

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S
Resolution
Adopted

Simple

SENATE RESOLUTION 143
Rules Committee Substitute Adopted With Amendment 3/20/89

Sponsors:

Referred to:

February 13, 1989

1 A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE
2 SENATE FOR THE 1989 SESSION OF THE GENERAL ASSEMBLY OF
3 NORTH CAROLINA.

4 Be it resolved by the Senate:

5 Section 1. The permanent rules for the 1989 Session are as follows:

6 **PERMANENT RULES OF THE 1989 SENATE**
7 **GENERAL ASSEMBLY OF NORTH CAROLINA**

- 8 I. Order of Business, Rules 1-7
9 II. Conduct of Debate, Rules 8-17
10 III. Motions, Rules 18-24
11 IV. Voting, Rules 25-30.1
12 V. Committees, Rules 31-37
13 VI. Handling Bills, Rules 38-59.1
14 VII. Legislative Officers and Employees, Rules 60-65
15 VIII. General Rules, Rules 66-77.

16 **I. ORDER OF BUSINESS**

17 **RULE 1. Rules controlling the Senate of North Carolina and its**
18 **committees.**—The following rules shall govern and control all actions and procedures of
19 the Senate and its committees.

20 **RULE 2. Convening hour.**—The Presiding Officer shall take the Chair at the
21 hour fixed by the Senate upon adjournment on the preceding legislative day, and shall
22 call the members to order. In case the Senate adjourned on the preceding legislative day

1 without having fixed the hour of reconvening, the Senate shall reconvene on the next
2 legislative day at 1:30 p.m.

3 **RULE 3. Opening the session.**—The Presiding Officer shall, upon order
4 being obtained, have the sessions of the Senate opened with prayer.

5 **RULE 4. Convening in absence of President.**—In the absence of the
6 President, the President Pro Tempore shall reconvene the Senate and preside, and during
7 such time shall be vested with all powers of the President except that of casting a vote in
8 case of tie when he has already voted on the question as a Senator. In the event of the
9 absence of the President and President Pro Tempore at any time fixed for the
10 reconvening of the Senate, the Deputy President Pro Tempore of the Senate, the
11 Principal Clerk of the Senate, or in his or her absence also, the Chairman of the Senate
12 Committee on Rules and Operation of the Senate, shall call the Senate to order and
13 designate some member to act as Presiding Officer.

14 **RULE 5. Quorum.**—(a) A quorum consists of a majority of all the qualified
15 members of the Senate.

16 (b) When a lesser number than a quorum convene, the Senators present may send
17 the doorkeeper or any person, for any or all absent Senators, as a majority of the
18 Senators present determine.

19 **RULE 6. Approval of Journal.**—After the prayer, and upon appearance of a
20 quorum, the Presiding Officer shall cause the Journal of the preceding day to be read
21 and approved, unless the President Pro Tempore or, in his absence, the Deputy President
22 Pro Tempore of the Senate or some member of the Senate by motion sustained by a
23 majority of the members present, has the reading thereof dispensed with and the same
24 approved as written.

25 **RULE 7. Order of business.**—After approval of the Journal, the order of
26 business shall be as follows:

- 27 (1) Reports of standing committees.
- 28 (2) Reports of select committees.
- 29 (3) Introduction of bills, petitions, and resolutions.
- 30 (4) Messages from the House of Representatives.
- 31 (5) Unfinished business of preceding day.
- 32 (6) Special orders.
- 33 (7) General orders:
 - 34 (a) Local bills in numerical order, Senate bills first
 - 35 (i) Third reading roll call and electronic voting system votes
 - 36 (ii) Second reading roll call and electronic voting system votes
 - 37 (iii) Second reading **viva voce**
 - 38 (iv) Third reading **viva voce**
 - 39 (b) Public bills in numerical order, Senate bills first
 - 40 (i) Third reading roll call and electronic voting system votes
 - 41 (ii) Second reading roll call and electronic voting system votes
 - 42 (iii) Second reading **viva voce**
 - 43 (iv) Third reading **viva voce**

44 **II. CONDUCT OF DEBATE**

1 **RULE 8. Presiding Officer to maintain order.**—The Presiding Officer shall
2 have general direction of the Hall of the Senate and shall be authorized to take such
3 action as is necessary to maintain order, and in case of any disturbance or disorderly
4 conduct in the galleries or lobbies, he shall have the power to order those areas cleared.

5 **RULE 9. Substitution for Presiding Officer.** The Presiding Officer shall
6 have the right to call on any member to perform the duties of the Chair, but substitution
7 shall not extend beyond one day.

8 **RULE 10. Points of order.**—(a) The Presiding Officer shall preserve order and
9 decorum and proceed with the business of the Senate according to the rules adopted. He
10 shall decide all questions of order, subject to an appeal to the Senate by any member, on
11 which appeal no member shall speak more than once unless by leave of the Senate. A
12 two-thirds vote of the membership of the Senate present and voting is necessary to
13 sustain any appeal from the ruling of the Presiding Officer.

14 (b) In the event the Senate Rules do not provide for, or cover any point of order
15 raised by any Senator, the rules of the United States House of Representatives shall
16 govern.

17 (c) When a Senator is called to order he shall take his seat until the Presiding
18 Officer determines whether he was in order or not; if decided to be out of order, he shall
19 not proceed without the permission of the Senate; and every question of order shall be
20 decided by the Presiding Officer, subject to an appeal to the Senate by any Senator; and
21 if a Senator is called to order for words spoken, the words excepted to shall be
22 immediately taken down in writing, that the Presiding Officer or Senate may be better
23 able to judge the matter.

24 **RULE 11. Debating and voting by Lieutenant Governor.**—The Lieutenant
25 Governor, as President of the Senate, being a Constitutional Officer shall not have the
26 right to debate any question or to address the Senate upon any proposition unless by
27 permission of the majority of members present, and shall have the right to vote only
28 when there is a tie vote upon any question or election.

29 **RULE 12. Obtaining recognition.**—(a) When any Senator is about to speak in
30 debate or deliver any matter to the Senate, he shall rise from his seat and respectfully
31 address the Presiding Officer. No member shall speak further until recognized by the
32 Presiding Officer. The Presiding Officer shall recognize the first to rise and, when two
33 or more members rise at the same time, the Presiding Officer shall name the member to
34 speak.

35 (b) A Senator who has the floor may yield the floor to another Senator only for
36 the purpose of allowing another Senator to state a question. Only the Presiding Officer
37 may award the floor to any Senator for the purposes of allowing that Senator to engage
38 in general debate.

39 (c) A Senator who has obtained the floor may be interrupted only for the
40 following reasons:

- 41 1. a request that the member speaking yield for a question,
- 42 2. a point of order, or
- 43 3. a parliamentary inquiry.

44 (d) When a Senator refers to a bill, the bill number and short title must be used.

1 RULE 13. **Recognition for extending courtesies.**—(a) Courtesies of the floor
2 and galleries shall be extended only by the Presiding Officer on his own motion or upon
3 the written request of a member of the Senate to former members of the General
4 Assembly or to distinguished visitors.

