

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 767

Short Title: Term Limits for Constitutional Officers. (Public)

Sponsors: Senators Berger of Rockingham; Allran, Apodaca, Bingham, Blake, Brock, Brown, Brunstetter, East, Forrester, Goodall, Hartsell, Hunt, Jacumin, Pittenger, Preston, Smith, Stevens, and Tillman.

Referred to: Select Committee on Government and Election Reform.

March 15, 2007

A BILL TO BE ENTITLED

1 AN ACT AMENDING THE CONSTITUTION TO LIMIT THE TERMS OF THE
2 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT
3 PRO TEMPORE OF THE SENATE TO TWO CONSECUTIVE GENERAL
4 ASSEMBLIES.

5 The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

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

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

9 **SECTION 3.** The amendments set out in Sections 1 and 2 of this act shall be
10 submitted to the qualified voters of the State at the general election in November 2008,
11 which election shall be conducted under the laws then governing elections in the State.
12 Ballots, voting systems, or both may be used in accordance with Chapter 163 of the
13 General Statutes. The question to be used in the voting systems and ballots shall be:

14 **"[] FOR [] AGAINST**

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

17 **SECTION 4.** If a majority of the votes cast on the question are in favor of
18 the amendments set out in this act, the State Board of Elections shall certify the
19 amendments to the Secretary of State. The amendments shall become effective upon
20 the convening of the General Assembly next on or after January 1, 2009, and service as
21 Speaker or President Pro Tempore prior to that date shall not be considered for the
22 purpose of the amendments. The Secretary of State shall enroll the amendments so
23 certified among the permanent records of that office.

24 **SECTION 5.** This act is effective upon ratification.