

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE RESOLUTION 2011

Sponsors: Representatives Blust; Brown, Capps, Cleveland, Culp, Current, Dockham, Dollar, Folwell, Gulley, Langdon, McGee, Moore, Pate, Preston, Rhodes, Setzer, Stam, and Vinson.

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

May 16, 2006

1 A HOUSE RESOLUTION ADOPTING REFORM RULES OF THE HOUSE OF
2 REPRESENTATIVES FOR THE SHORT SESSION OF THE 2005 HOUSE OF
3 REPRESENTATIVES.

4 Be it resolved by the House of Representatives:

5 **SECTION 1.** The permanent rules of the House of Representatives as
6 adopted by House Resolution 318, 2005 Regular Session, read as rewritten:

7 **"I. Order of Business**

8 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday**
9 **Legislative Sessions.** – The House shall convene each legislative day at the hour fixed
10 by the House. In the event the House adjourns on the preceding legislative day without
11 having fixed an hour for reconvening, the House shall convene on the next legislative
12 day at 2:00 P.M. ~~During January and February of 2005, no sessions may be held on~~
13 ~~Friday.~~ No session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on
14 any other days, and the Speaker shall adjourn the House without motion at that point,
15 except that a motion may be made as to the time and day of next convening. No session
16 shall be held on Sunday. The actual time shall govern the applicability of this rule and
17 the clock in the chamber shall not be followed if the time on the clock is not the
18 accurate time.

19 **RULE 2. Opening the Session.** – At the convening hour on each legislative
20 day, the Speaker shall call the members to order and shall have the session opened with
21 prayer. At the convening hour on the first day of each legislative week, the Speaker, or
22 the Speaker's designee, shall lead the members in the Pledge of Allegiance to the
23 American Flag.

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

26 (b) Should the point of a quorum be raised, the doors shall be closed, and
27 the Clerk shall call the roll of the House, after which the names of those not responding
28 shall again be called. In the absence of a quorum, 15 members are authorized to compel

1 the attendance of absent members and may order that absentees for whom no sufficient
2 excuses are made be taken into custody wherever they may be found by special
3 messenger appointed for that purpose.

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

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

14 **RULE 5. Order of Business of the Day.** – After the approval of the Journal
15 of the preceding day, unless otherwise ~~ordered by the Speaker, requested by the Speaker~~
16 or a member of the House, and approved by a majority of the members present, the
17 House shall proceed to business in the following order:

- 18 (1) The receiving of petitions, memorials, and papers addressed to the
19 General Assembly or to the House;
- 20 (1a) Messages from the Governor;
- 21 (2) Ratification of bills;
- 22 (3) Reports of standing committees and permanent subcommittees;
- 23 (4) Reports of select committees;
- 24 (5) Reports of referral by standing committee Chairs of bills to permanent
25 subcommittees;
- 26 (6) First reading and reference to committee of bills and resolutions;
- 27 (7) Messages from the Senate;
- 28 (8) Concurrence with Senate amendments or Senate committee
29 substitutes;
- 30 (9) The unfinished business of the preceding day;
- 31 (10) Calendar (each category in accordance with Rule 40):
 - 32 a. Local bills (roll call), third reading
 - 33 b. Local bills (roll call), second reading
 - 34 c. Local bills, third reading
 - 35 d. Local bills, second reading
 - 36 e. Public bills (roll call), third reading
 - 37 f. Public bills (roll call), second reading
 - 38 g. Public bills and resolutions, third reading
 - 39 h. Public bills and resolutions, second reading;
- 40 (11) Reading of notices and announcements.

41 **II. Conduct of Debate**

42 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have
43 ~~general~~ general direction of the ~~Hall~~ Hall, subject to more specific provisions of these
44 rules. The Speaker may name any member to perform the duties of the chair, but

1 substitution shall not extend beyond one day, except in the case of sickness or by leave
2 of the House. If the Speaker is absent and has not designated a member to perform the
3 duties of the chair, the Principal Clerk shall preside during such absence. In the case of a
4 vacancy in the office of the Speaker of the House of Representatives, the Principal
5 Clerk shall preside over the House until the House elects a Speaker.

6 **RULE 7. Obtaining Floor.** – (a) ~~When any member desires recognition for~~
7 ~~any purpose, the member shall rise and respectfully address the Speaker. No member~~
8 ~~shall proceed until recognized by the Speaker for a purpose. When any member desires~~
9 recognition for a purpose that requires recognition, the member shall rise and
10 respectfully address the Speaker. When a member is seeking recognition, the Speaker
11 may not decline to recognize that member unless a call of the question has been
12 sustained pursuant to Rule 19 on the question to which the member desires to be
13 recognized. No member shall proceed until recognized by the Speaker. The Speaker has
14 the right to inquire for what purpose a member arises to ascertain whether the member
15 proposes business that is in order. It is the duty of the Speaker to accept or to entertain
16 any proper motion or other matter whenever it is in order. The Speaker may not refuse
17 to recognize a member for a purpose that is out of order unless the Speaker states the
18 precise reason such recognition would be out of order under these rules.