5 (b) Members may designate Honorary Pages by a statement delivered to the
6 Principal Clerk who will have a certificate issued therefor.

7 (c) The Presiding Officer may upon written request at intervals between various
8 orders of business extend courtesies to schools or other special large groups visiting in
9 the galleries while they are present, and the Presiding Officer shall, at such times as he
10 deems appropriate, express to those visitors in the galleries the pleasure of the Senate
11 for their presence.

12 RULE 14. **Limitations on individual debate.**—(a) No Senator shall speak on the
13 same day more than twice on the main question, nor longer than thirty minutes for the
14 first speech and fifteen minutes for the second speech. No Senator shall speak on the
15 same day more than once on an amendment or a motion to reconsider, commit, appeal
16 or postpone, and then no longer than ten minutes.

17 (b) By permission of the Presiding Officer any member of the Senate may
18 address the Senate from the well of the Senate for the purpose of explaining a bill or of
19 giving an invocation.

20 RULE 15. **Priority of business.**—All questions relating to priority of business
21 shall be decided without debate.

22 RULE 16. (Reserved for future use).

23 RULE 17. **General decorum.**—(a) Male Senators and male visitors shall
24 uncover their heads upon entering the Senate Chamber while the Senate is in session
25 and shall continue uncovered during their continuance in the Chamber, unless one's
26 religion requires his head to be covered.

27 (b) No derogatory remark reflecting personally upon any Senator shall be in
28 order upon the floor of the Senate unless preceded by a motion or resolution of censure.

29 (c) When the Presiding Officer is putting a question, or a division by counting is
30 in progress, no Senator shall walk out of or across the Chamber, nor when a Senator is
31 speaking, pass between him and the Presiding Officer.

32 (d) When a motion to adjourn or for recess is affirmatively determined, no
33 member or officer shall leave his place until adjournment or recess is declared by the
34 Presiding Officer.

35 (e) Smoking shall not be allowed in the galleries of the Senate during sessions.

36 (f) No remark soliciting the donation of funds for the support of any person or
37 organization shall be in order upon the floor of the Senate, unless the remark has some
38 relevance to a bill or resolution before the body. No article of any kind soliciting
39 business or donations may be placed by any person anywhere in the Senate Chamber or
40 in any Senate office.

41 (g) Food or beverage shall not be permitted in the Senate Chamber, either on the
42 floor or in the galleries; however, after the Senate has remained in session for a period
43 of two hours, food and beverage shall be allowed upon the floor of the Senate.

1 (h) Reading of newspapers, magazines, periodicals or books shall not be
2 acceptable while the Senate is in session.

3 III. MOTIONS

4 RULE 18. **Motions generally.**—Any motion shall be reduced to writing, if
5 requested by the Presiding Officer or a Senator, and read by the Presiding Officer or
6 Reading Clerk before the same are debated; but any motion may be withdrawn by the
7 introducer at any time before decision or amendment. No motion relating to a bill shall
8 be in order which does not identify the bill by its number and short title. Except as
9 otherwise specifically provided in these rules, no second is required.

10 RULE 19. **Motion; order of precedence.**—When a question is before the
11 Senate no motion shall be received except those herein specified, which motions shall
12 have precedence as follows:

- 13 (1) To adjourn.
- 14 (2) To lay on the table.
- 15 (3) For the previous question.
- 16 (4) To postpone indefinitely.
- 17 (5) To postpone to a certain day.
- 18 (6) To commit to a standing committee.
- 19 (7) To commit to a select committee.
- 20 (8) To amend.
- 21 (9) To substitute.

22 RULE 20. **Motions requiring a second.**—The motions to adjourn, to lay on
23 the table, and to call for the previous question, shall be seconded and decided without
24 debate, and the motion to adjourn shall always be in order when made by a Senator
25 entitled to the floor.

26 RULE 21. **Motions to postpone to certain day and to commit.**—The
27 respective motions to postpone to a certain day, or to commit to a standing or select
28 committee, shall preclude debate on the main question.

29 RULE 22. (Reserved for future use).

30 RULE 23. **Motion for previous question.**—The previous question shall be as
31 follows: "Shall the main question be now put?" and until it is decided shall preclude all
32 amendments and debate. If this question is decided in the affirmative, the "main
33 question" shall be on the passage of the bill, resolution, or other matter under
34 consideration; but when amendments are pending, the question shall be taken upon such
35 amendments in their inverse order, without further debate or amendment: Provided, that
36 no one shall move the previous question except the chairman of the committee
37 submitting the report on the bill or other matter under consideration, or the member
38 introducing the bill or other matter under consideration, or the member in charge of the
39 measure, who shall be designated by the chairman of the committee reporting the same
40 to the Senate at the time the bill or other matter under consideration is reported to the
41 Senate or taken up for consideration.

42 RULE 24. **Motion to reconsider.**—(a) When a question has been once put
43 and decided, any Senator who voted in the majority may move to reconsideration
44 thereof; but no motion for the reconsideration of any vote shall be in order after the bill,

1 resolution, message, report, amendment, or motion upon which the vote was taken has
2 gone out of the possession of the Senate; nor shall any motion for reconsideration be in
3 order unless made on the same day or in the next following legislative day on which the
4 vote proposed to be reconsidered took place: Provided, that when the next legislative
5 day has by motion of the Senate been restricted as to matters which may be considered,
6 a motion to reconsider shall be in order on the next succeeding day upon which regular
7 business is conducted. No question shall be reconsidered more than once.

8 (b) Notwithstanding subsection (a) of this Rule, a motion to reconsider is in
9 order at any time if made by the Chairman or, in his absence, the Vice-Chairman of the
10 Committee on Rules and Operation of the Senate for the sole purpose of correcting
11 grammatical errors in bills in the possession of the Senate.

12 IV. VOTING

13 **RULE 25. Use of electronic voting system.**—(a) Votes on the following questions
14 shall be taken on the electronic voting system, and the ayes and noes shall be recorded
15 on the Journal:

- 16 (1) All questions on which the Constitution of North Carolina requires that
17 the ayes and noes be taken and recorded on the Journal.
- 18 (2) All questions on which a call for the ayes and noes under Rule 26(b)
19 has been sustained.
- 20 (3) Both second and third readings of bills proposing amendment of the
21 Constitution of North Carolina.

22 (b) Votes on the following questions shall be taken on the electronic voting
23 system, and a copy of the machine print-out of the votes shall be filed in the Legislative
24 Library where it shall be open to public inspections:

- 25 (1) Second reading of all public bills, all amendments to public bills
26 offered after second reading, third reading if a public bill was amended
27 after second reading, and all conference reports on public bills.
- 28 (2) Any other question upon direction of the Presiding Officer or upon
29 motion of any Senator supported by one-fifth of the Senators present.

30 (c) When the electronic voting system is used, the Presiding Officer shall fix and
31 announce the time, not to exceed one minute, which shall be allowed for voting on the
32 question before the Senate. The system shall be set to lock automatically and to record
33 the vote when that time has expired. Once the system has locked and recorded a vote,
34 the vote shall be printed by the system.

