

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE RESOLUTION 29
Committee Substitute Favorable 4/5/93

Sponsors:

Referred to:

February 2, 1993

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE
2 REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF
3 REPRESENTATIVES OF THE 1993 GENERAL ASSEMBLY.

4 Be it resolved by the House of Representatives:

5 Section 1. The permanent rules of the Regular Sessions of the House of
6 Representatives of the 1993 General Assembly shall read as follows:

7 **RULES OF THE REGULAR SESSIONS OF THE**
8 **HOUSE OF REPRESENTATIVES OF THE 1993**
9 **GENERAL ASSEMBLY OF NORTH CAROLINA**

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19 **I. ORDER OF BUSINESS**

20 **RULE 1. Convening Hour.** – The House shall convene each legislative day
21 at the hour fixed by the House. In the event the House adjourns on the preceding
22 legislative day without having fixed an hour for reconvening, the House shall convene
23 on the next legislative day at 2:00 p.m.

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

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

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

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

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

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

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

1 (11) Reading of Notices and Announcements; but messages and motions to
2 elect officers shall always be in order.

3 II. CONDUCT OF DEBATE

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

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

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

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

- 19 1. a request that the member speaking yield for a question,
- 20 2. a point of order,
- 21 3. a parliamentary inquiry, or
- 22 4. a question of privilege.

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

32 RULE 9. **Points of Order.** – (a) The Speaker shall decide questions of order
33 and may speak to points of order in preference to other members arising from their seats
34 for that purpose. Any member may appeal from the ruling of the Chair on questions of
35 order; on such appeal no member may speak more than once, unless by leave of the
36 House. A two-thirds (2/3) vote of the members present shall be necessary to sustain any
37 appeal from the ruling of the Chair.

38 (b) When the Speaker calls a member to order, the member shall be seated except
39 that a member called to order may clear a matter of fact, or explain, but shall not
40 proceed in debate so long as the decision stands. If the member appeals from the ruling
41 of the Chair and the decision by a two-thirds (2/3) vote of the members present be in
42 favor of the member called to order, the member may proceed; if otherwise, the member
43 shall not; and if the case, in the judgment of the House, requires it, the member shall be
44 liable to censure by the House.

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

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

8 To adjourn

9 To lay on the table

10 Previous question

11 To postpone indefinitely

12 To reconsider

13 To postpone to a day certain

14 To re-refer

15 To amend an amendment

16 To amend

17 To substitute

18 To pass the bill

19 No motion to lay on the table, to postpone indefinitely, to postpone to a day
20 certain, to commit or to make a particular amendment, being decided, shall be again
21 allowed at the same stage of the bill or proposition.

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

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

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

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

32 (c) A motion to table a bill shall constitute a motion to table the bill and all
33 amendments thereto.

34 (d) When the question before the House is the adoption of an amendment to a bill
35 or resolution, a motion to table the bill is not in order, and a motion to table an
36 amendment applies to the amendment only, and the motion may not expressly or by
37 implication or construction be expanded to include a motion to table the bill also.

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

41 **RULE 17. Motion to Postpone Indefinitely.** – A motion to postpone
42 indefinitely is in order except when a motion to adjourn or to lay on the table or for the
43 previous question is before the House. However, after one motion to postpone
44 indefinitely has been decided, another motion to postpone indefinitely shall not be

1 allowed at the same stage of the bill or proposition. When a question has been
2 postponed indefinitely, it shall not thereafter be considered except on motion to
3 reconsider under Rule 18, or to place on the favorable calendar approved by a two-
4 thirds (2/3) vote.

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

10 (b) A motion to reconsider shall be determined by a majority vote, except the
11 following shall require a two-thirds (2/3) vote: a second or subsequent motion to
12 reconsider, and a motion to reconsider:

- 13 (1) A vote upon a motion to table,
- 14 (2) A motion to postpone indefinitely,
- 15 (3) A motion to remove a bill from the unfavorable calendar,
- 16 (4) A motion that a bill be read twice on the same day, or
- 17 (5) A motion to remove from the table.

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

21 **RULE 19. Previous Question.** – (a) The previous question may be called only by
22 the member submitting the report on the bill or other matter under consideration, by the
23 member introducing the bill or other matter under consideration, or by the member in
24 charge of the measure, who shall be designated by the Chair of the standing committee
25 or permanent subcommittee reporting the same to the House at the time the bill or other
26 matter under consideration is reported to the House or taken up for consideration.

27 (b) The previous question shall be as follows: "Shall the main question now be
28 put?" When the call for the previous question has been decided in the affirmative by a
29 majority vote of the House, the "main question" is on the passage of the bill, resolution
30 or other matter under consideration.

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

33 (d) If the previous question is decided in the negative, the main question remains
34 under debate.

