Calendar (each category in accordance with Rule 40):
- 40 a. Local bills (roll call) third reading
- 41 b. Local bills (roll call) second reading
- 42 c. Local bills third reading
- 43 d. Local bills second reading
- 44 e. Public bills (roll call) third reading

- 1 f. Public bills (roll call) second reading
- 2 g. Public bills and resolutions, third reading
- 3 h. Public bills and resolutions, second reading;
- 4 (11) Reading of notices and announcements.

6 II. Conduct of Debate

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8 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have
9 general direction of the Hall to ensure civil discourse and the open exchange of ideas.
10 With the consent of or in the absence of the Speaker Pro Tempore, the Speaker may
11 name any member to perform the duties of the chair, but substitution shall not extend
12 beyond one day, except in the case of sickness or by leave of the House.

13 **RULE 7. Obtaining Floor.** – (a) When any member desires recognition for
14 any purpose, the member shall rise and respectfully address the Speaker. No member
15 shall proceed until recognized by the Speaker for a purpose. No member shall be denied
16 recognition unless that member is out of order as provided in these rules, and the
17 Speaker shall state the specific rule under which the member is out of order.

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

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

- 27 (1) A request that the member speaking yield for a question,
- 28 (2) A point of order,
- 29 (3) A parliamentary inquiry, or
- 30 (4) A question of privilege.

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

40 **RULE 9. Points of Order.** – (a) The Speaker shall decide questions of
41 order and may speak to points of order in preference to other members arising from
42 their seats for that purpose. Any member may appeal from the ruling of the chair on
43 questions of order; on such appeal no member may speak more than once, unless by

1 leave of the House. A majority vote of the members present shall be necessary to sustain
2 any appeal from the ruling of the chair.

3 (b) When the Speaker calls a member to order, the member shall be seated
4 except that a member called to order may clear a matter of fact, or explain, but shall not
5 proceed in debate so long as the decision stands. If the member appeals from the ruling
6 of the chair and the decision by a majority vote of the members present be in favor of
7 the member called to order, the member may proceed; if otherwise, the member shall
8 not; and if the case, in the judgment of the House, requires it, the member shall be liable
9 to censure by the House.

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

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

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

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

22 (e) When a member interrupts another member to ask a question, the time
23 consumed asking the question shall be excluded.

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

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

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

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

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

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

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

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

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

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

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

10 III. Motions

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

16 (b) When a motion is made, it shall be accepted by the Speaker when it is
17 in order under Rules 14 through Rule 19(d), or, if written, it shall be handed to the chair
18 and read aloud by the Speaker or Clerk before debate.

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

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

26 To adjourn.

27 To lay on the table.

28 Previous question.

29 To postpone indefinitely.

30 To reconsider.

31 To postpone to a day certain.

32 To re-refer.

33 To amend an amendment.

34 To amend.

35 To pass the bill.

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

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

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

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

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

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

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

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

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

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

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

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

31 (1) A vote upon a motion to table,

32 (2) A motion to postpone indefinitely,

33 (3) A motion to remove a bill from the unfavorable calendar,

34 (4) A motion that a bill be read twice on the same day, or

35 (5) A motion to remove from the table.

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

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

41 (1) The Chair of the Committee on Rules, Calendar, and Operations of the
42 House;

43 (2) The leader of a party caucus;

44 (3) The Speaker Pro Tempore;

- 1 (4) The member submitting the report on the bill or other matter under
2 consideration;
- 3 (5) The member introducing the bill or other matter under consideration;
4 or
- 5 (6) The member in charge of the measure, who shall be designated by the
6 chair of the standing committee or permanent subcommittee reporting
7 the same to the House at the time the bill or other matter under
8 consideration is reported to the House or taken up for consideration.
- 9 (b) The previous question shall be as follows: "Call for the previous
10 question having been made, is the call sustained?" When the call for the previous
11 question has been decided in the affirmative by a majority vote of the House, the
12 question is on the passage of the bill, resolution, or other matter under consideration.
- 13 (c) The call for the previous question shall preclude all motions,
14 amendments, and debate, except the motion to adjourn or motion to table.
- 15 (d) If the previous question is decided in the negative, the question
16 remains under debate.