35 (d) The voting station at each Senator's desk in the Chamber shall be used only
36 by the Senator to which the station is assigned. Under no circumstances shall any other
37 person vote at a Senator's station. It is a breach of the ethical obligation of a Senator
38 either to request that another vote at the requesting Senator's station, or to vote at
39 another Senator's station. The Presiding Officer shall enforce this rule without
40 exception.

41 (e) When the electronic voting system is used, the Presiding Officer shall state
42 the question and shall then state substantially the following: "All in favor vote 'aye'; all
43 opposed vote 'no'; _____ seconds will be allowed for voting on this question; the Clerk

1 will record the vote.” After the machine locks and records the vote, the Presiding
2 Officer shall announce the vote and declare the result.

3 (f) One copy of the machine print-out of the vote record shall be filed in the
4 office of the Principal Clerk, and one copy shall be filed in the Legislative Library
5 where it shall be open to public inspection.

6 (g) When the Presiding Officer ascertains that the electronic voting system is
7 inoperative before a vote is taken or while a vote is being taken on the electronic
8 system, he shall announce that fact to the Senate and any partial electronic system
9 voting record shall be voided. In such a case, if the Constitution of North Carolina or
10 the Rules of the Senate require a call of the ayes and noes, the Clerk shall call the roll of
11 the Senate, and the ayes and noes shall be taken manually and shall be recorded on the
12 Journal. All other votes shall be taken by voice vote as prescribed in Senate Rule 26(a).
13 If, after a vote is taken on the electronic system, it is discovered that a malfunction
14 caused an error in the electronic system print-out, the Presiding Officer shall direct the
15 Reading Clerk and the Principal Clerk to verify and correct the print-out record and so
16 advise the Senate.

17 (h) For the purpose of identifying motions on which the vote is taken on the
18 electronic system (the identification codes having no relation to the order of precedence
19 of motions), the motions are coded as follows:

- 20 1. To lay on the table.
- 21 2. For the previous question.
- 22 3. To postpone indefinitely.
- 23 4. To postpone to a day certain.
- 24 5. To refer to a committee.
- 25 6. To reconsider.
- 26 7. To adopt.
- 27 8. To concur.
- 28 9. To take from the table.
- 29 10. Miscellaneous.

30 **RULE 26. Voice votes; call for ayes and noes.**—(a) When the electronic
31 voting system is not used, all votes on which a call of the roll of the Senate is not
32 required shall be taken by voice vote. The question shall be put as follows: "Those in
33 favor say ‘aye,’”and, after the affirmative vote is expressed, "Opposed ‘no’"; after which
34 the Presiding Officer shall announce the result. If a division on any vote is desired, it
35 must be called for immediately before the result of the voting is announced on any
36 question, and upon such call, the Presiding Officer shall require the members to stand
37 and be counted for and against the proposition under consideration.

38 (b) The ayes and the noes may be called for on any question before the vote is
39 taken. If a Senator desires the ayes and noes recorded on the Journal on a question, he
40 shall address the Presiding Officer and obtain recognition and say, "Upon that question I
41 call for the ayes and noes.” Whereupon the Presiding Officer shall say, "Is the call
42 sustained?" If one-fifth of the Senators present then stand, the vote shall be taken on the
43 electronic voting system if it is operative, and the ayes and noes shall be recorded on the
44 Journal. If the electronic voting system is inoperative, the roll of the Senate shall be

1 called and the ayes and noes taken manually and recorded on the Journal. If fewer than
2 one-fifth of the Senators present stand to sustain the call, the Presiding Officer shall
3 announce, "An insufficient number up" and a vote by electronic voting or by voice,
4 whichever is appropriate under the Rules of the Senate, shall be taken.

5 **RULE 27. Pairs.**—If a Senator is paired with another Senator on a question,
6 the Senator shall announce the pair as follows: "Mr. President, I desire to announce a
7 pair. If Senator _____ were present, he would vote _____; I would vote _____ (the
8 opposite)." The Senator shall send forward at that time a written statement of the pair on
9 a form provided by the Principal Clerk and neither member of the pair shall vote on the
10 question. A pair shall be announced before the vote is taken **viva voce**, or if the
11 electronic voting system is used, before the machine is unlocked. The Clerk shall
12 record the pair on the Journal when the Constitution or Rules of the Senate require a call
13 of the roll and shall record on the electronic system print-out all pairs announced.

14 **RULE 28. Dividing question.**—If any question contains several distinct
15 propositions, it shall be divided by the Presiding Officer, at the request of any Senator,
16 provided each subdivision, if left to itself, forms a substantive proposition.

17 **RULE 29. Duty to vote; excuses.**—(a) Every Senator who is within the bar of
18 the Senate when the question is stated by the Presiding Officer shall vote thereon unless
19 he is excused by the Senate. The bar of the Senate shall include the entire Senate
20 Chamber.

21 (b) Any Senator may request to be excused from voting, either immediately
22 before or after the vote has been called for and before a **viva voce** vote result has been
23 announced or before the electronic voting system has been unlocked. The Senator may
24 make a brief statement of the reasons for making such request, and shall send forward to
25 the Principal Clerk, on a form provided by the Clerk, a concise statement of the reason
26 for the request, and the Clerk shall include this statement in the Journal. The question
27 on granting of the request shall be taken without debate.

28 **RULE 30. Explanation of vote.**—Any Senator may explain his vote on any
29 bill pending by obtaining permission of the Presiding Officer after the final vote is
30 taken: Provided, that not more than three minutes shall be consumed in such
31 explanation.

32 **RULE 30.1. Questions of personal privilege.**—Upon recognition by the
33 Presiding Officer for that purpose, any Senator may speak to a question of personal
34 privilege for a time not exceeding three minutes. Personal privilege may not be used to
35 explain a vote, debate a bill, or in any way disrupt the regular business of the Senate.
36 The Presiding Officer shall determine if the question raised is one of privilege and shall,
37 without the point of order being raised, enforce this rule.

38 V. COMMITTEES

39 **RULE 31. Appointment of committees.**—(a) The President Pro Tempore of
40 the Senate shall have the exclusive right and authority to appoint the majority party's
41 membership of all committees, regular and select, and to appoint committee chairmen
42 and vice-chairmen and to establish select committees, but this does not exclude the right
43 of the Senate by resolution to establish select committees. The minority leader shall
44 have the exclusive right and authority to appoint all minority party's members of said

1 committees and appoint the ranking minority member. Upon the recommendation of
2 the committee on Rules and Operation of the Senate, the Senate may authorize by
3 majority vote of the Senators present and voting a change in the number of standing
4 committees.

5 (b) The President Pro Tempore and Minority Leader shall designate their party's
6 members to all standing committees at the beginning of the session.