35 IV. VOTING

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

- 39 (1) The passage as required by Article II, Section 23 of the Constitution of
40 North Carolina, on second and third readings of any bill:
 - 41 a. Raising money on the credit of the State,
 - 42 b. Pledging the faith of the State for the payment of a debt,
 - 43 c. Imposing a State tax, or

- 1 d. Authorizing a county, municipality, or other local governmental
2 unit to
3 1. Raise money on its credit,
4 2. Pledge its faith for the payment of a debt, or
5 3. Impose a local tax.
- 6 (2) All measures affecting a fee imposed by the State or any subdivision
7 thereof.
- 8 (3) All questions on which a call for the ayes and noes under Rule 24(a)
9 and Article II, Section 19 of the Constitution of North Carolina has
10 been sustained.
- 11 (4) Both second and third readings of bills proposing amendment of the
12 Constitution of North Carolina or ratifying resolutions amending the
13 Constitution of the United States.
- 14 (b) Votes on the following questions shall be taken on the electronic voting
15 system:
16 (1) Second reading of all public bills, all amendments to public bills
17 offered after second reading, third reading if a public bill was amended
18 after second reading or if the reading occurs on a day or days
19 following the second reading, all conference reports on public bills, all
20 motions to lay public bills on the table, and all motions to postpone
21 public bills indefinitely.
- 22 (2) Upon a call for division.
- 23 (3) Any other question upon direction of the Speaker or upon motion of
24 any member supported by one-fifth (1/5) of the members present.
- 25 (c) When the electronic voting system is used, 15 seconds shall be allowed for
26 voting on the question before the House, unless the Chair shall direct otherwise. The
27 system shall be set to close automatically when that time has expired. Once the system
28 is locked, the vote shall be recorded and printed.
- 29 (d) The voting station at each member's desk in the Chamber shall be used only
30 by the member to which the station is assigned. Under no circumstances shall any other
31 person vote at a member's station. It is a breach of the ethical obligation of a member
32 either to request that another person vote at the requesting member's station, or to vote
33 at another member's station. The Speaker shall enforce this rule without exception.
- 34 (e) When the electronic voting system is used, the Speaker shall state the
35 question and shall then state substantially the following: "All in favor vote 'aye'; all
36 opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the
37 member must vote by the electronic voting system within the time allowed for that vote,
38 unless the voting station assigned to a member is malfunctioning. The Speaker shall
39 enforce this rule without exception. After the allotted time for voting has elapsed, the
40 Speaker shall say: "The Clerk will now lock the machine and record the vote." After the
41 machine is locked and the vote recorded, the Speaker shall announce the vote and
42 declare the result.

1 (f) One copy of the machine printout of the vote record of all votes taken on
2 the electronic system shall be filed in the office of the Principal Clerk, and one copy
3 shall be filed in the Legislative Library where it shall be open to public inspection.

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

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

- 17 1. To adjourn
- 18 2. To lay on the table
- 19 3. Previous question
- 20 4. To postpone indefinitely
- 21 5. To reconsider
- 22 6. To postpone to a day certain
- 23 7. To re-refer
- 24 8. To amend an amendment
- 25 9. To amend
- 26 10. To substitute
- 27 11. To concur or not concur
- 28 12. Miscellaneous

29 **RULE 21. Voice Votes; Stating Questions.** – (a) When the electronic voting
30 system is not used, the Speaker shall rise and put a question.

31 (b) The question shall be put in this form, namely, "Those in favor (as the
32 question may be) will say 'Aye,'" and after the affirmation voice has been expressed,
33 "Those opposed will say 'No'".

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

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

40 (b) No member may vote unless the member is in the chamber when the question
41 is put. This subsection of this rule cannot be suspended.

42 **RULE 23. Voting by Division.** – Any member may call for a division of the
43 members upon the question before the result of the vote has been announced. Upon a
44 call for a division, the Speaker shall cause the number voting in the affirmative and in

1 the negative to be determined. Upon a division and count of the House on any question,
2 no member away from the member's seat shall be counted.

3 **RULE 24. Roll Call Vote.** – (a) Before a question is put, any member may call
4 for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present,
5 the question shall be decided by the ayes and noes upon a roll call vote.

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

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

13 (b) The member may make a brief statement of the reasons for making that
14 request. The member may send forward to the Principal Clerk, on a form provided by
15 the Clerk, a concise statement of the reason for the request, and the Clerk shall include
16 this statement in the Journal.

17 (c) The member so excused shall not debate the bill or any amendment to the
18 bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any
19 motion concerning the bill at that reading, any subsequent reading, or any subsequent
20 consideration of the bill.

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

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

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

30 V. COMMITTEES

31 **RULE 26. Standing Committees and Permanent Subcommittees Generally.** –

32 (a) The Speaker shall appoint a Chair, or Cochairs, of every standing committee
33 and select committee, if any. In the construction of these rules, the word "Chair" as
34 applied to a standing committee extends to and includes a Cochair of the standing
35 committee. The Speaker shall have the exclusive right and authority to establish select
36 committees, but this does not exclude the right of the House by resolution to establish
37 select committees.

38 (b) All permanent subcommittees of each standing committee shall be appointed
39 by the Speaker and the members appointed, along with the Chair of the standing
40 committee, shall constitute the standing committee of which the permanent
41 subcommittee is a part. The Speaker shall appoint all members of permanent
42 subcommittees at the beginning of the first regular session in a manner to reflect the
43 partisan membership of the House.

1 (c) The Speaker shall appoint the members of all standing committees having no
 2 permanent subcommittees, at the beginning of the first regular session in a manner to
 3 reflect the partisan membership of the House.

4 (d) The first member announced on each permanent subcommittee shall be the
 5 Chair. The Speaker may designate one or more Vice-Chairs.

6 (e) Each Chair of a permanent subcommittee shall be a Vice-Chair of the
 7 standing committee of which it is a permanent subcommittee. The Speaker may name
 8 other members as Vice-Chairs of the standing committee. The Speaker may name one
 9 or more Vice-Chairs for any standing committee not having permanent standing
 10 subcommittees.