17 18 IV. Voting

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

- 23 (1) The passage as required by Article II, Section 23 of the North Carolina
24 Constitution on second and third readings of any bill:
- 25 a. Raising money on the credit of the State,
 - 26 b. Pledging the faith of the State for the payment of a debt,
 - 27 c. Imposing a State tax, or
 - 28 d. Authorizing a county, municipality, or other local governmental
29 unit to
 - 30 1. Raise money on its credit,
 - 31 2. Pledge its faith for the payment of a debt, or
 - 32 3. Impose a local tax.
- 33 (2) All measures affecting a fee imposed by the State or any subdivision
34 thereof.
- 35 (3) All questions on which a call for the ayes and noes under Rule 24(a)
36 and Article II, Section 19 of the North Carolina Constitution has been
37 sustained.
- 38 (4) Both second and third readings of bills proposing amendment of the
39 North Carolina Constitution or ratifying resolutions amending the
40 United States Constitution.
- 41 (5) The passage of a bill notwithstanding the Governor's veto thereof
42 pursuant to Article II, Section 22 of the North Carolina Constitution.
- 43 (b) Votes on the following questions shall be taken on the electronic
44 voting system:

- 1 (1) Second reading of all public bills, all amendments to public bills
2 offered after second reading, third reading if a public bill was amended
3 after second reading or if the reading occurs on a day or days
4 following the second reading, all conference reports on public bills, all
5 motions to lay public bills on the table, and all motions to postpone
6 public bills indefinitely.
- 7 (2) Upon a call for division.
- 8 (3) Any other question upon direction of the Speaker or upon motion of
9 any member supported by one-fifth of the members present.
- 10 (c) When the electronic voting system is used, 15 seconds shall be
11 allowed for voting on the question before the House, unless the Chair shall direct
12 otherwise. The system shall be set to close automatically when that time has expired.
13 Once the system is locked, the vote shall be recorded and printed.
- 14 (d) The voting station at each member's desk in the Chamber shall be used
15 only by the member to which the station is assigned. Under no circumstances shall any
16 other person vote at a member's station. It is a breach of the ethical obligation of a
17 member either to request that another person vote at the requesting member's station or
18 to vote at another member's station. The Speaker shall enforce this rule without
19 exception.
- 20 (e) When the electronic voting system is used, the Speaker shall state the
21 question and shall then state substantially the following: "All in favor vote 'aye'; all
22 opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the
23 member must vote by the electronic voting system within the time allowed for that vote,
24 unless the voting station assigned to a member is malfunctioning. The Speaker shall
25 enforce this rule without exception. After the allotted time for voting has elapsed, the
26 Speaker shall say: "The Clerk will now lock the machine and record the vote." After the
27 machine is locked and the vote recorded, the Speaker shall announce the vote and
28 declare the result.
- 29 (f) One copy of the machine printout of the vote record of all votes taken
30 on the electronic voting system shall be filed in the office of the Principal Clerk, and
31 two copies shall be filed in the Legislative Library where the copies shall be open to
32 public inspection. A legible copy of the bill, amendment, or motion on which the vote
33 was taken shall be filed with the printout of the vote in the Legislative Library.
- 34 (g) When the Speaker ascertains that the electronic voting system is
35 inoperative before a vote is taken or while a vote is being taken on the electronic voting
36 system, the Speaker shall announce that fact to the House, and any partial electronic
37 voting system voting record shall be voided. In such a case, if the North Carolina
38 Constitution or the Rules of the House require a call of the ayes and noes, the Clerk
39 shall call the roll of the House, and the ayes and noes shall be taken manually and shall
40 be recorded on the Journal. All roll call votes shall be taken alphabetically. If, after a
41 vote is taken on the electronic voting system, it is discovered that a malfunction caused
42 an error in the electronic voting system printout, the Speaker shall direct the Reading
43 Clerk and the Principal Clerk to verify and correct the printout record and so advise the
44 House.

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

- 3 (1) To adjourn.
- 4 (2) To lay on the table.
- 5 (3) Previous question.
- 6 (4) To postpone indefinitely.
- 7 (5) To reconsider.
- 8 (6) To postpone to a day certain.
- 9 (7) To re-refer.
- 10 (8) To amend an amendment.
- 11 (9) To amend.
- 12 (10) To concur or not concur.
- 13 (11) Miscellaneous.

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

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

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

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

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

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

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

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

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

43 (b) The member may make a brief oral statement of the reasons for
44 making the request. The member may send forward to the Principal Clerk, on a form

1 provided by the Clerk, a concise written statement of the reason for the request, and the
2 Clerk shall include this statement in the Journal.

3 (c) The member so excused shall not debate the bill or any amendment to
4 the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on
5 any motion concerning the bill at that reading, any subsequent reading, or any
6 subsequent consideration of the bill.

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

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

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

16 **RULE 25.1. Voting Analysis.** – The voting system shall be programmed to
17 generate a report showing a member's voting record compared to a majority of the
18 House and to the member's caucus.