7 **RULE 32. List of standing committees.**—The standing committees shall be:

8 Alcoholic Beverage Control

9 Agriculture

10 Appropriations

11 Appropriations on Education

12 Appropriations on General Government

13 Appropriations on Human Resources

14 Appropriations on Justice and Public Safety

15 Appropriations on Natural and Economic Resources

16 Banks and Thrift Institutions

17 Base Budget

18 Children and Youth

19 Constitution

20 Education

21 Election Laws

22 Environment and Natural Resources

23 Finance

24 Higher Education

25 Human Resources

26 Insurance

27 Judiciary I

28 Judiciary II

29 Judiciary III

30 Local Government and Regional Affairs

31 Manufacturing and Labor

32 Marine Resources and Wildlife

33 Pensions and Retirement

34 Public Utilities

35 Rules and Operation of the Senate

36 Small Business

37 State Government

38 State Personnel

39 Transportation

40 Veteran and Military Affairs, Law Enforcement, and Senior Citizens

41 Ways and Means

42 **RULE 33. Notice of committee meetings.**—(a) Public notice of all
43 committee meetings shall be given in the Senate. The required notice may be waived as

1 to any meeting by the attendance at that meeting of all of the members of the
2 committee, or by personal waiver.

3 (b) The chairman of the committee shall notify or cause to be notified the
4 sponsor of each bill which is set for hearing or consideration before the committee as to
5 the date, time and place of that meeting.

6 **RULE 34. Membership of committees; quorum.**—Membership on standing
7 committees shall consist of not more than 20 nor less than 5 Senators, including the
8 chairman and vice-chairmen and ranking minority member; provided that the
9 Appropriations Committee, Base Budget Committee, and Finance Committee shall not
10 be limited as to membership. The President Pro Tempore shall have the exclusive right
11 and authority to determine the number of members of each committee. Membership of
12 each standing committee shall with respect to each political party be in the same
13 proportion to the nearest whole person as the proportion of membership by political
14 party in the entire Senate. No Senator shall hold membership on more than 12 standing
15 committees unless the committee on Rules and Operation of the Senate provides
16 otherwise.

17 A quorum of the Appropriations, Base Budget, Ways and Means, and Finance
18 Committees shall consist of a majority of the committee. A quorum of any other
19 committee shall consist of either the chairman and 5 members or a majority of the
20 committee, whichever is fewer.

21 **RULE 34.1. President Pro Tempore.**—The President Pro Tempore may
22 attend each committee as if he were a member but shall have no vote.

23 **RULE 35. Roll call vote in committee.**—No roll call vote may be taken in
24 any committee. The committee chairman may vote in committee.

25 **RULE 36. Committee meetings.**—No committee or subcommittee shall hold
26 a secret meeting, and all meetings of committees and subcommittees shall be open to
27 the public: Provided, that any committee or subcommittee has the inherent right to hold
28 an executive session when it determines that it is absolutely necessary to have such a
29 session in order to prevent personal embarrassment, or when it is in the best interest of
30 the State; and in no event shall final action be taken by any committee or subcommittee
31 except in open session.

32 **RULE 36.1. Committee minutes to Legislative Library.**—The chairman of
33 a committee shall insure that written minutes are compiled for each of the committee's
34 meetings. The minutes shall indicate the number of members present and the actions
35 taken by the committee at the meeting. Not later than 20 days after the adjournment of
36 each session of the General Assembly, the chairman, except the chairman of the
37 Appropriations, Finance, State Government, or Ways and Means Committee, shall
38 deliver the minutes to the Legislative Library. The President Pro Tempore of the Senate
39 may grant a reasonable extension of time for filing said minutes upon application of the
40 committee chairman.

41 **RULE 37.** (Reserved for interim operations rule).

42

VI. HANDLING BILLS

1 RULE 38. **Application of rules.**—With the exception of speaking from the
2 well of the Senate, all provisions of these rules applying to bills shall apply also to
3 resolutions, memorials and petitions.

4 RULE 39. **Form and copies of bills.**—(a) Unless variation is authorized by the
5 Committee on Rules and Operation of the Senate, bills submitted for introduction shall
6 be in a computer-typed form prepared by the Legislative Services Office. When a bill
7 which is introduced is not in the prescribed form, the Principal Clerk shall cause the bill
8 to be retyped in the prescribed form, and the retyped copy shall become the official
9 copy of the bill for all purposes. The original bill shall then be returned to the
10 introducer of the bill and shall not become a part of the records or documents of the
11 Senate.

12 (b) Whenever a bill is introduced, 20 copies shall be submitted to the Principal
13 Clerk. Any bill submitted without the required number of copies shall be immediately
14 returned to the introducer.

15 RULE 39.1. **Public and local bills; availability of copies of bills.**—A public
16 bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15
17 counties. No public bill and, upon objection by a member, no local bill may be
18 considered unless copies of the bill have been made available to the entire membership
19 of the Senate.

20 RULE 40. **Introduction of bills.**—(a) Every bill filed for introduction shall contain
21 on the outside cover the title of the document and the name of the Senator or Senators
22 presenting it. Bills shall be delivered by the primary sponsor of the document or with
23 the prescribed authorization form signed by the primary sponsor to the office of the
24 Senate Principal Clerk who shall receive them during regular session according to the
25 following schedule:

26 Monday until 8:30 o'clock P.M.;

27 Tuesday, Wednesday, and Thursday until
28 4:00 o'clock P.M.;

29 Friday until 3:00 o'clock P.M.

30 All bills shall be numbered by the Office of the Principal Clerk when filed and shall be
31 considered introduced when presented to the Senate on the next following legislative
32 day for the first reading and reference to committee.

33 (b) Filing of bills during the interim shall be under the direction of the Rules and
34 Operation of the Senate Committee as approved by the Senate.

35 (c) All memorializing, celebration, commendation, and commemoration
36 resolutions, except those honoring the memory of deceased persons or honoring a North
37 Carolina institution, shall be excluded from introduction and consideration in the
38 Senate.

39 RULE 40.1. **Local appropriations bills.**—No bill providing for
40 appropriations from the State for local projects may be filed for introduction in the
41 Senate if it deals with more than one subject or object. Each bill appropriating money
42 for local projects shall be considered separately on its own merits by the appropriate
43 Appropriations subcommittees and then by the full Appropriations Committee.

44 RULE 41. **Deadlines on filing for introduction of bills and resolutions.**

1 (a) All bills or resolutions recommended by commissions or committees
2 authorized or directed by act or resolution of the General Assembly to report to the 1989
3 Regular Session of the General Assembly, or to report prior to convening of that
4 session, must be filed for introduction not later than the last Thursday in February
5 (February 23) of the first year of the biennial session; provided that any such measure
6 submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m.
7 on that date and filed for introduction in the Senate before 3:00 p.m. on the next
8 Thursday (March 2) shall be treated as if it had been filed for introduction pursuant to
9 this subsection.

10 (a1) All bills prepared to be introduced by departments, agencies, or institutions of
11 the State must be filed for introduction not later than the second Thursday in March
12 (March 9) of the first year of the biennial session; provided that any such measure
13 submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m.
14 on that date and filed for introduction in the Senate before 3:00 p.m. on the next
15 Thursday (March 16) shall be treated as if it had been filed for introduction pursuant to
16 this subsection.