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

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

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

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

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

1 unless by leave of the House. A ~~two-thirds~~ majority vote of the members present and
2 voting shall be necessary to sustain any appeal from the ruling of the chair.

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

10 **RULE 10. Limitations on Debate.** – (a) No member shall speak on, debate,
11 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 **RULE 11. Reading of Papers.** – When there is a call for the reading of the
23 text of a paper which has been presented to the House and there is objection to such
24 reading, the question shall be determined by a majority vote of the members of the
25 House present. Except for protests permitted by the Constitution, no member may have
26 material printed in the Journal until said material has been presented to the House and
27 the printing approved by the House, and said material shall not exceed 1,000 words.

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

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

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

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

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

39 (f) Smoking shall not be permitted on the floor of the House or in the
40 galleries at any time. The consumption of food or beverages shall not be permitted in
41 the galleries at any time.

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

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

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

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

7 III. Motions

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

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

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

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

20 To adjourn.

21 To lay on the table.

22 Previous question.

23 To recess.

24 To postpone indefinitely.

25 To reconsider.

26 To postpone to a day certain.

27 To re-refer.

28 To amend an amendment.

29 To amend.

30 To pass the bill.

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

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

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

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

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

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

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

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

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

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

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

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

- 26 (1) A vote upon a motion to table,
- 27 (2) A motion to postpone indefinitely,
- 28 (3) A motion to remove a bill from the unfavorable calendar,
- 29 (4) A motion that a bill be read twice on the same day, or
- 30 (5) A motion to remove from the table.

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

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

- 36 (1) The Chair of the Committee on Rules, Calendar, and Operations of the
37 House;
- 38 (2) The member submitting the report on the bill or other matter under
39 consideration;
- 40 (3) The member introducing the bill or other matter under consideration;
41 ~~or~~
- 42 (4) The member in charge of the measure, who shall be designated by the
43 chair of the standing committee or permanent subcommittee reporting
44 the same to the House at the time the bill or other matter under

1 consideration is reported to the House or taken up for
2 ~~consideration~~ consideration;

3 (5) The majority leader or a majority whip; or

4 (6) The minority leader or a minority whip.

5 The previous question may only be called after at least three members have spoken in
6 the affirmative and three members in the negative, if there are three members on each
7 side of the question who desire to speak on the question.

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

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

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

16 IV. Voting

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

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

22 a. Raising money on the credit of the State,

23 b. Pledging the faith of the State for the payment of a debt,

24 c. Imposing a State tax, or

25 d. Authorizing a county, municipality, or other local governmental
26 unit to

27 1. Raise money on its credit,

28 2. Pledge its faith for the payment of a debt, or

29 3. Impose a local tax.

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

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

35 (4) Both second and third readings of bills proposing amendment of the
36 North Carolina Constitution or ratifying resolutions amending the
37 United States Constitution.

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

40 (b) Votes on the following questions shall be taken on the electronic
41 voting system:

42 (1) Second reading of all public bills, all amendments to public ~~bills,~~
43 ~~offered after second reading~~ bills, third reading if a public bill was
44 amended after second reading or if the reading occurs on a day or days

1 following the second reading, all conference reports on public bills, all
2 motions to lay public bills on the table, and all motions to postpone
3 public bills indefinitely.

4 (2) Upon a call for division.

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

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

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

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

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

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

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

44 (1) To adjourn.

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

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

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

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

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

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

25 **RULE 23. Voting by Division.** – Any member may call for a division of the
26 members upon the question before the result of the vote has been announced. Upon a
27 call for a division, the Speaker shall cause the number voting in the affirmative and in
28 the negative to be determined. The Speaker or other presiding officer may not disregard
29 a timely call for a division by a member. Upon a division and count of the House on any
30 question, no member away from the member's seat shall be counted.

31 **RULE 24. Roll Call Vote.** – (a) Before a question is put, any member may
32 call for the ayes and noes. The Speaker or other presiding officer may not disregard a
33 timely request for the ayes and noes. If the call is sustained by one-fifth of the members
34 present, 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, be excused from the deliberations and voting on a
39 particular bill, but to do so must make that request after the second reading of the bill
40 and before any motion or vote on the bill or any amendment thereto. If the reason for
41 the request arises at some point later in the proceedings, the request may be made at that
42 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 V. Committees

17 **RULE 26. Standing Committees and Permanent Subcommittees**
18 **Generally.** – (a) ~~The Speaker-party caucus of the political party which has a majority~~
19 ~~of the House members (the "majority caucus") shall appoint a chair, or cochairs, of~~
20 ~~every standing committee, permanent subcommittee, and select committee, if any. In~~
21 ~~the construction of these rules, the word "chair" as applied to a committee extends to~~
22 ~~and includes a cochair of the committee. The Speaker shall have the exclusive right and~~
23 ~~authority to establish select committees, but this does not exclude the right of the House~~
24 ~~by resolution to establish select committees.~~