19 V. Committees

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

29 (b) All permanent subcommittees of each standing committee shall be
30 appointed by the Speaker, and the members appointed, along with the chair of the
31 standing committee, shall constitute the standing committee of which the permanent
32 subcommittee is a part. The Speaker shall appoint all members of permanent
33 subcommittees at the beginning of the first regular session in a manner to reflect the
34 partisan membership of the House.

35 (c) The Speaker shall appoint the members of all standing committees
36 having no permanent subcommittees at the beginning of the first regular session in a
37 manner to reflect the partisan membership of the House, except that the standing
38 committees on Congressional Redistricting and Legislative Redistricting shall have an
39 equal number of members of the two parties having the largest membership in the
40 House.

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

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

3 (f) Either the chair or acting chair, designated by the chair or by the
 4 Speaker, and five other members of the standing committee or permanent
 5 subcommittee, or a majority of the standing committee or permanent subcommittee,
 6 whichever is fewer, shall constitute a quorum of that standing committee or permanent
 7 subcommittee.

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

11 (h) The caucus leader of a party may, if any member of the committee
 12 from that party is absent from a committee meeting, appoint another member to serve
 13 on that committee during the regular member's absence.

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

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

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

18 The standing committees and permanent subcommittees thereof are:

Committees	Subcommittees
Aging	(None)
Agriculture	(None)
Alcoholic Beverage Control	(None)
Appropriations	-Capital -Education -General Government -Health and Human Services -Information Technology -Justice and Public Safety -Natural and Economic Resources -Transportation
Children, Youth and Families	(None)
Congressional Redistricting	(None)
Cultural Resources	(None)
Economic Growth and Community Development	(None)
Education	-Community Colleges

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

1		
2	Occupational Safety and Health	(None)
3		
4	Pensions and Retirement	(None)
5		
6	Public Health	(None)
7		
8	Public Utilities	(None)
9		
10	Rules, Calendar, and	
11	Operations of the House	(None)
12		
13	Science and Technology	(None)
14		
15	Small Business	(None)
16		
17	State Government	(None)
18		
19	State Personnel	(None)
20		
21	Transportation	(None)
22		
23	Travel and Tourism	(None)
24		
25	University Board of Governors	
26	Nominating	(None)
27		
28	Ways and Means	(None)
29		
30	Welfare Reform	(None)
31		
32	Wildlife Resources	(None)
33		

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

35 – (a) Standing committees and permanent subcommittees of standing committees shall
36 be furnished with suitable meeting places pursuant to a schedule adopted by the
37 Standing Committee on Rules, Calendar, and Operations of the House. Select
38 committees shall be furnished with suitable meeting places as their needs require by the
39 Chair of the Standing Committee on Rules, Calendar, and Operations of the House.

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

1 (c) The Chair or other presiding officer shall have general direction of the
2 meeting place of the standing committee or permanent subcommittee and, in case of any
3 disturbance or disorderly conduct therein, or if the peace, good order, and proper
4 conduct of the legislative business is hindered by any person or persons, the chair or
5 presiding officer shall have power to exclude from the session any individual or
6 individuals so hindering the legislative business.

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

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

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

25 (1) 15 minutes preceding a regular session of the House, and

26 (2) 10 minutes preceding the hour of the next regularly scheduled standing
27 committee or permanent subcommittee meeting.

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

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

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

1 (b) If, after such preliminary investigation as it may make, the Committee
2 determines to proceed with an inquiry into the conduct of any individual, the Committee
3 shall notify the individual as to the fact of the inquiry and the charges against him and
4 shall schedule one or more hearings on the matter. The individual shall have the right to
5 present evidence, cross-examine witnesses, and be represented by counsel at any
6 hearings.

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

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

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

13 (3) Issue a public letter of reprimand if the violation of the Open Meetings
14 Law was intentional or if the legislator has previously received a private letter of
15 reprimand. The Chair of the Committee on Ethics shall have the public letter of
16 reprimand spread on the pages of the House Journal.

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

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

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

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

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

41 **RULE 29.2. Minutes to Legislative Library.** – The Chair of a standing
42 committee or a permanent subcommittee shall ensure that written minutes are compiled
43 for each of the body's meetings. The minutes shall indicate the members present and the
44 actions taken at the meeting. Not later than 20 days after the adjournment of each

1 session of the General Assembly, the chair shall deliver the minutes to the Legislative
2 Library. The Speaker of the House may grant a reasonable extension of time for filing
3 said minutes upon written application of the chair.