17 (a2) All local bills must be filed for introduction not later than the third Thursday
18 in March (March 16) of the first year of the biennial session; provided that any such
19 measure submitted to the Bill Drafting Division of the Legislative Services Office by
20 4:00 p.m. on that date and filed for introduction in the Senate before 3:00 p.m. on the
21 next Thursday (March 23) shall be treated as if it had been filed for introduction
22 pursuant to this subsection.

23 (a3) All resolutions, except those honoring the memory of deceased persons or
24 adjourning the General Assembly must be filed for introduction not later than the first
25 Thursday in May (May 4) of the first year of the biennial session; provided that any
26 such measure submitted to the Bill Drafting Division of the Legislative Services Office
27 by 4:00 p.m. on that date and filed for introduction in the Senate before 3:00 p.m. on the
28 next Thursday (May 11) shall be treated as if it had been filed for introduction pursuant
29 to this subsection.

30 (a4) All public bills not containing appropriations or not requiring to be referred to
31 the Committee on Finance by Rule 42 must be filed for introduction not later than the
32 last Thursday in March (March 30) of the first year of the biennial session; provided
33 that any such measure submitted to the Bill Drafting Division of the Legislative
34 Services Office by 4:00 p.m. on that date and filed for introduction in the Senate before
35 3:00 p.m. on the next Thursday (April 6) shall be treated as if it had been filed for
36 introduction pursuant to this subsection.

37 (a5) All public bills containing appropriations or requiring to be referred to the
38 Committee on Finance by Rule 42 must be filed for introduction not later than the last
39 Thursday in April (April 27) of the first year of the biennial session; provided that any
40 such measure submitted to the Bill Drafting Division of the Legislative Services Office
41 by 4:00 p.m. on that date and filed for introduction in the Senate before 3:00 p.m. on the
42 next Thursday (May 4) shall be treated as if it had been filed for introduction pursuant
43 to this subsection.

1 (a6) A two-thirds vote of the membership of the Senate present and voting shall be
2 required to file for introduction any bill or resolution after the dates established by this
3 section.

4 (a7) Except for subsection (c), this rule shall not apply to any reconvened session
5 following the adjournment of the first year of the biennial session.

6 (b) In order to be eligible for consideration by the Senate during the first regular
7 session, all House Bills other than those required to be referred to the Committee on
8 Finance by Rule 42, appropriations bills or adjournment resolutions, must be received
9 and read on the floor of the Senate as a message from the House no later than May 11 of
10 the first regular session; provided that a message from the House received by the next
11 legislative day stating that a bill has passed its third reading and is being engrossed shall
12 comply with the requirements of this subsection and provided that the House has a
13 similar rule.

14 (c) No Senate local appropriations bill may be filed for introduction in the Senate
15 during the second year of the biennial session unless it is filed for introduction on or
16 before June 16 of the second year of the biennial session.

17 RULE 41.1. Relationship between Ways and Means Committee and other
18 committees dealing with money matters; relationship between these other committees
19 dealing with money matters.—In those instances specified herein, the Committee on
20 Ways and Means shall have responsibility for final consideration of bills dealing with
21 money matters before the bills are considered on the floor of the Senate. Upon the
22 agreement of the chairmen or cochairmen of any two of the following committees:
23 Appropriations, Finance, and Ways and Means, any bill reported favorably from the
24 Committee on Appropriations or the Committee on Finance shall be re-referred by the
25 Presiding Officer to the Committee on Ways and Means for consideration. Bills
26 referred to the Committee on Appropriations pursuant to Rule 43 may be referred by the
27 Chairman of the Committee on Appropriations to the Appropriations Committee on
28 Human Resources, Appropriations Committee on Education, Appropriations Committee
29 on General Government, Appropriations Committee on Justice and Public Safety, or
30 Appropriations Committee on Natural and Economic Resources for a report back to the
31 Committee on Appropriations.

32 RULE 42. **References of appropriations and finance bills.**—(a) All bills
33 introduced in the Senate providing for appropriations from the State, or any subdivision
34 thereof, shall, before being considered by the Senate, be referred to the Committee on
35 Appropriations, and bills referred to other committees carrying any such provisions
36 shall be reported to the Senate as being bills to be referred to the Appropriations
37 Committee before proper action may be taken by the Senate. All bills introduced in the
38 Senate providing for bond issues, imposing fees or civil penalties, levying taxes, or in
39 any manner affecting the taxing power of the State or any subdivision thereof, shall,
40 before being considered by the Senate, be referred to the Committee on Finance, and
41 bills referred to other committees carrying any such provisions shall be reported to the
42 Senate as being bills to be referred to the Finance Committee before proper action may
43 be taken by the Senate.

1 (b) This rule shall not apply to bills imposing criminal fines, forfeitures, or
2 penalties for infractions.

3 **RULE 42.1. Fiscal notes.**—(a) The chairman or cochairmen or vice-chairman of the
4 Appropriations Committee, of the Finance Committee or of the Rules Committee, or of
5 the Ways and Means Committee, upon the floor of the Senate, may request that a fiscal
6 analysis be made of a bill, resolution or an amendment to a bill or resolution which is in
7 the possession of the Senate and that a fiscal note be attached to the measure, when in
8 the opinion of that chairman or vice-chairman the fiscal effects of that measure are not
9 apparent from the language of the measure.

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

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

21 (d) A sponsor of a bill or amendment may deliver a copy of his bill or
22 amendment to the Fiscal Research Division for the preparation of a fiscal note. The
23 sponsor shall attach the fiscal note to the bill when he files the bill or to the amendment
24 when he moves its adoption.

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

29 (f) Subsection (a) of this rule shall not apply to the current operations appropriations
30 bill or the capital improvements appropriations bill. This rule shall not apply to a bill or
31 amendment requiring an actuarial note under these rules.

32 **RULE 42.2. Actuarial notes.**—(a) Every bill or resolution proposing any change
33 in the law relative to any State-administered retirement or pension system shall have
34 attached to it at the time of its consideration by any committee a brief explanatory
35 statement or note which shall include a reliable estimate of the financial and actuarial
36 effect of the proposed change to that retirement or pension system. The actuarial note
37 shall be attached to the jacket of each proposed bill or resolution which is reported
38 favorably by any committee, shall be separate therefrom, and shall be clearly designated
39 as an actuarial note.

40 (b) The sponsor of the bill or resolution shall present a copy of the measure, with
41 his request for an actuarial note, to the Fiscal Research Division which shall prepare the
42 actuarial note as promptly as possible but not later than two weeks after the request is
43 made. Actuarial notes shall be prepared in the order of receipt of request and shall be

1 transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research
2 Division shall be prepared and signed by an actuary.