11 (f) The Chair of the standing committee shall be a voting member of each
 12 permanent subcommittee of the standing committee.

13 (g) Either the Chair or Acting Chair, designated by the Chair or by the
 14 Speaker, and five other members of the standing committee or permanent
 15 subcommittee, or a majority of the standing committee or permanent subcommittee,
 16 whichever is fewer, shall constitute a quorum of that standing committee or permanent
 17 subcommittee.

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

21 **RULE 27. List of Standing Committees and Permanent Subcommittees.**

22 – The standing committees and permanent subcommittees thereof are:

Committee	Subcommittees
24 Agriculture	(None)
25 Appropriations	-Education
26	-General Government
27	-Human Resources
28	-Justice and Public Safety
29	-Natural and Economic Resources
30	-Transportation
31 Business and Labor	-Economic Expansion and Growth
32	-Labor Relations and Employment
33	-Travel and Tourism
34 Children, Youth and	
35 Families	(None)
36 Constitutional Amendments	
37 and Referenda	(None)
38 Courts and Justice	(None)
39 Education	-Community Colleges and Universities
40	-Pre-School, Elementary and Secondary Education
41 Environment	(None)
42 Ethics	(None)
43 Finance	(None)
44 Financial Institutions	(None)

1	Health and Human Services	-Aging
2		-Health Care and Access
3		-Human Services
4	Insurance	(None)
5	Judiciary I	(None)
6	Judiciary II	(None)
7	Judiciary III	(None)
8	Local and Regional	
9	Government I	(None)
10	Local and Regional	
11	Government II	(None)
12	Pensions and Retirement	(None)
13	Public Employees	(None)
14	Public Utilities	(None)
15	Rules, Calendar, and	
16	Operations of the House	(None)
17	State Government	-Boards and Commissions
18		-Military, Veterans and Indian Affairs
19		-State Parks, Facilities and Property
20	Transportation	-Airports, Railways, and Waterways
21		-Highways
22		-Public Transportation.

23 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.** – (a)

24 Standing committees and permanent subcommittees of standing committees
 25 shall be furnished with suitable meeting places pursuant to a schedule adopted by the
 26 Standing Committee on Rules, Appointments and Calendar. Select committees shall be
 27 furnished with suitable meeting places as their needs require by the Chair of the
 28 Standing Committee on Rules, Appointments and Calendar.

29 (b) Subject to the provisions of the subsection (c) of this Rule, standing
 30 committees and permanent subcommittees thereof shall permit other members of the
 31 General Assembly, the press, and the general public to attend all sessions of said
 32 standing committees or permanent subcommittees.

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

39 (d) Procedure in the standing committees and permanent subcommittee shall be
 40 governed by the rules of the House, so far as the same may be applicable to such
 41 procedure. Before a question is put, any member may call for the ayes and noes. If the
 42 call is sustained by one-fifth (1/5) of the members present, the question shall be decided
 43 by the ayes and noes upon a roll call vote. All roll call votes shall be taken
 44 alphabetically and shall be subject to Rule 21(c).

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

4 (f) No standing committee or permanent subcommittee shall meet during any
5 session of the House. Standing committees and permanent subcommittees shall meet at
6 their regularly-scheduled hour. No permanent subcommittee shall meet at the same
7 time that its standing committee is meeting. Standing committees and permanent
8 subcommittees may meet at other times as authorized by the Chair of the Standing
9 Committee on Rules, Appointments, and Calendar in order to assure the availability of
10 the meeting room and that no conflicts will exist with the meetings of other bodies. All
11 standing committee and permanent subcommittee meetings shall adjourn no later than:

12 (1) 15 minutes preceding a regular session of the House, and

13 (2) 10 minutes preceding the hour of the next regularly-scheduled standing
14 committee or permanent subcommittee meeting.

15 (g) Any call or notice of a standing committee or permanent subcommittee
16 meeting between legislative sessions shall be mailed to each member of the standing
17 committee or permanent subcommittee at least five days prior to such meeting. If a
18 member of the body so requests in writing to the Chair of the standing committee or
19 permanent subcommittee, the member shall be notified by certified mail of the
20 meetings.

21 (h) During standing committee and permanent subcommittee meetings the
22 Chair may exercise the right to vote, or may reserve this right until there is a tie, in
23 which event the Chair may vote, but in no instance may the Chair vote twice on the
24 same question.

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

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

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

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

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

43 (3) Issue a letter of reprimand if the violation of the Open Meetings Law
44 was intentional, or if the legislator has previously received a letter of

1 reprimand. The Chair of the Committee on Ethics shall have the
2 public letter of reprimand spread on the pages of the House Journal.

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

4 **RULE 29. Notice of Standing Committee and Permanent Subcommittee**
5 **Meetings and Hearings.** – Public notice of all standing committee and permanent
6 subcommittee meetings shall be given in the House. The Chair of the standing
7 committee or permanent subcommittee shall notify or cause to be notified the sponsor
8 of each bill which is set for hearing or consideration before the standing committee or
9 permanent subcommittee as to the date, time, and place of that meeting.