25 (b) ~~All~~~~The majority party members and the minority party members of all~~
26 ~~permanent subcommittees of each standing committee shall be appointed by the~~
27 ~~Speaker, majority caucus and the minority caucus respectively, and the members~~
28 ~~appointed, along with the chair of the standing committee, shall constitute the standing~~
29 ~~committee of which the permanent subcommittee is a part. The Speaker-majority caucus~~
30 ~~and the minority caucus shall appoint all members of permanent subcommittees at the~~
31 ~~beginning before the end of the tenth legislative day of the first regular session in a~~
32 ~~manner to reflect the partisan membership of the House. The appointments by each~~
33 ~~caucus shall be in a manner determined by that caucus, and each caucus shall report its~~
34 ~~appointments to the Principal Clerk.~~

35 (c) ~~The Speaker-majority caucus shall appoint the majority party~~
36 ~~members, and the minority caucus shall appoint the minority party members of all~~
37 ~~standing committees having no permanent subcommittees at the beginning before the~~
38 ~~end of the tenth legislative day of the first regular session session. The House by~~
39 ~~resolution shall establish the size of each committee and permanent subcommittee. The~~
40 ~~resolution shall provide how many members are to be appointed by the majority caucus~~
41 ~~and how many by the minority caucus, in a manner to reflect the partisan membership~~
42 ~~of the House. House on a mathematical basis. If the two largest parties have a different~~
43 ~~number of members, the majority party shall have at least one more member on each~~

1 committee and subcommittee than the minority party, except that the Ethics Committee
2 shall have an equal number of members from the majority and minority parties.

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

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

9 (f) Either the chair or acting chair, designated by the chair or by the
10 Speaker, and five other members of the standing committee or permanent
11 subcommittee, or a majority of the standing committee or permanent subcommittee,
12 whichever is fewer, shall constitute a quorum of that standing committee or permanent
13 subcommittee. ~~For purposes of determining a quorum, the persons designated by the~~
14 ~~Speaker when serving only as ex officio members under subsection (h) of this rule, shall~~
15 ~~be counted among the membership of the committee or subcommittee only when~~
16 ~~present.~~

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

20 ~~(h) Four members designated by the Speaker at the time of appointments~~
21 ~~of chairs of standing committees are ex officio members of every standing committee~~
22 ~~and permanent subcommittee with the right to vote.~~

23 ~~(i) This rule is subject to the provisions of House Resolution 1 of the~~
24 ~~2005 Regular Session of the General Assembly, as applicable.~~

25 (j) Once a member is appointed to a committee or permanent
26 subcommittee of a standing committee by the member's appointing caucus, the member
27 can only be removed by the appointing caucus and then only for cause, and no
28 additional members may thereafter be appointed to a committee or permanent
29 subcommittee except to fill a vacancy.

30 (k) Each member of the House, other than the Speaker and Speaker Pro
31 Tempore, shall be assigned to either the Committee on Appropriations or the Committee
32 on Finance, and if appointed to the Committee on Appropriations a member shall also
33 be appointed to one of its subcommittees.

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

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

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

38 The standing committees and permanent subcommittees thereof are:

Committees	Subcommittees
Aging	(None)
Agriculture	(None)

1	Alcoholic Beverage Control	(None)
2		
3	Appropriations	-Capital
4		-Education
5		-General Government
6		-Health and Human Services
7		-Justice and Public Safety
8		-Natural and Economic Resources
9		-Transportation
10		
11	Children, Youth and Families	(None)
12		
13	Commerce	(None)
14		
15	Education	-Community Colleges
16		-Pre-School, Elementary and Secondary
17		Education
18		-Universities
19		
20	Election Law and	
21	Campaign Finance Reform	(None)
22		
23	Environment and	
24	Natural Resources	(None)
25		
26	Ethics	(None)
27		
28	Federal Relations and Trade Issues	(None)
29		
30	Finance	(None)
31		
32	Financial Institutions	(None)
33		
34	Health	(None)
35		
36	Insurance	(None)
37		
38	Judiciary I	(None)
39		
40	Judiciary II	(None)
41		
42	Judiciary III	(None)
43		
44	Judiciary IV	(None)

1		
2	Local Government I	(None)
3		
4	Local Government II	(None)
5		
6	Military, Veterans and	
7	Indian Affairs	(None)
8		
9	Pensions and Retirement	(None)
10		
11	Public Utilities	(None)
12		
13	Rules, Calendar, and	
14	Operations of the House	(None)
15		
16	Science and Technology	(None)
17		
18	State Government	(None)
19		
20	State Personnel	(None)
21		
22	Transportation	(None)
23		
24	University Board of Governors	
25	Nominating	(None)
26		
27	Ways and Means	(None)
28		
29	Wildlife Resources	(None)
30		

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

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

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

42 (c) The Chair or other presiding officer shall have general direction of the
43 meeting place of the standing committee or permanent subcommittee, and, in case of
44 any disturbance or disorderly conduct therein, or if the peace, good order, and proper

1 conduct of the legislative business is hindered by any person or persons, the Chair or
2 presiding officer shall have power to exclude from the session any individual or
3 individuals so hindering the legislative business.

4 (d) Procedure in the standing committees and permanent subcommittees
5 shall be governed by the rules of the House, so far as the same may be applicable to
6 such procedure. Before a question is put, any member may call for the ayes and noes. If
7 the call is sustained by one-fifth of the members present, the question shall be decided
8 by the ayes and noes upon a roll call vote. All roll call votes shall be taken
9 alphabetically and shall be subject to Rule 21(c). No presiding officer may disregard a
10 timely call for the ayes and noes or for a division on a question before the committee or
11 standing subcommittee.