3 (c) The sponsor of the bill or resolution shall also present a copy of the measure
4 to the chief administrative officer of the retirement or pension system affected by the
5 measure. The chief administrative officer shall have an actuarial note prepared by the
6 system's actuary on the measure and shall transmit the note to the sponsor of the
7 measure not later than two weeks after the request is received. The actuarial note shall
8 be attached to the jacket of the measure.

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

16 (e) When any committee reports a measure to which an actuarial note is attached
17 at the time of committee consideration, with any amendment of such nature as would
18 substantially affect the cost to or the revenues of any retirement or pension system, the
19 chairman of the committee reporting the measure shall obtain from the Fiscal Research
20 Division an actuarial note of the fiscal and actuarial effect of the proposed amendment.
21 The actuarial note shall be attached to the jacket of the measure. An amendment to any
22 bill or resolution shall not be in order if the amendment affects the costs to or the
23 revenues of a State-administered retirement or pension system, unless the amendment is
24 accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the
25 actuarial effect of the amendment.

26 (f) The Fiscal Research Division shall make all relevant actuarial notes available
27 to the membership of the Senate.

28 **RULE 42.3. Assessment reports.**—Every legislative proposal introduced in
29 the Senate proposing the establishment of an occupational or professional licensing
30 board or a study for the need to establish such a board shall have attached to the jacket
31 of the original bill at the time of its consideration on second or third readings by the
32 Senate or by any committee of the Senate prior to a favorable report, an assessment
33 report from the Legislative Committee on New Licensing Boards, pursuant to Article
34 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute
35 any part of the expression of legislative intent proposed by the formation of a licensing
36 board.

37 Upon receipt of the request the Legislative Committee on New Licensing
38 Boards shall prepare and return the assessment report as soon as possible but not later
39 than 60 days, reserving the right to extend this time to 90 days. A supplementary report
40 shall be prepared and submitted to the requesting Senator not later than 30 days after the
41 receipt of the request.

42 **RULE 42.4. Content of appropriations bills.**—(a) No provision changing existing
43 law shall be contained in any of the following bills: (1) the Current Operations

1 Appropriations Bill; (2) the Capital Improvement Appropriations Bill; (3) 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 in order
4 if the language is prohibited by that subsection.

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

21 **RULE 42.5. Appropriations committee meetings.**—Notwithstanding the
22 provisions of G.S. 143-14, and pursuant to the last sentence thereof, the Appropriations
23 Chairman may in his or her sole discretion direct that the Appropriations Committee or
24 its subcommittees or both may consider the budget and the budget plan including all
25 appropriations in separate meetings from the House of Representatives and may do all
26 things set forth in said Statute separately from the House of Representatives.

27 **RULE 43. First reading; reference to committee.**—All bills filed for
28 introduction and all House bills received in the office of the Principal Clerk not later
29 than one and one-half hours preceding the convening of the Senate, upon presentation to
30 the Senate, shall be read in regular order of business by their number and title which
31 shall constitute the first reading of the bill. Unless otherwise disposed of, the Reading
32 Clerk shall announce the referral of the bill which shall have been referred by the
33 Principal Clerk of the Senate under the supervision of the Chairman of the Committee
34 on Rules and Operation of the Senate or in his absence the Vice-Chairman of said
35 Committee. The Principal Clerk shall inform the Presiding Officer of the referral. The
36 title and referral shall be entered upon the Journal.

37 Bills may be referred to more than one committee serially, i.e. "S.B. _____ is
38 referred to the Committee on Agriculture and upon a favorable report referred to the
39 Appropriations Committee."

40 **RULE 44. Bills to receive three readings.**—Every bill shall receive three
41 readings previous to being passed, and the Presiding Officer shall give notice at each
42 whether it be the first, second, or third. After the first reading, unless a motion is made
43 by some Senator, the Reading Clerk shall announce the referral as set forth in Rule 43.

1 No bill shall be amended upon the floor of the Senate until it has been twice read.
2 Senate simple resolutions shall not require three readings.

3 **RULE 45. Reports of committees.**—Every Senator presenting a report of a
4 committee shall endorse the report with the name of the committee and, in case of a
5 minority report, with the names of the members making the report. The report of the
6 committee shall show that a majority of the committee was present and voted. Every
7 report of the committee upon a bill or resolution shall stand upon the general orders
8 with the bill or resolution. No committee shall report a bill or resolution without
9 prejudice.

10 **RULE 45.1. Action on amendment before re-referral.**—If any committee
11 recommends adoption of an amendment or committee substitute of a bill which, under
12 the rules of the Senate must be referred to the Committee on Appropriations or
13 Committee on Finance, the amendment or committee substitute shall be considered and,
14 if adopted, the amendment or substitute engrossed before the bill is re-referred.

15 **RULE 46. Unfavorable report by committee.**—(a) All bills reported
16 unfavorably by the committee to which they were referred, and having no minority
17 report, shall lie upon the table, but may be taken from the table, and placed upon the
18 calendar by a two-thirds vote of the membership of the Senate present and voting.

19 (b) When a bill is reported by a committee with an unfavorable report, but
20 accompanied by a minority report, signed by at least three members of the committee
21 who were present and who voted on the bill when the bill was considered in committee,
22 then the minority report shall be placed on the calendar and considered the following
23 day, and the question before the Senate shall be "The adoption of the Minority Report."
24 If the minority report is adopted by a majority vote, the bill shall be placed upon the
25 calendar; if the minority report is not adopted, the bill shall lie upon the table.

26 **RULE 47. Recall of bill from committee.**—When a bill has been introduced
27 and referred to a committee, if after 10 days the committee has failed to report thereon,
28 then the author of the bill may, after three days' public notice given in the Senate and
29 delivered in writing to the chairman of the committee, on motion supported by a vote of
30 two-thirds of the membership of the Senate present and voting, recall the bill from the
31 committee to the floor of the Senate for consideration and such action thereon as a
32 majority of the Senators present may direct. This rule shall not be temporarily
33 suspended without one day's notice on the motion given in the Senate and delivered in
34 writing to the chairman of the committee and to sustain that motion two-thirds of the
35 membership of the Senate present and voting shall be required.

36 **RULE 48. Calendar; order to be followed.**—The Presiding Officer and the
37 Principal Clerk of the Senate shall see that all bills are acted upon by the Senate in the
38 order in which they stand upon the calendar, unless otherwise ordered as hereinafter
39 provided. The published calendar shall include all bills reported favorably from
40 committees, or reported with a minority report attached, or placed on the calendar on
41 motion: Provided, that the published local calendar may carry the number of each bill,
42 the county or counties referred to, and an abbreviated statement of the title of the bill.

43 **RULE 49. Considering bills out of regular order.**—Except as provided in
44 Rule 50, any bill or other matter may be taken up out of order upon order of the

1 Presiding Officer or upon motion sustained by a majority of the membership of the
2 Senate.

3 **RULE 50. Third reading requirements.**—No bill on its third reading shall
4 be acted upon out of the regular order in which it stands on the calendar, and no bill
5 shall be acted upon on its third reading the same day on which it passed its second
6 reading, unless so ordered by two-thirds of the membership of the Senate present and
7 voting.