10 **RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be made in
11 writing to the Chair of the standing committee and, if applicable, the Chair of the
12 permanent subcommittee to which the bill has been referred. The Chair of the standing
13 committee may schedule a public hearing by the standing committee as a whole after
14 the adjournment of a regular daily House session. The Chair of the permanent
15 subcommittee may schedule a public hearing before the permanent subcommittee at its
16 regularly-scheduled hour. Denial of a request made by a House member may be
17 appealed to the Speaker.

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

21 (b) Persons desiring to appear and be heard at a public hearing shall submit
22 their request to the Chair of the standing committee or permanent subcommittee. The
23 standing committee or permanent subcommittee Chair may designate one or more
24 members to arrange the order of appearance of interested parties. A brief, written
25 statement of testimony may be submitted without oral presentation and shall be
26 incorporated in the minutes of the public hearing.

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

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

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

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

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

4 (e) When a bill is submitted to the Standing Committee of the Whole House,
5 it shall be read and debated by sections, leaving the preamble to be last considered. The
6 body of the bill shall not be defaced or interlined, but all amendments, noting the page
7 and line, shall be duly entered by the clerk on a separate paper as the same shall be
8 agreed to by the standing committee, and be so reported to the House. After report, the
9 bill shall again be subject to be debated and amended by sections before a question on
10 its passage be taken.

11 VI. HANDLING OF BILLS

12 **RULE 31. Introduction of Bills and Resolutions.** – (a) All bills and resolutions
13 shall be introduced by submitting same to the Principal Clerk's office on the legislative
14 day prior to the first reading and reference thereof according to the following schedule:
15 by 8:30 p.m. each Monday, by 3:00 p.m. each Tuesday, Wednesday, Thursday, and
16 Friday.

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

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

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

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

34 "House Substitute for" or "House Committee Substitute for _____".

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

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

39 **RULE 31.1. Deadlines on Introduction and Receipt of Bills.** – (a) All bills or
40 resolutions recommended by commissions or standing committees authorized or
41 directed by act or resolution of the General Assembly to report to the 1993 Regular
42 Session of the General Assembly, or to report prior to convening of that session, must
43 be introduced not later than the third Wednesday in February (February 17) of the first
44 year of the biennial session; provided that any such measure submitted to the Bill

1 Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and
2 introduced in the House of Representatives before 3:00 p.m. on the next Wednesday
3 (February 24) shall be treated as if it had been introduced pursuant to this subsection.

4 (a1) All bills prepared to be introduced for departments, agencies, or
5 institutions of the State must be introduced not later than the third Thursday in March
6 (March 18) of the first year of the biennial session; provided that any such measure
7 submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m.
8 on that date and introduced in the House of Representatives before 3:00 p.m. on the next
9 Thursday (March 25) shall be treated as if it had been introduced pursuant to this
10 subsection. Bills introduced under this subsection shall be identified as an Agency Bill
11 after its short title.

12 (a2) All local bills must be introduced not later than the first Thursday in
13 April (April 1) of the first year of the biennial session; provided that any such measure
14 submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m.
15 on that date and introduced in the House of Representatives before 3:00 p.m. on the next
16 Thursday (April 8) shall be treated as if it had been introduced pursuant to this
17 subsection.

18 (b) All public bills not containing appropriations or tax law changes must be
19 introduced not later than the second Thursday in April (April 8) of the first year of the
20 biennial session; provided that any such measure submitted to the Bill Drafting Division
21 of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House
22 of Representatives before 3:00 p.m. on the next Thursday (April 15) shall be treated as
23 if it had been introduced pursuant to this subsection.

24 (c) All public bills containing appropriations or tax law changes must be
25 introduced not later than the first Thursday in May (May 6) of the first year of the
26 biennial session; provided that any such measure submitted to the Bill Drafting Division
27 of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House
28 of Representatives before 3:00 p.m. on the next Thursday (May 13) shall be treated as if
29 it had been introduced pursuant to this subsection.

30 (c1) All resolutions, except those honoring the memory of deceased persons
31 or adjourning the General Assembly must be introduced not later than the second
32 Thursday in May (May 6) of the first year of the biennial session; provided that any
33 such measure submitted to the Bill Drafting Division of the Legislative Services Office
34 by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00
35 p.m. on the next Thursday (May 13) shall be treated as if it had been introduced
36 pursuant to this subsection.

37 (d) In order to be eligible for consideration by the House during the first Regular
38 Session, all Senate bills other than finance or appropriations bills or adjournment
39 resolutions, must be received and read on the floor of the House as a message from the
40 Senate no later than May 13; provided that a message from the Senate received by the
41 next legislative day stating that a bill has passed its third reading and is being engrossed
42 shall comply with the requirements of this subsection and provided that the Senate has a
43 similar rule.

1 (e) This rule does not apply to bills establishing districts for Congress or
2 State or local entities.

3 **RULE 32. Reference to Standing Committee and to Permanent Subcommittees.**

4 – (a) Each bill, joint resolution, or House resolution not introduced on the report of
5 a standing committee shall immediately upon its first reading be referred by the
6 Speaker to such standing committee or permanent subcommittee as the Speaker deems
7 appropriate.