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

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

24 (1) 15 minutes preceding a regular session of the House, and

25 (2) 10 minutes preceding the hour of the next regularly scheduled standing
26 committee or permanent subcommittee meeting.

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

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

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

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 the
4 individual and shall schedule one or more hearings on the matter. The individual shall
5 have the right to present evidence, cross-examine witnesses, and be represented by
6 counsel at any 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 member.

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

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

20 (d) The Ethics Committee shall consider complaints against any presiding
21 officer who violates these rules if the violation was timely brought to
22 the attention of the presiding officer who thereafter failed to
23 immediately redress the violation.

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

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

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

41 (b) Persons desiring to appear and be heard at a public hearing shall
42 submit their requests to the chair of the standing committee or permanent subcommittee.
43 The standing committee or permanent subcommittee chair may designate one or more
44 members to arrange the order of appearance of interested parties. A brief written

1 statement of testimony may be submitted without oral presentation and shall be
2 incorporated into the minutes of the public hearing.

3 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing
4 committee or a permanent subcommittee shall ensure that written minutes are compiled
5 for each of the body's meetings. The minutes shall indicate the members present and the
6 actions taken at the meeting. Not later than 20 days after the adjournment of each
7 session of the General Assembly, the chair shall deliver the minutes to the Legislative
8 Library. The Speaker of the House may grant a reasonable extension of time for filing
9 said minutes upon written application of the chair.

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

13 (b) After passage of a motion to form a Standing Committee of the Whole
14 House, the Speaker shall appoint a chair to preside in the standing committee, and the
15 Speaker shall leave the dais.

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

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

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

29 **VI. Handling of Bills**

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

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

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

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

6 (e) A Substitute Bill shall be covered with the same color jacket as the
7 original bill and shall be prefaced as follows: "House Committee Substitute
8 for_____".

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

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

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

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

16 – (a) All public bills or resolutions recommended by commissions or standing
17 committees authorized or directed by act or resolution of the General Assembly to
18 report to the 2005 Regular Session of the General Assembly, or to report prior to
19 convening of that session, must have been submitted to the Bill Drafting Division of the
20 Legislative Services Office by 4:00 P.M. on March 9, 2005, and must be introduced not
21 later than 3:00 P.M. on March 16, 2005; and

22 (a1) All bills prepared to be introduced for departments, agencies, or
23 institutions of the State must have been submitted to the Bill Drafting Division of the
24 Legislative Services Office by 4:00 P.M. on March 9, 2005, and must be introduced not
25 later than 3:00 P.M. on March 16, 2005. A bill introduced under this subsection shall be
26 identified as an Agency Bill after its short title.

27 (a2) All local bills must have been submitted to the Bill Drafting Division
28 of the Legislative Services Office by 4:00 P.M. on March 22, 2005, and must be
29 introduced not later than 3:00 P.M. on March 30, 2005.

30 (b) All public bills which would not be required to be re-referred to the
31 Appropriations or Finance Committees under Rule 38 must have been submitted to the
32 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on April 13,
33 2005, and must be introduced not later than 3:00 P.M. on April 20, 2005.

34 (c) All public bills which under Rule 38 would be required to be
35 re-referred to the Appropriations Committee, or to both the Appropriations and Finance
36 Committees, or to the Finance Committee, must have been submitted to the Bill
37 Drafting Division of the Legislative Services Office by 4:00 P.M. on May 4, 2005, and
38 must be introduced not later than 3:00 P.M. on May 11, 2005. If any bill is eligible for
39 introduction on account of the date only under this subsection, and the bill is amended
40 so that qualifying appropriation or tax law change does not remain in the bill, it shall not
41 be eligible for further consideration. For the purpose of this section, a "tax law change"
42 includes any provision that would require a bill under Rule 38(b) to be referred to the
43 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 May 19, 2005; 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 **Subcommittee; Serial Referrals.** – (a) Each bill not introduced on the report of a
19 standing committee shall immediately upon its first reading be referred by the Speaker
20 to ~~such the~~ standing committee or permanent subcommittee ~~as the Speaker deems~~
21 ~~appropriate.~~ whose usual jurisdiction relates to the subject matter of the bill. The
22 Speaker at the same time may order that, if the bill is reported with any favorable
23 recommendation or without prejudice, it be re-referred automatically upon the
24 committee report to another committee or permanent subcommittee designated in the
25 order. Each joint resolution or House resolution not introduced on the report of a
26 standing committee shall immediately upon its first reading either be referred by the
27 Speaker to a standing committee or permanent subcommittee or be calendared on the
28 date designated by the Speaker, as the Speaker deems appropriate.