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

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

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

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

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

23 **VI. Handling of Bills**

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

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

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

41 (d) All bills and resolutions shall show in their captions a brief descriptive
42 statement of the true substance of same, which captions may thereafter be amended.
43 Third reading shall not be had on any bill or resolution on the same day that such
44 caption is amended.

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

3 "House Committee Substitute for _____".

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

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

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

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

11 – (a) All public bills or resolutions recommended by commissions or standing
12 committees authorized or directed by act or resolution of the General Assembly to
13 report to the 2003 Regular Session of the General Assembly, or to report prior to
14 convening of that session, must have been submitted to the Bill Drafting Division of the
15 Legislative Services Office by 4:00 P.M. on the third Wednesday in February (February
16 19) and must be introduced not later than 3:00 P.M. on the next Wednesday (February
17 26) of the first year of the biennial session; and

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

24 (a2) All local bills must have been submitted to the Bill Drafting Division
25 of the Legislative Services Office by 4:00 P.M. on the third Wednesday in March
26 (March 19) and must be introduced not later than 3:00 P.M. on the next Wednesday
27 (March 26) of the first year of the biennial session.

28 (b) All public bills which would not be required to be re-referred to the
29 Appropriations or Finance Committees under Rule 38 must have been submitted to the
30 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the first
31 Wednesday in April (April 2) and must be introduced not later than 3:00 P.M. on the
32 next Wednesday (April 9) of the first year of the biennial session.

33 (c) All public bills which under Rule 38 would be required to be
34 re-referred to the Appropriations Committee, or to both the Appropriations and Finance
35 Committees, must have been submitted to the Bill Drafting Division of the Legislative
36 Services Office by 4:00 P.M. on the third Wednesday in April (April 16) and must be
37 introduced not later than 3:00 P.M. on the next Wednesday (April 23) of the first year of
38 the biennial session. All public bills which under Rule 38 would be required to be
39 re-referred to the Finance Committee but not the Appropriations Committee must have
40 been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00
41 P.M. on the first Wednesday in May (May 7) and must be introduced not later than 3:00
42 P.M. on the next Wednesday (May 14) of the first year of the biennial session. If any
43 bill is eligible for introduction on account of the date only under this subsection, and the
44 bill is amended so that qualifying appropriation or tax law change does not remain in

1 the bill, it shall not be eligible for further consideration. For the purpose of this section,
2 a "tax law change" includes any provision that would require a bill under Rule 38(b) to
3 be referred to the Standing Committee on Finance.

4 (d) In order to be eligible for consideration by the House during the first
5 Regular Session, all Senate bills other than finance or appropriations bills which would
6 be required to be re-referred to the Appropriations or Finance Committees under Rule
7 38 or adjournment resolutions, must be received and read on the floor of the House as a
8 message from the Senate no later than April 24; provided that a message from the
9 Senate received by the next legislative day stating that a bill has passed its third reading
10 and is being engrossed shall comply with the requirements of this subsection and
11 provided that the Senate has a similar rule.

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

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

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

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

- 35 (1) Favorable, without prejudice, or unfavorable as to the original bill with
36 the recommendation that the report be made to the standing
37 committee;
- 38 (2) Favorable, without prejudice, or unfavorable as to the original bill, as
39 amended, with the recommendation that the report be made to the
40 standing committee;
- 41 (3) Favorable or without prejudice to the proposed committee substitute,
42 and unfavorable to the original bill, with the recommendation that the
43 report be made to the standing committee;

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

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

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

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

24 **RULE 34. Introduction of Resolutions and Bills, Copies Required.** – (a)
25 Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached
26 thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the
27 original resolution or bill is numbered and shall cause the same to be available at all
28 times to the member introducing the same.

29 (b) Numbering of House Bills shall be designated as "H.B. ____." (No.
30 following). A Joint Resolution shall be designated as "H.J.R. ____." (No. following). A
31 House Resolution shall be designated as "H.R. ____." (No. following).

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

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

1 Room and made available to the committees to which the bill is referred, to individual
2 members on request, and to the general public.

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

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

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

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

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

43 (b) Favorable Report. – When a standing committee or permanent
44 subcommittee reports a bill with the recommendation that it be passed, the bill shall be

1 placed on the favorable calendar on the day and in the order designated by the Chair of
2 the Committee on Rules, Calendar, and Operations of the House, but no earlier than the
3 next legislative day nor later than the fourth legislative day after submission of the
4 report or Senate message under Rule 43.2 or Rule 43.3(a), unless:

5 (1) The bill is re-referred to the Committee on Appropriations or
6 Committee on Finance under Rule 38 or was serially referred under
7 Rule 32; or

8 (2) The bill has not yet been placed on the calendar, and the Speaker refers
9 the bill to another committee.