8 (b) The standing committee Chair may refer each bill referred to the standing
9 committee to the permanent subcommittee specifically charged with the subject matter
10 of the bill. A report of that referral shall be made in writing and submitted to the body
11 pursuant to Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to
12 which the bill is referred shall report the bill back to the full standing committee. That
13 subcommittee report shall include one of the following recommendations:

- 14 (1) Favorable, without prejudice, or unfavorable as to the original bill with
15 the recommendation that the report be made to the standing
16 committee;
- 17 (2) Favorable, without prejudice, or unfavorable as to the original bill, as
18 amended, with the recommendation that the report be made to the
19 standing committee;
- 20 (3) Favorable or without prejudice to the proposed committee substitute,
21 and unfavorable to the original bill, with the recommendation that the
22 report be made to the standing committee;
- 23 (4) Favorable as to the original bill with the recommendation that the
24 report be made directly to the floor of the House, if approved by the
25 standing committee Chair;
- 26 (5) Favorable to the original bill, as amended, with the recommendation
27 that the report be made directly to the floor of the House, if approved
28 by the standing committee Chair;
- 29 (6) Favorable to the proposed committee substitute with the
30 recommendation that the report be made directly to the floor of the
31 House, if approved by the standing committee Chair, and unfavorable
32 to the original bill.

33 Any recommendation of favorable or without prejudice may include a
34 recommendation of re-referral to another standing committee. After a bill is reported to
35 a standing committee by a permanent subcommittee of that standing committee, the
36 standing committee Chair may re-refer the bill to another permanent subcommittee of
37 that standing committee.

38 Upon recommendation to the standing committee the bill shall be before that
39 body for further action unless the permanent subcommittee Chair reports the bill
40 directly pursuant to Rule 36.

41 (c) When a committee substitute is adopted by a permanent subcommittee or a
42 standing committee for a bill which was introduced with no substantive provisions and
43 the committee substitute deletes a majority of the provisions of the original bill and adds
44 provisions that are not germane to the original bill, no further action may be taken by

1 any standing committee or permanent subcommittee upon such bill until the second
2 legislative day thereafter.

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

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

13 (b) Numbering of House Bills shall be designated as "H.B. ____." (No. following).
14 A Joint Resolution shall be designated as "H.J.R. ____." (No. following). A House
15 Resolution shall be designated as "H.R. ____." (No. following).

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

21 **RULE 35. Duplicating and Availability of Copies of Bills.** – (a) The
22 Legislative Administrative Officer shall cause such bills as are introduced to be
23 duplicated in such numbers as may be specified by the Speaker. The Legislative
24 Administrative Officer shall cause one copy of each resolution and public bill for each
25 legislator to be delivered to the legislator's clerk or secretary who shall place it in the
26 appropriate notebook on the legislator's desk. If a legislator so requests, a second copy
27 shall be delivered to the legislator's clerk or secretary who shall place it in the
28 legislator's office. The remaining copies shall be placed in the Printed Bills Room and
29 made available to the committees to which the bill is referred, to individual legislators
30 on request, and to the general public.

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

35 **RULE 35.1. Assessment Reports.** – Every bill or resolution proposing the
36 establishment of an occupational or professional licensing plan or a study for the need to
37 establish such a plan shall have attached to the jacket of the original bill or resolution at
38 the time of its consideration on second and third readings by the House or by any
39 standing committee or permanent subcommittee of the House, an assessment report
40 from the Legislative Standing Committee on New Licensing Plans pursuant to Article
41 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute
42 any part of the expression of legislative intent proposed by the formation of a licensing
43 plan. Upon receipt of the request the Legislative Standing Committee on New

1 Licensing Plans shall prepare and return the assessment report as soon as possible but
2 not later than 60 days, reserving the right to extend this time to 90 days.

3 **RULE 36. Report by Standing Committee or Permanent Subcommittee.**

4 – All House bills and resolutions shall be reported from the standing committee or
5 permanent subcommittee to which referred with such recommendations as the standing
6 committee or permanent subcommittee may desire to make except in the case where the
7 principal introducer requests in writing to the Chair of the standing committee or
8 permanent subcommittee that the bill not be considered.

9 With the written approval of the Chair of the standing committee and with the
10 recommendation of the subcommittee pursuant to Rule 32(4) through (6), the Chair of
11 the permanent subcommittee may report the bill directly to the floor with that
12 recommendation. If a permanent subcommittee recommends reporting a bill to the floor
13 and the Chair of the standing committee fails to give approval, the bill shall be deemed
14 to have been reported to the standing committee with the same recommendation as the
15 subcommittee would have made to the House.

16 (a) **Favorable Report.** When a standing committee or permanent subcommittee
17 reports a bill with the recommendation that it be passed, the bill shall be placed on the
18 favorable calendar for the next succeeding legislative day; except that committee
19 substitutes for bills shall be placed on the favorable calendar for the second next
20 succeeding legislative day after being reported. When a committee substitute is adopted
21 and receives a favorable report by the committee or permanent subcommittee, the
22 standing committee or permanent subcommittee Chair shall submit to the standing
23 committee or permanent subcommittee the question of an unfavorable report on the
24 original bill. The standing committee's or permanent subcommittee's action, if any, on
25 the original bill shall be reported at the same time the committee substitute is reported.

26 (b) **Report Without Prejudice.** When a standing committee reports a bill
27 without prejudice, the bill shall be placed on the favorable calendar.