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

- 36 (1) Favorable, without prejudice, or unfavorable as to the original bill with
37 the recommendation that the report be made to the standing
38 committee;
- 39 (2) Favorable, without prejudice, or unfavorable as to the original bill, as
40 amended, with the recommendation that the report be made to the
41 standing committee;
- 42 (3) Favorable or without prejudice to the proposed committee substitute,
43 and unfavorable to the original bill, with the recommendation that the
44 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
8 the establishment of an occupational or professional licensing board, as defined in
9 Article 18A of Chapter 120 of the General Statutes, or a study for the need to establish
10 such a board shall have attached to the jacket of the original bill or resolution at the time
11 of its consideration on second and third readings by the House or by any standing
12 committee or permanent subcommittee of the House an assessment report from the
13 Legislative Committee on New Licensing Boards pursuant to Article 18A of Chapter
14 120 of the General Statutes. The assessment report shall not constitute any part of the
15 expression of legislative intent proposed by the formation of a licensing board. Upon
16 receipt of the request, the Legislative Committee on New Licensing Boards shall
17 prepare and return the assessment report as soon as possible but not later than 60 days,
18 reserving the right to extend this time to 90 days.

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

29 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** –

30 (a) **When Reports Required.** – All House bills and resolutions which have 10 or more
31 co-sponsors shall be reported from the standing committee or permanent subcommittee
32 to which referred with such recommendations as the standing committee or permanent
33 subcommittee may desire to make except in the case where the principal introducer
34 requests in writing to the chair of the standing committee or permanent subcommittee
35 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 Standing Committee on Rules, Calendar, and Operations of the House, but no later~~
3 ~~than the fourth legislative day after submission of the report or Senate message under~~
4 ~~Rule 43.2 or Rule 43.3(a), the second legislative day following the report 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~~, committee, if such referral is approved
10 by a majority vote of the House; or
11 (3) The principal sponsor of the bill requests in writing that the Chairman
12 of the Standing Committee on Rules, Calendar and Operations of the
13 House delay the calendaring of the bill for up to two legislative days.

14 In order to delay placing ~~place~~ a bill on the calendar for a legislative day, notice shall be
15 given by the Chair of the Standing Committee on Rules, Calendar, and Operations of
16 the House orally in the House or in writing to the Principal Clerk.

17 When a committee substitute is adopted and receives a favorable report by the
18 committee or permanent subcommittee, the standing committee or permanent
19 subcommittee chair shall submit to the standing committee or permanent subcommittee
20 the question of an unfavorable report on the original bill. Except by vote of two-thirds
21 of the committee members present, no committee substitute may be considered in a
22 committee unless the committee substitute shall have been sent by electronic mail to
23 each committee member at least one legislative day prior to its consideration. The
24 standing committee's or permanent subcommittee's action, if any, on the original bill
25 shall be reported at the same time the committee substitute is reported.

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

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

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

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

43 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
44 Committee, of the Finance Committee, or of the Standing Committee on Rules,

1 Calendar, and Operations of the House, upon the floor of the House, may request that a
2 fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution
3 which is in the possession of the House and that a fiscal note be attached to the measure,
4 which request shall be allowed when, in the opinion of the Speaker, the fiscal effects of
5 that measure are not apparent from the language of the measure.

6 (b) The fiscal note shall be filed and attached to the bill or amendment
7 within two legislative days of the request. If it is impossible to prepare a fiscal note
8 within two legislative days, the Director of Fiscal Research shall, in writing, so advise
9 the Speaker, the Principal Clerk, and the member introducing or proposing the measure
10 and shall indicate the time when the fiscal note will be ready.

11 (c) The fiscal note shall be prepared by the Fiscal Research Division on a
12 form approved by the Chair of the Standing Committee on Rules, Calendar, and
13 Operations of the House as to content and form and signed by the staff member or
14 members preparing it. If no estimate in dollars is possible, the fiscal note shall indicate
15 the reasons that no estimate is provided. The fiscal note shall not comment on the merit
16 but may identify technical problems. The Fiscal Research Division shall make the fiscal
17 note available to the membership of the House.

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

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

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

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

- 31 (1) State, municipal, or other retirement system funded in whole or in part
32 out of public funds; or
33 (2) Program of hospital, medical, disability, or related benefits provided
34 for teachers and State employees, funded in whole or in part by State
35 funds;

36 shall have attached to it at the time of its consideration by any standing committee or
37 permanent subcommittee a brief explanatory statement or note which shall include a
38 reliable estimate of the financial and actuarial effect of the proposed change to that
39 retirement or pension system. The actuarial note shall be attached to the jacket of each
40 proposed bill or resolution which is reported favorably by any standing committee or
41 any permanent subcommittee, shall be separate therefrom, and shall be clearly
42 designated as an actuarial note. A bill described in subdivision (a)(1) of this rule shall be
43 referred to the Committee on Pensions and Retirement upon its introduction in
44 accordance with G.S. 120-111.3.

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

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

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

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

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

40 **RULE 36.3. Local Legislation Affecting State Highway System.** – A local
41 bill affecting the State Highway System shall be referred to the Committee on
42 Transportation.

43 **RULE 36.4. Content of appropriations bills.** – (a) No provision changing
44 existing law shall be contained in any of the following bills: (i) the Current Operations

1 Appropriations Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill
2 generally revising appropriations for the second fiscal year of a biennium.

3 (b) No amendment to any bill listed in subsection (a) of this rule shall be
4 in order if the language is prohibited by that subsection.