8 **RULE 51. Special orders.**—Any bill or other matter may be made a special
9 order for a particular day or hour by a vote of the majority of the Senators voting, and if
10 action on the bill is not completed on that day, it shall be returned to its place on the
11 calendar, unless it is made a special order for another day; and when a special order is
12 under consideration it shall take precedence over any special order or subsequent order
13 for the day, but such subsequent order may be taken up immediately after the previous
14 special order has been disposed of.

15 **RULE 52. Procedure when necessary number of Senators not present.**—
16 If, on taking the question on a bill, it appears that a constitutional quorum is not present,
17 or if the bill requires a vote of a certain proportion of all the Senators to pass it, and it
18 appears that such number is not present, the bill shall be again read and the question
19 taken thereon; if the bill fails a second time for the want of the necessary number being
20 present and voting, the bill shall not be finally lost, but shall be returned to the calendar
21 in its proper order.

22 **RULE 53. Effect of defeated bill.**—(a) After a bill has been tabled, or has
23 failed to pass on any of its readings, the contents of such bill or the principal provisions
24 of its subject matter shall not be embodied in any other measure. Upon the point of
25 order being raised and sustained by the Presiding Officer, such measure shall be laid
26 upon the table, and shall not be taken therefrom except by a vote of two-thirds of the
27 membership of the Senate present and voting: Provided, no local bill shall be held by
28 the Presiding Officer as embodying the provisions, or being identical with any statewide
29 measure which has been laid upon the table or failed to pass any of its readings.

30 (b) When a bill has been postponed indefinitely by the Senate, the bill shall lie
31 upon the table, and shall not be taken therefrom except by a vote of two-thirds of the
32 membership of the Senate present and voting.

33 **RULE 54. Taking bill from table.**—No bill which has been laid upon the
34 table shall be taken therefrom except by a vote of two-thirds of the membership of the
35 Senate present and voting.

36 **RULE 54.1. Bill title.**—The title of each bill shall adequately and fairly reflect
37 its subject matter.

38 **RULE 55. Amending titles of bills.**—When a bill is materially modified or
39 the scope of its application extended or decreased, or if the county, or counties, to which
40 it applies is changed, the title of the bill shall be changed by the Senator introducing the
41 bill or by the committee having it in charge, or by the Principal Clerk, so as to indicate
42 the full purport of the bill as amended and the county or counties to which it applies.

43 **RULE 56. Corrections of typographical errors in bills.**—The Enrolling
44 Clerk is authorized to make corrections of typographical errors in the text of bills at any

1 time prior to ratification. Before the correction is made, the Enrolling Clerk shall have
2 the approval of the Chairman of the Committee on Rules and Operation of the Senate
3 or, in his absence, the Vice-Chairman of said Committee.

4 **RULE 57. Conference committee.**—Whenever the Senate fails to concur in
5 amendments or committee substitutes put by the House to a bill originating in the
6 Senate, or whenever the House of Representatives fails to concur in amendments or
7 committee substitutes put by the Senate to a bill originating in the House, a conference
8 committee shall be appointed by the President Pro Tempore of the Senate or in his
9 absence the Deputy President Pro Tempore, upon motion, and the bill under
10 consideration shall thereupon go to and be considered by the joint conferees on the part
11 of the Senate and House of Representatives. Senate conferees shall not be less than
12 three nor more than twelve and shall include the primary sponsor and the chairman of
13 each committee which considered the bill. In considering matters in difference between
14 the Senate and House committed to the conferees, only such matters as are in difference
15 between the two houses shall be considered by the conferees, and the conference report
16 shall deal only with such matters. In conference committee a majority of the Senate
17 conferees shall be the Senate's position on any matter in which a vote is taken. The
18 conference report shall not be amended. Except as herein set out, the rules of the United
19 States House of Representatives shall govern the appointment, conduct, and reports of
20 the conferees.

21 **RULE 57.1. Amendments and committee substitutes adopted by the House to**
22 **bills originating in the Senate.**—(a) Whenever the House has adopted an
23 amendment or a committee substitute for a bill originating in the Senate, and has
24 returned the bill to the Senate for concurrence in that amendment or committee
25 substitute, the Senate may not concur in that amendment or committee substitute until
26 the next legislative day following the day on which the Senate receives that measure.

27 (b) The Principal Clerk under the supervision of the Chairman of the Rules and
28 Operation Committee of the Senate may, and upon motion supported by a majority of
29 the Senate present and voting, shall refer the bill to an appropriate committee for
30 consideration of the amendment or committee substitute.

31 (c) The Presiding Officer shall, in placing the bill on the calendar, rule whether
32 the amendment or committee substitute is a material amendment under Article II,
33 Section 23, of the State's Constitution. If the measure is referred to committee, the
34 committee shall:

- 35 i. Report the bill with the recommendation either that the Senate concur
36 or that the Senate do not concur; and
- 37 ii. Advise the Presiding Officer as to whether or not the amendment or
38 committee substitute is a material amendment under Article II, Section
39 23, of the State's Constitution.

40 (d) If the amendment or committee substitute for a bill is not a material
41 amendment, the question before the Senate shall be concurrence. In the event there is
42 more than one House Amendment, the question shall be concurrence in all the House
43 amendments and the question may not be divided, notwithstanding Rule 28. The

1 question which shall be put before the Senate by the Presiding Officer shall be: "Does
2 the Senate Concur in the House Amendments (Committee Substitute) to S.B. ?".

3 (e) If the amendment or committee substitute for a bill is a material amendment, the
4 receiving of that bill on messages shall constitute first reading and the question before
5 the Senate shall be concurrence on second reading. If the motion is passed, the question
6 then shall be concurrence on third reading on the next legislative day.

7 (f) No committee substitute adopted by the House to a bill originating in the
8 Senate may be amended by the Senate.

9 **RULE 57.2. Germaneness of amendment.**—All amendments and committee
10 substitutes shall be germane to the original subject matter of the bill.

11 **RULE 58. Certification of passage of bills.**—The Principal Clerk shall
12 certify the passage of bills by the Senate, with the date thereof, together with the fact
13 whether passed by vote of three-fifths or two-thirds of the membership of the Senate
14 present and voting, whenever such vote may be required by the Constitution or laws of
15 the State.

16 **RULE 59. Transmittal of bills to House.**—No bill shall be sent from the
17 Senate on the day of its passage except on the last day of the session, unless otherwise
18 ordered by a vote of two-thirds of the membership of the Senate present and voting.

19 **RULE 59.1. Engrossment.**—Bills and resolutions, except those making
20 appropriations, which originate in the Senate and which are amended shall be engrossed
21 before being sent to the House.

22 **VII. LEGISLATIVE OFFICERS AND EMPLOYEES**

23 **RULE 60. Pages.**—The President Pro Tempore of the Senate shall appoint
24 pages. The President Pro Tempore, or such person as he may designate, shall supervise
25 the pages and assign to them their duties. Each page shall be at least 14 years of age.