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

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

34 (e) **Minority Report.** When a bill is reported by a standing committee with
35 a recommendation that it be not passed or that it be postponed indefinitely, but it is
36 accompanied by a minority report signed by at least one-fourth (1/4) of the members of
37 the standing committee who were present and voting when the bill was considered in
38 standing committee, the question before the House shall be: "The adoption of the
39 minority report." If the minority report is adopted by majority vote, the bill shall be
40 placed on the favorable calendar for consideration. If the minority report fails of
41 adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

42 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
43 Committee, of the Finance Committee or of the Rules, Appointments, and Calendar
44 Committee, upon the floor of the House may request that a fiscal analysis be made of a

1 bill, resolution or an amendment to a bill or resolution which is in the possession of the
2 House and that a fiscal note be attached to the measure, when in the opinion of that
3 Chair the fiscal effects of that measure are not apparent from the language of the
4 measure.

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

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

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

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

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

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

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

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

43 (b) The sponsor of the bill or resolution shall present a copy of the measure, with
44 a request for an actuarial note, to the Fiscal Research Division which shall prepare the

1 actuarial note as promptly as possible but not later than two weeks after the request is
2 made unless an extension of time is agreed to by the sponsor as being necessary in the
3 preparation of the note. Actuarial notes shall be prepared in the order of receipt of
4 request and shall be transmitted to the sponsor of the measure. The actuarial note of the
5 Fiscal Research Division shall be prepared and signed by an actuary.

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

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

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

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

36 **RULE 36.3. Bills Proposing Increases in Incarceration.** – (a) Every bill and
37 resolution introduced in the General Assembly proposing any change in the law that
38 could cause a net increase in the length of time for which persons are incarcerated or the
39 number of persons incarcerated, whether by increasing penalties for violating existing
40 laws, by criminalizing behavior, or by any other means, shall have attached to it at the
41 time of its consideration by the General Assembly a fiscal note prepared by the Fiscal
42 Research Division. The fiscal note shall be prepared in consultation with the
43 Sentencing Policy and Advisory Commission and shall identify and estimate, for the
44 first five fiscal years the proposed change would be in effect, all costs of the proposed

1 net increase in incarceration, including capital outlay costs if the legislation would
2 require increased cell space. If, after careful investigation, the Fiscal Research Division
3 determines that no dollar estimate is possible, the note shall contain a statement to that
4 effect, setting forth the reasons why no dollar estimate can be given. No comment or
5 opinion shall be included in the fiscal note with regard to the merits of the measure for
6 which the note is prepared. However, technical and mechanical defects may be noted.

7 (b) The sponsor of each bill or resolution to which this subsection applies shall
8 present a copy of the bill or resolution with the request for a fiscal note to the Fiscal
9 Research Division. Upon receipt of the request and the copy of the bill or resolution,
10 the Fiscal Research Division shall prepare the fiscal note as promptly as possible. The
11 Fiscal Research Division shall prepare the fiscal note and transmit it to the sponsor
12 within two weeks after the request is made, unless the sponsor agrees to an extension of
13 time.

14 (c) This fiscal note shall be attached to the original of each proposed bill or
15 resolution that is reported favorably by any committee of the General Assembly, but
16 shall be separate from the bill or resolution and shall be clearly designated as a fiscal
17 note. A fiscal note attached to a bill or resolution pursuant to this subsection is not a
18 part of the bill or resolution and is not an expression of legislative intent proposed by
19 the bill or resolution.

20 (d) If a committee of the General Assembly reports favorably a proposed bill or
21 resolution with an amendment that proposes a change in the law that could cause a net
22 increase in the length of time for which persons are incarcerated or the number of
23 persons incarcerated, whether by increasing penalties for violating existing laws, by
24 criminalizing behavior, or by any other means, the chair of the committee shall obtain
25 from the Fiscal Research Division and attach to the amended bill or resolution a fiscal
26 note as provided in this rule.

27 **RULE 36.4. Local Legislation Affecting State Highway System.** – A local
28 bill affecting the State Highway System shall be referred to the Committee on
29 Transportation.

30 **RULE 37. Removing Bill From Unfavorable Calendar.** – A bill may be
31 removed from the unfavorable calendar upon motion carried by a two-thirds (2/3) vote.
32 A motion to remove a bill from the unfavorable calendar is debatable.

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

- 36 1. carries an appropriation from the State; or
- 37 2. requires or will require in the future substantial additional State monies
38 from the General Fund or Highway Fund to implement its provisions
39 shall indicate same in the report, and said bill or resolution shall be
40 referred to the Standing Committee on Appropriations for a further
41 report before being acted upon by the House.

42 (b) All standing committees, other than the Standing Committee on Finance,
43 when favorably reporting any bill which in any way or manner raises revenue, reduces
44 revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or

1 authorizes the issue of bonds or notes, whether public, public-local, or private, shall
2 indicate same in the report, and said bill shall be referred to the Standing Committee on
3 Finance for a further report before being acted upon by the House.

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

10 **RULE 39. Recall of Bill From Standing Committee.** – When a House bill
11 has been introduced and referred to a standing committee, if after 10 legislative days the
12 standing committee has failed to act thereon, then the introducer of the bill or some
13 member designated by him may, after three legislative days' public notice given in the
14 House and delivered in writing to the Chair of the standing committee, on motion
15 supported by a majority vote of the members present and voting, recall the same from
16 the standing committee to the floor of the House for consideration and such action
17 thereon as a majority of the members present may direct. This rule shall not be
18 temporarily suspended without one day's notice on the motion given in the House and
19 delivered in writing to the Chair of the standing committee, and to sustain that motion
20 two-thirds (2/3) of the members present and voting shall be required.