5 (c) Notwithstanding subsections (a) and (b) of this section, any of the bills
6 listed in subsection (a) of this section or an amendment to such bill may change existing
7 law if the change:

8 (1) Alters expenditures or salaries;

9 (2) Changes the scope or character of a program which must be reduced,
10 increased, or changed because of an increase or decrease of funds
11 appropriated for the program or because of changes in federal law or
12 regulation; or

13 (3) Modifies any function of State government which necessitates a
14 transfer of funds from one department to another;

15 provided, that for a provision to be in order under this subsection, it must be
16 recommended to the General Assembly in a written report adopted by the
17 Appropriations Committee before or at the same time the bill is reported, or, if such
18 provision is contained in a floor amendment, the sponsor of the amendment must
19 present to the Principal Clerk at or before the time the amendment is offered an
20 explanation of the amendment for distribution to each member of the House.

21 (d) Each individual expenditure or special provision included in the
22 budget shall be accompanied by the name of a house member (or in the case of the
23 conference report, the name of the member of the House or Senate) who requested the
24 expenditure, and no such expenditure shall be placed in the bill unless it was also
25 contained in a separately filed bill.

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

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

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

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

38 (b) All standing committees, other than the Standing Committee on
39 Finance, when favorably reporting any bill which in any way or manner raises revenue,
40 reduces revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or
41 authorizes the issue of bonds or notes, whether public, public-local, or private, shall
42 indicate same in the report, and said bill shall be referred to the Standing Committee on
43 Finance for a further report before being acted upon by the House. This subsection shall
44 not apply to bills only imposing fines, forfeitures, or penalties.

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

7 **RULE 38.1. Special rules relating to the Budget.** – (a) Any proposed
8 allocation of availability among the appropriations subcommittees shall be put to a vote
9 of the membership of the House for approval at least two legislative days prior to the
10 meeting of the full Appropriations Committee at which a vote on approval of the
11 Current Operations Appropriations Bill takes place.

12 (b) No vote shall be taken on the Current Operations Appropriations bill
13 on either second or third reading until at least 10 hours of debate on the bill or on
14 consideration of amendments unless no member of the House seeks to further debate or
15 offer further amendments.

16 (c) No additional rules on consideration of the Current Operations
17 Appropriations Act not contained in these rules may be enforced unless agreed to by
18 majority vote of the members present and voting. No additional rule shall prohibit
19 amendments to the Current Operations Appropriations Bill that transfers funds from one
20 subcommittee area to another subcommittee area.

21 **RULE 39. Recall of Bill From Standing Committee.** – (a) When a House
22 bill has been introduced and referred to a standing committee, or when a Senate bill has
23 been referred to a standing committee, if after 10 legislative days the standing
24 committee has failed to act thereon, then the introducer of the House bill or some
25 member designated by the introducer, or some House member designated by the
26 introducer of the Senate bill, may, after three legislative days' public notice given in the
27 House and delivered in writing to the chair of the standing committee, on motion
28 supported by a vote of ~~three-fifths~~ a majority of the members of the House, recall the
29 same from the standing committee to the floor of the House for consideration and such
30 action thereon as a majority of the members present may direct. The re-referral of a bill
31 to another committee does not restart the 10-day period after a notice has been given
32 pursuant to this rule.

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

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

43 **RULE 39.2. Re-Referral of Bills From One Standing Committee to**
44 **Another Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker,

1 the chair of the standing committee from whom the bill is to be re-referred, and the
2 chair of the standing committee to whom the bill is to be re-referred, the chair of the
3 standing committee from whom the bill is to be re-referred or the Chair of the Standing
4 Committee on Rules, Calendar, and Operations of the House may move for a re-referral
5 to another standing committee, and the bill shall be re-referred upon vote of the majority
6 present during a regular session of the House.

7 **RULE 39.3. Discharge petition.** – A motion to discharge a committee from
8 consideration of a bill or resolution may be filed with the Principal Clerk if
9 accompanied by a petition signed by 61 members of the House asking that the
10 committee be discharged from further consideration of the bill or resolution. No petition
11 may be circulated for signatures until 10 legislative days after the bill has been referred
12 to the committee. No petition may be circulated for signature until notice has been given
13 on the floor of the House that the petition is to be circulated. If such a motion
14 accompanied by a valid petition is filed, the Principal Clerk shall place that motion on
15 the calendar for the next legislative day as a special order of business. If the motion is
16 adopted, then the committee to which the bill or resolution has been referred is
17 discharged from further consideration of the bill or resolution, and that bill or resolution
18 is placed on the calendar for the next legislative day as a special order of business. If the
19 committee had, prior to discharge, adopted any amendment or committee substitute for
20 the bill, it shall be in order to offer that amendment or substitute on the floor as if it
21 were a committee amendment or substitute. The Principal Clerk shall provide a form for
22 discharge petitions.

23 **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House
24 shall prepare a daily schedule of business, including the Calendar of Bills and
25 Resolutions for consideration and debate that day, in accordance with the Order of
26 Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the
27 order in which they are introduced. All bills and resolutions shall be taken up by the full
28 house as they appear in each category (Rule 5(10)) in the order they were placed on the
29 Calendar under Rule 36(b). The Speaker shall not vary from the order unless a majority
30 of the members present agree.