26 **RULE 61. Sergeants-at-Arms.**—(a) There shall be 14 positions of Assistant
27 Sergeants-at-Arms to be appointed by the Sergeant-at-Arms who are to work under his
28 or her supervision and to be assigned such duties and powers as he or she shall direct.

29 (b) The Sergeant-at-Arms shall be responsible for the safety of the members and
30 employees of the Senate while in the Senate Chamber, or any place in which the Senate
31 or its committees are in session.

32 (c) The Sergeant-at-Arms shall serve all warrants and subpoenas issued by orders
33 of the Senate and signed by the Presiding Officer of the Senate, and said warrants and
34 subpoenas shall be returnable to the Principal Clerk of the Senate.

35 **RULE 62. Principal Clerk's staff.**—The Principal Clerk of the Senate shall
36 employ all necessary employees and clerks required to carry out the duties of his or her
37 office. The Principal Clerk shall have supervision and control, and shall assign such
38 duties and powers as he or she shall direct to his or her employees and clerks.

39 **RULE 63. Committee clerks and secretaries.**—(a) Each committee shall have a
40 clerk. The clerk to a committee shall serve as secretary to the chairman of that
41 committee.

42 (b) Each member shall be assigned a secretary, unless he or she has a committee
43 clerk to serve as his or her secretary.

1 (c) The selection of said clerk and/or secretary shall be the prerogative of the
2 individual member. Such clerks and secretaries shall file initial applications for
3 employment with the Supervisor of Clerks and shall receive compensation as prescribed
4 by the Legislative Services Commission. The employment period of clerks and
5 secretaries shall comply with the period as established by the Legislative Services
6 Commission unless employment for an extended period is approved by the President
7 Pro Tempore. The clerks and secretaries shall adhere to such uniform regulations and
8 other conditions of employment (including retention) under the direction of the
9 Supervisor of Clerks as the Committee on Rules and Operation of the Senate shall
10 adopt.

11 (d) The Supervisor of Clerks and any assistants shall be appointed by the
12 President Pro Tempore of the Senate.

13 **RULE 64. Senate Journal.**—The Principal Clerk shall prepare and be
14 responsible for the Journal. The President Pro Tempore or, in his absence, the Deputy
15 President Pro Tempore shall examine the Journal to determine if the proceedings of the
16 previous day have been correctly recorded.

17 **RULE 65. Deputy President Pro Tempore.**—The Senate shall elect a
18 Deputy President Pro Tempore.

19 **VIII. GENERAL RULES**

20 **RULE 66. President to sign papers.**—All acts, addresses and resolutions,
21 and all warrants and subpoenas issued by order of the Senate shall be signed by the
22 President or by the President Pro Tempore presiding in his absence.

23 **RULE 67. Admission to the floor of the Senate.**—No person except
24 members of the Senate, members of the House of Representatives, staff of the General
25 Assembly; staff of the Lieutenant Governor; Judges of the Supreme Court, Court of
26 Appeals, and Superior Courts; the Governor and members of the Council of State;
27 former members of the General Assembly; and persons particularly invited and
28 extended the privileges of the floor by the President Pro Tempore or in his absence, the
29 Deputy President Pro Tempore shall be admitted to the floor of the Senate during its
30 session. Notwithstanding any other provision of these rules, no registered lobbyist shall
31 be admitted to the floor of the Senate or Senate Chamber while the Senate is in session.

32 **RULE 68. Privileges of the floor.**—Any group or individual other than
33 members of the Senate who desires to make remarks upon the floor of the Senate will
34 first obtain approval of the Chairman or, in his absence, the Vice-Chairman of the
35 Committee on Rules and Operation of the Senate.

36 **RULE 69. News media.**—The President is authorized to assign area and
37 equipment on the floor of the Senate for the use of the representatives of news media;
38 and the President shall provide regulations for the operation of the representatives of the
39 news media on the floor of the Senate.

40 **RULE 70. Absence without leave.**—No Senator or officer of the Senate shall
41 depart the service of the Senate without leave, or receive pay as a Senator or officer for
42 the time he is absent without leave.

43 **RULE 71. Placing material on Senators' desks.**—Any person other than a
44 member of the Senate desiring to place articles of any kind on or about desks in the

1 Senate Chamber or in the offices of the members of the Senate shall make written
2 application to, and obtain written approval from the Principal Clerk.

3 **RULE 72. Assignment of seats; offices.**—(a) The President Pro Tempore of
4 the Senate shall assign seats in the Senate Chamber to the members elected. In making
5 such assignments, each member elected to the immediate preceding session of the
6 Senate shall be entitled to the seat occupied by him or to his selection of any other seat
7 vacated. The President Pro Tempore, when assigning seats, shall give preferential
8 consideration to the respective members according to the length of service which each
9 member has rendered in the Senate. No incumbent appointed to fill an unexpired term
10 in the immediate preceding session shall retain the seat if requested by a Senator elected
11 to said session.

12 (b) Not later than two days after the initial committee assignments become final,
13 the President Pro Tempore of the Senate is authorized to make assignments of
14 committee rooms and offices to designated committees, chairmen, and members of the
15 Senate. The office adjacent to any committee room assigned to a principal committee
16 by the President Pro Tempore shall be automatically assigned to the chairman of the
17 principal committee. In making such assignments of individual offices, the President
18 Pro Tempore shall give preferential consideration to the respective members according
19 to the length of service which each member has rendered in the Senate.

20 **RULE 73. Administrative rules and regulations involving Senate**
21 **employees.**—All administrative rules, regulations and orders involving all individuals
22 employed to perform duties for the Senate, other than those appointed by the Principal
23 Clerk and the Sergeant-at-Arms, shall be first approved by the Committee on Rules and
24 Operation of the Senate.

25 **RULE 74. Public hearings.**—Any Senator may request in writing a public
26 hearing on a public bill. Requests may be granted in the discretion of the Chairman.
27 Notice shall be given not less than five calendar days prior to public hearings. Such
28 notices shall be issued as information for the press and the information shall be posted
29 in the places designated by the Principal Clerk.

30 **RULE 75. Public hearings, filing of written statements.**—Persons desiring
31 to appear and be heard at a public hearing are encouraged to file with the chairman of
32 the committee a brief or a written statement of the remarks to be made at least 24 hours
33 before the time of the hearing.

34 **RULE 76. Voting in joint sessions.**—When any Senate Committee sits
35 jointly with the House Committee, the Senate Committee reserves the right to vote
36 separately from the House Committee.

37 **RULE 77. Alterations, suspension or rescission of rules.**—(a) These rules may
38 not be permanently rescinded or altered except by Senate simple resolution passed by a
39 two-thirds vote of the membership of the Senate. The introducer of the resolution must,
40 on the floor of the Senate, give notice of his intent to introduce the resolution on the
41 legislative day preceding its introduction.

42 (b) Except as otherwise provided herein, the Senate, upon two-thirds vote of the
43 membership of the Senate present and voting, may temporarily suspend any of these
44 rules.

1 Sec. 2. This resolution is effective upon its adoption.