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

27 **RULE 39.2. Re-Referral of Bills From One Standing Committee to**
28 **Another Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker,
29 the Chair of the standing committee from whom the bill is to be re-referred, and the
30 Chair of the standing committee to whom the bill is to be re-referred, the Chair may
31 move for a re-referral to another standing committee and the bill shall be re-referred
32 upon vote of the majority present during a regular session of the House.

33 **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House
34 shall prepare a daily schedule of business, including the Calendar of Bills and
35 Resolutions for consideration and debate that day, in accordance with the Order of
36 Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the
37 order in which they are introduced. All bills and resolutions shall be taken up as they
38 appear in each category (Rule 5(10)) in the order they were reported by standing
39 committee; but the Standing Committee on Rules, Appointments and Calendar may at
40 any time arrange the order of precedence in which bills may be considered.

41 **RULE 41. Reading of Bills.** – (a) Every bill shall receive three readings in the
42 House prior to its passage. The first reading and reference to standing committee of a
43 House bill shall occur on the next legislative day following its introduction. The first
44 reading and reference to standing committee of a Senate bill shall occur on the next

1 legislative day following its receipt on messages from the Senate. The Speaker shall
2 give notice at each subsequent reading whether it be the second or third reading.

3 (b) No bill shall be read more than once on the same day without the concurrence
4 of two-thirds (2/3) of the members present and voting; provided, no bill governed by
5 Article II, Section 23 of the North Carolina Constitution or described in Rule 20 (a)(2)
6 herein shall be read twice on one day under any circumstance.

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

- 9 1. been tabled,
- 10 2. been postponed indefinitely,
- 11 3. failed to pass on any of its readings, or
- 12 4. been placed on the unfavorable calendar,

13 the contents of that bill or the principal provisions of its subject matter shall not be
14 considered in any other measure originating in the Senate or originating thereafter in the
15 House. Upon the point of order being raised and sustained by the Chair, that measure
16 shall be laid upon the table, and shall not be taken therefrom except by a two-thirds
17 (2/3) vote of the members present and voting.

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

22 **RULE 43. Amendments.** – No amendment to a measure before the House
23 shall be in order unless the amendment is germane to the measure under consideration.
24 A House amendment deleting a previously adopted House amendment shall not be in
25 order.

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

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

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

39 **RULE 43.2. House Concurrence in Senate Amendments to House Bills.** –
40 The House shall not concur in a Senate amendment to a bill originating in the House
41 until the next legislative day after the day on which the House receives the Senate
42 amendment.

43 **RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating in the**
44 **House; Procedure for Treatment of Material Amendments Thereto.**–(a) Whenever

1 the Senate has adopted a committee substitute for a bill originating in the House, and
2 has returned the bill to the House for concurrence in that committee substitute, the
3 House may not concur in that committee substitute until the next legislative day
4 following the day on which the House receives that committee substitute.

5 (b) The Speaker may, and upon motion supported by a majority of the House
6 present and voting shall, refer the bill to an appropriate standing committee for
7 consideration of the committee substitute.

8 (c) The Speaker shall, in placing the bill on the calendar, rule whether the
9 committee substitute is a material amendment under Article II, Section 23, of the State's
10 Constitution which reads:

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

19 If the committee substitute was referred to standing committee, the standing
20 committee shall:

- 21 i. report the bill with the recommendation either that the House
22 concur or that the House do not concur; and
- 23 ii. advise the Speaker as to whether or not that committee
24 substitute is a material amendment under Article II, Section 23,
25 of the State's Constitution.

26 (d) If the committee substitute for a bill is not a material amendment, the
27 question before the House shall be concurrence.

28 (e) If the committee substitute for a bill is a material amendment, the
29 receiving of that bill on messages shall constitute first reading and the question before
30 the House shall be concurrence on second reading. If the motion is passed, the question
31 then shall be concurrence on third reading on the next legislative day.

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

34 **RULE 44. Conference Standing Committees.** – (a) Whenever the House
35 shall decline or refuse to concur in amendments put by the Senate to a bill originating in
36 the House, or shall refuse to concur in a substitute adopted by the Senate for a bill
37 originating in the House or whenever the Senate shall decline or refuse to concur in
38 amendments put by the House to a bill originating in the Senate, or shall refuse to
39 concur in a substitute adopted by the House for a bill originating in the Senate, a
40 conference committee may be appointed by the Speaker upon the Speaker's own motion
41 or shall be appointed upon request by the principal sponsor of the original bill, the Chair
42 of the House standing committee which reported the bill, or by the sponsor of the
43 amendment in which the Senate refused to concur; and the bill under consideration shall
44 thereupon go to and be considered by the joint conferees on the part of the House and

1 Senate. In appointing members to conference committees the Speaker shall appoint no
2 less than a majority of members who generally supported the House position as
3 determined by the Speaker.

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

8 (c) If the conferees fail to agree, new conferees may be appointed. However, if
9 either house refuses to adopt the report of its conferees, no new conferees may be
10 appointed.

11 **RULE 44.1. Transmittal of Bills to Senate.** – Unless ordered by the
12 Speaker or two-thirds (2/3) vote of the members present and voting, no bill shall be sent
13 from the House on the day of its passage, except on the last day of the session.

14 **VII. LEGISLATIVE OFFICERS AND EMPLOYEES**

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

17 (b) The House shall elect one of its members Speaker Pro Tempore who shall
18 perform such duties as the Speaker may assign and shall preside over the House in the
19 absence or incapacity of the Speaker and shall perform all of the duties of the Speaker
20 until such time the Speaker may assume the Chair.