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

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

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

- 43 (1) Been tabled,
- 44 (2) Been postponed indefinitely,

1 (3) Failed to pass on any of its readings, or
2 (4) Been placed on the unfavorable calendar,
3 the contents of that bill or the principal provisions of its subject matter shall not be
4 considered in any other measure originating in the Senate or originating thereafter in the
5 House. Upon the point of order being raised and sustained by the Chair, that measure
6 shall be laid upon the table, and shall not be taken therefrom except by a two-thirds vote
7 of the members present and voting.

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

12 **RULE 43. Amendments.** – No amendment to a measure before the House
13 shall be in order unless the amendment is germane to the measure under consideration.
14 A House amendment deleting a previously adopted House amendment shall not be in
15 order, except that this sentence does not apply to amendments adopted under Rule
16 38(c).

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

20 Only one principal (first degree) amendment shall be pending at any one
21 time. If a subsequent or substitute principal amendment shall be offered, the Speaker
22 shall rule it out of order. However, any member desiring to offer a subsequent or
23 substitute principal amendment in opposition to the pending amendment may inform the
24 House by way of argument against the pending amendment that if it is defeated the
25 member proposes to offer another principal amendment, and the member may then read
26 and explain such proposed amendment.

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

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

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

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

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

43 **"Revenue bills.** – No law shall be enacted to raise money on the credit of the State,
44 or to pledge the faith of the State directly or indirectly for the payment of any debt, or to

1 impose any tax upon the people of the State, or to allow the counties, cities, or towns to
2 do so, unless the bill for the purpose shall have been read three several times in each
3 house of the General Assembly and passed three several readings, which readings shall
4 have been on three different days, and shall have been agreed to by each house
5 respectively, and unless the yeas and nays on the second and third readings of the bill
6 shall have been entered on the journal."

7 If the committee substitute was referred to standing committee, the standing
8 committee shall:

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

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

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

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

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

22 **RULE 44. Conference Standing Committees.** – (a) Whenever the House
23 shall decline or refuse to concur in amendments put by the Senate to a bill originating in
24 the House, or shall refuse to concur in a substitute adopted by the Senate for a bill
25 originating in the House, or whenever the Senate shall decline or refuse to concur in
26 amendments put by the House to a bill originating in the Senate, or shall refuse to
27 concur in a substitute adopted by the House for a bill originating in the Senate, a
28 conference committee may be appointed by the Speaker upon the Speaker's own motion
29 and shall be appointed upon request by the principal sponsor of the original bill, the
30 chair of the House standing committee which reported the bill, or the sponsor of the
31 amendment in which the Senate refused to concur; and the bill under consideration shall
32 thereupon go to and be considered by the joint conferees on the part of the House and
33 Senate. In appointing members to conference committees, the Speaker shall appoint no
34 less than a majority of members who generally supported the House position as
35 determined by the Speaker.

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

40 (c) If the conferees fail to agree or if either house fails to adopt the report
41 of its conferees, new conferees may be appointed.

42 (d) ~~Unless otherwise ordered by the Speaker, no~~ No vote shall be taken on
43 adoption of a conference report until ~~next~~ the third legislative day following the ~~report~~
44 distribution of the report to the office of each member of the House. The Conference

1 Report for the Current Operations Appropriations Bill and the Conference Report on a
2 bill making general revisions in that act for the second fiscal year of a biennium may not
3 be placed on the calendar for action earlier than the third legislative day after the
4 Conference Report is distributed to the office of all members of the House."

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

8 **VII. Legislative Officers and Employees**

9 **RULE 45. Elected Officers.** – (a) The House shall elect its Speaker from
10 among its membership. The election of the Speaker shall be by a call of the roll of the
11 members of the House and may not be done by resolution or be combined with any
12 other matter.

13 (b) The House shall elect its Speaker Pro Tempore from among its
14 membership who shall perform such duties as the Speaker may assign.

15 (c) The House shall elect a Principal Clerk, who shall continue in office
16 until another is elected. The Speaker may appoint a Reading Clerk and shall appoint a
17 Sergeant-at-Arms, both of whom shall serve at the Speaker's pleasure. The Principal
18 Clerk, Reading Clerk, and Sergeant-at-Arms shall have and perform duties and
19 responsibilities, not inconsistent with these rules, as the Speaker may assign. Unless
20 directed otherwise by the Speaker on behalf of the House, the Principal Clerk or an
21 employee designated by the Principal Clerk shall receive House bills not approved by
22 the Governor.

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

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

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

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

33 **RULE 48. Member's Staff.** – (a) Each standing committee and permanent
34 subcommittee shall have a committee assistant. The committee assistant to a standing
35 committee or permanent subcommittee shall serve as staff to the chair of the standing
36 committee or permanent subcommittee.