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

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

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

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

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

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

42 (b) The fiscal note shall be filed and attached to the bill or amendment
43 within two legislative days of the request. If it is impossible to prepare a fiscal note
44 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
- 43 (2) Requires or will require in the future substantial additional State
44 monies from the General Fund or Highway Fund to implement its

1 provisions, shall indicate same in the report, and said bill or resolution
2 shall be referred to the Standing Committee on Appropriations for a
3 further report before being acted upon by the House.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41 Only one principal (first degree) amendment shall be pending at any one
42 time. If a subsequent principal amendment shall be offered, the Speaker shall rule it out
43 of order. However, any member desiring to offer a subsequent principal amendment in
44 opposition to the pending amendment may inform the House by way of argument

1 against the pending amendment that if it is defeated the member proposes to offer
2 another principal amendment, and the member may then read and explain such
3 proposed amendment.

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

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

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

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

18 (b) The Speaker shall rule whether the committee substitute is a material
19 amendment under Article II, Section 23 of the North Carolina Constitution which reads:

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

28 If the committee substitute was referred to standing committee, the standing
29 committee shall:

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

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

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

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

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

43 **RULE 44. Conference Standing Committees.** – (a) Whenever the House
44 shall decline or refuse to concur in amendments put by the Senate to a bill originating in

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

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

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

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

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

24 VII. Legislative Officers and Employees

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

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

31 (c) The House shall elect a Principal Clerk, who shall continue in office
32 until another is elected. The House shall appoint a Sergeant-at-Arms, who shall serve at
33 the pleasure of the House. The Principal Clerk and Sergeant-at-Arms shall have and
34 perform duties and responsibilities, not inconsistent with these rules, as the House may
35 assign. Unless directed otherwise by the Speaker on behalf of the House, the Principal
36 Clerk or an employee designated by the Principal Clerk shall receive House bills not
37 approved by the Governor.

38 **RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms.** – The
39 Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the
40 Speaker, such assistants as may be necessary to the efficient discharge of the duties of
41 their respective offices.
42
43

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

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

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

7 **RULE 48. Member's Staff.** – (a) Each standing committee and permanent
8 subcommittee shall have a committee assistant. The committee assistant to a standing
9 committee or permanent subcommittee shall serve as staff to the chair of the standing
10 committee or permanent subcommittee.

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

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

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

31
32 **VIII. Privileges of the Hall**

33
34 **RULE 50. Admittance to Floor.** – No person except members, officers, and
35 employees of the General Assembly who have been issued identification tags as
36 provided by this rule, and former members of the General Assembly who are not
37 registered under the provisions of Article 9 of Chapter 120 of the General Statutes of
38 North Carolina, shall be allowed on the floor of the House during its session, unless
39 permitted by the Speaker or otherwise provided by law. Employees of the General
40 Assembly shall wear identification tags, approved by the Legislative Services Officer,
41 when on the floor of the House.

42 **RULE 51. Admittance of Press.** – Reporters wishing to take down debates
43 may be admitted by the Speaker, who shall assign such places to them on the floor or
44 elsewhere, to effect this object, as shall not interfere with the convenience of the House.

1 Reporters admitted to the floor of the House shall observe the same requirements of
2 attire for members contained in Rule 12(h).

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

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

12 13 **IX. General Rules**

14
15 **RULE 54. Attendance of Members.** – No member or officer of the House
16 shall absent himself from the service of the House without leave, unless from sickness
17 or disability.

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

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

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

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

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

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

42 (b) Members wishing to jointly sponsor legislation should indicate such to
43 the drafter at the time the bill is requested or upon filing the bill with the Principal
44 Clerk's office. The names of the members who are the primary sponsors shall be listed

1 in the order requested by them, followed by the words (Primary Sponsors); and the
2 remaining names of members cosponsoring shall follow. No more than four members
3 may be listed as primary sponsors.

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

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

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

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

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

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

1 prior House shall instead be the joint duty of one person chosen each by the caucuses of
2 the two parties having the greatest numbers of members.

3 **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out,
4 the rules of Mason's Manual of Legislative Procedure shall govern the operation of the
5 House. Custom and usage of the House shall not have precedence over either these rules
6 or the rules in Mason's Manual of Legislative Procedure.

7 **SECTION 2.** This resolution is effective upon adoption.