21 (c) The House shall elect a Principal Clerk, who shall continue in office until
22 another is elected. The Speaker shall appoint a Reading Clerk and a Sergeant-at-Arms,
23 who shall serve at the Speaker's pleasure. The Principal Clerk, Reading Clerk, and
24 Sergeant-at-Arms shall have and perform duties and responsibilities, not inconsistent
25 with these Rules, as the Speaker may assign.

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

30 **RULE 47. Speaker's Clerk, Chaplain, and Pages.** – (a) The Speaker may appoint
31 one or more clerks to the Speaker, a Chaplain of the House, and pages to wait upon the
32 sessions of the House.

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

35 (c) No member may have more than 10 persons designated as honorary pages.

36 **RULE 48. Clerks and Secretaries.** – (a) Each standing committee and
37 permanent subcommittee shall have a clerk. The clerk to a standing committee or
38 permanent subcommittee shall serve as secretary to the Chair of the standing committee
39 or permanent subcommittee.

40 (b) Each member shall be assigned a secretary, unless the member has a standing
41 committee or permanent subcommittee clerk to serve as secretary.

42 (c) The selection and retention of clerks and secretaries shall be the sole
43 prerogative of the individual member or members. Such clerks and secretaries shall file
44 initial applications for employment with the Principal Clerk and shall receive

1 compensation as prescribed by the Legislative Services Commission. The employment
2 period of clerks and secretaries shall commence not earlier than the convening date of
3 the General Assembly and shall terminate not later than the final adjournment or recess
4 of the General Assembly unless employment for an extended period is approved by the
5 Speaker. The clerks and secretaries shall adhere to such uniform rules and regulations
6 not inconsistent with these Rules regarding hours and other conditions of employment
7 as the Legislative Services Commission shall fix by appropriate regulations.

8 **RULE 49. Compensation of Clerks and Secretaries.** – No clerk, laborer, or
9 other person employed or appointed under Rules 47, 48, and 49 hereof shall receive
10 during such employment, appointment, or service, any compensation from any
11 department of the State government, and there shall not be voted, paid or awarded any
12 additional pay, bonus or gratuity to any of them, but they shall receive only the pay now
13 provided by law for such duties and services.

14 **VIII. PRIVILEGES OF THE HALL**

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

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

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

32 **RULE 53. Order in Galleries and Lobby.** – In case of any disturbance or
33 disorderly conduct in the galleries or lobby, the Speaker or other presiding officer is
34 empowered to order the same to be cleared.

35 **IX. GENERAL RULES**

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

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

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

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

7 **RULE 58. Rules, Rescission and Alteration.** – (a) These rules shall not be
8 permanently rescinded or altered except by House simple resolution passed by a two-
9 thirds (2/3) vote of the members present and voting. The introducer of the resolution
10 must on the floor of the House give notice of intent to introduce the resolution on the
11 legislative day preceding its introduction.

12 (b) Except as otherwise provided herein, the House upon two-thirds (2/3) vote of
13 the members present and voting may temporarily suspend any rule.

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

19 (b) No member shall permit anyone, other than that member's secretary or clerk,
20 or another member, to have possession of and solicit for bill or resolution cosponsorship,
21 the jacket of a bill or resolution.

22 **RULE 60. Correcting of Typographical Errors.** – The Legislative
23 Administrative Officer may correct typographical errors appearing in House bills or
24 resolutions provided that such corrections are made before ratification and do not
25 conflict with any actions or rules of the Senate and provided further that such correction
26 be approved by the Chair of the Standing Committee on Rules, Appointments and
27 Calendar, the Speaker or other presiding officer.

28 **RULE 61. Assignment of Seats.** – A member who has served in the
29 immediate preceding session may retain the member's seat in the subsequent biennial
30 session. After initial assignment of seats, a member shall continue to occupy the seat to
31 which initially assigned for the entire biennial session. In event of vacancy that
32 member's successor will occupy the seat of the member replaced for the remainder of
33 the biennial session, but such successor shall not be considered as one who has served in
34 the immediate preceding session for the purposes of seat assignment in the subsequent
35 biennial session.

36 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on
37 Rules, Appointments and Calendar shall assign to each member an office space. When
38 available, Chairs of standing committees and permanent subcommittees shall be
39 assigned an office adjacent to the room in which the standing committee or permanent
40 subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an
41 office of his or her choice.

42 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The
43 Principal Clerk of the previous House of Representatives shall convene the House of
44 Representatives at 12:00 noon on the date established by law for the convening of each

1 regular session, and preside over the body until the members elect a Speaker. In the
2 case of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the
3 sergeant-at-arms of the prior House, and in the case of a vacancy in that office, or
4 inability or refusal to so serve, the duty shall devolve upon the reading clerk of the prior
5 House.

6 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
7 Appointments and the Calendar of the prior House to assign seats to the members of the
8 House of Representatives in its Chamber. In the case of a death of the Chair of the
9 Standing Committee on Rules, Appointments and the Calendar, or that Chair's inability
10 or refusal to serve, the Speaker of the prior House of Representatives shall appoint a
11 person to assign seats to members of the House of Representatives in its Chamber.

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

15 Sec. 2. This resolution is effective upon adoption.