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

39 (c) The selection and retention of committee assistants, legislative
40 assistants, and office assistants shall be the sole prerogative of the individual member or
41 members. Such staff shall file initial applications for employment with the Principal
42 Clerk and shall receive compensation as prescribed by the Legislative Services
43 Commission. The employment period of such staff shall commence not earlier than the
44 convening date of the General Assembly and shall terminate not later than the final

1 adjournment or recess of the General Assembly unless employment for an extended
2 period is approved by the Speaker. The committee assistants, legislative assistants, and
3 office assistants shall adhere to such uniform rules and regulations not inconsistent with
4 these rules regarding hours and other conditions of employment as the Legislative
5 Services Commission shall fix by appropriate regulations.

6 **RULE 49. Compensation of Legislative Assistants.** – No clerk, committee
7 assistant, legislative assistant, office assistant, or other person employed or appointed
8 under Rules 46, 47, and 48 hereof shall receive during such employment, appointment,
9 or service any compensation from any department of the State government, and there
10 shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of
11 them; but they shall receive only the pay now provided by law for such duties and
12 services. This rule shall not apply to employment, appointment, or service or to the
13 receipt of compensation or additional pay, bonus, or gratuity from another department
14 of State government between regular sessions of the General Assembly.

15 **VIII. Privileges of the Hall**

16 **RULE 50. Admittance to Floor.** – No person except members, officers, and
17 employees of the General Assembly who have been issued identification tags as
18 provided by this rule, and former members of the General Assembly who are not
19 registered under the provisions of Article 9 of Chapter 120 of the General Statutes, shall
20 be allowed on the floor of the House during its session, unless permitted by the Speaker
21 or otherwise provided by law. Employees of the General Assembly shall wear
22 identification tags, approved by the Legislative Services Officer, when on the floor of
23 the House.

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

29 **RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or
30 lobby shall be extended at the discretion of the Speaker and only by the Speaker.
31 Requests by members to extend these courtesies shall be typewritten and delivered to
32 the Speaker. No member shall orally ask the Speaker to extend these courtesies during
33 the daily session.

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

38 **IX. General Rules**

39 **RULE 54. Attendance of Members.** – No member or officer of the House
40 shall be absent from the service of the House without leave, unless from sickness or
41 disability.

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

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

4 **RULE 57. Placement or Circulation of Materials.** – Persons other than
5 members of the House shall not place or cause to be placed any materials on members'
6 desks in the House Chamber without obtaining approval of the Speaker. Any material
7 placed on members' desks in the House Chamber, or circulated to House members
8 anywhere in the Legislative Building or the Legislative Office Building, shall bear the
9 name of the originator.

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

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

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

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

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

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

37 **RULE 61. Assignment of Seats.** – The assignment of seats shall be made
38 within each party caucus, with each member choosing a seat in order of seniority. The
39 Democratic members shall be seated in the 60 seats to the Speaker's left in the chamber,
40 and the Republican members shall be seated in the 60 seats to the Speaker's right in the
41 chamber, except that to the extent that members of one party are in the majority, the
42 excess shall be seated first in the center aisle seats on the other side of the chamber,
43 being allocated first front to rear. After initial assignment of seats, a member shall
44 continue to occupy the seat to which initially assigned until assigned a permanent seat;

1 once assigned a permanent seat, the member shall occupy it for the entire biennial
2 session. In event of vacancy, that member's successor will occupy the seat of the
3 member replaced for the remainder of the biennial session.

4 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on
5 Rules, Calendar, and Operations of the House shall assign to each member an office
6 space. The office assignments shall be made on the basis of seniority, with the Chair of
7 the Committee on Rules, Calendar, and Operations of the House making assignments in
8 conformity with the request of each member to the extent practicable. When available,
9 chairs of standing committees and permanent subcommittees shall be assigned an office
10 adjacent to the room in which the standing committee or permanent subcommittee
11 generally meets if the Chair so desires. The Speaker shall be assigned an office of his or
12 her choice.

13 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The
14 Principal Clerk of the previous House of Representatives shall convene the House of
15 Representatives at 12:00 noon on the date established by law for the convening of each
16 regular session and preside over the body until the members elect a Speaker. In the case
17 of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the
18 Sergeant-at-Arms of the prior House, and in the case of a vacancy in that office, or
19 inability or refusal to so serve, the duty shall devolve upon the Reading Clerk of the
20 prior House.

21 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
22 Calendar, and Operations of the House of the prior House to assign temporary seats to
23 the members of the House of Representatives in its Chamber. In the case of the inability
24 or refusal to serve of the Chair of the Standing Committee on Rules, Calendar, and
25 Operations of the House, the Speaker of the prior House of Representatives shall
26 appoint a person to assign seats to members of the House of Representatives in its
27 Chamber. In the event that the party that had a majority of members in the prior House
28 will no longer have a majority of members in the new House, then the duty assigned in
29 this subsection to the Chair of the Committee of the prior House shall instead be the
30 duty of the person nominated as Speaker by the majority party caucus for the new
31 House, or some member-elect designated by the Speaker-nominee. In the event no party
32 will have a majority, then the duty assigned in this subsection to the Chair of the
33 Committee of the prior House shall instead be the joint duty of one person chosen each
34 by the caucuses of the two parties having the greatest numbers of members.

35 **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out,
36 the rules of Mason's Manual of Legislative Procedure shall govern the operation of the
37 House."

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