

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 9

Judiciary II Committee Substitute Adopted 2/23/99

Third Edition Engrossed 2/24/99

Short Title: Session Length Limits.

(Public)

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Sponsors:

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Referred to:

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January 28, 1999

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO  
PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE SENATE.

The General Assembly of North Carolina enacts:

Section 1. Section 11(1) of Article II of the Constitution of North Carolina reads as rewritten:

"(1) **Regular sessions.** The General Assembly shall meet in regular session in 1973 and every two years thereafter on the day prescribed by law. Beginning with the regular session in 2001, during an odd-numbered year the General Assembly shall remain in session for no more than 135 calendar days, except that this period may be extended by joint resolution once per regular session for not more than 10 days. The month of December following the beginning of the term is also included in the calculation. If the General Assembly upon convening of the regular session meets for not more than two consecutive calendar days and then adjourns for not less than 30 days, that period of adjournment shall be excluded from the 135 days. If the regular session meets in even-numbered years, the General Assembly shall remain in session for no more than 60 calendar days, except that this period may be extended by joint resolution once per regular session for not more than 10 days, but the month in December following the election is excluded from the calculation. Any reconvened session called under Section 5 of Article III of this Constitution shall be excluded from the calculations of this

section. Neither house shall proceed upon public business unless a majority of all of its members are actually present. No valid action, other than a resolution of adjournment, may be taken by the General Assembly after the time limits prescribed in this section have expired."

Section 2. Section 9 of Article II of the Constitution of North Carolina reads as rewritten:

**"Sec. 9. Term of office.**

The term of office of Senators and Representatives shall commence on the first ~~day of January~~ Wednesday in December next after their election."

Section 3. Section 2 of Article II of the Constitution of North Carolina reads as rewritten:

**"Sec. 2. Number of Senators.**

The Senate shall be composed of 50 Senators, ~~biennially~~ quadrennially chosen by ballot."

Section 4. Section 8 of Article II of the Constitution of North Carolina reads as rewritten:

**"Sec. 8. Elections.**

The election for members of the ~~General Assembly~~ House of Representatives shall be held for the respective districts in 1972 and every two years thereafter, at the places and on the day prescribed by law. The election for members of the Senate shall be held for the respective districts in 2002 and every four years thereafter, at the places and on the day prescribed by law."

Section 5. Section 14(1) of Article II of the Constitution of North Carolina reads as rewritten:

" (1) **President Pro Tempore - ~~succession to acting~~ presidency.** The Senate shall elect from its membership a President Pro Tempore, who shall become Acting President of the Senate upon the failure of the Lieutenant Governor-elect to qualify, or upon succession by the Lieutenant Governor to the office of Governor, or upon the death, resignation, or removal from office of the President of the Senate, and who shall serve as Acting President of the Senate until the expiration of his term of office as Senator. until:

(a) That person ceases to be President Pro Tempore; or

(b) The qualification of a new Lieutenant Governor

whichever comes first."

Section 6(a). The amendments set out in Sections 1 and 2 of this act shall be submitted to the qualified voters of the State at the general election in November 2000, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

" [ ] FOR [ ] AGAINST

Constitutional amendments limiting the length of the legislative session."

Section 6(b). The amendments set out in Sections 3 through 5 of this act shall be submitted to the qualified voters of the State at the general election in November

2000, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

"  FOR  AGAINST

Constitutional amendments making the term of members of the Senate four years, beginning with members elected in 2002."

Section 7(a). If a majority of votes cast on the question are in favor of the amendments set out in Sections 1 and 2 of this act, the State Board of Elections shall certify the amendments to the Secretary of State. Section 2 applies beginning with members of the General Assembly elected in the 2000 general election.

Section 7(b). If a majority of votes cast on the question are in favor of the amendments set out in Sections 3 through 5 of this act, the State Board of Elections shall certify the amendments to the Secretary of State. The constitutional amendments shall apply to members of the Senate elected in the 2002 general election so that they shall serve four-year terms.

Section 7(c). The Secretary of State shall enroll the amendments so certified among the permanent records of that office.

Section 8. This act is effective when it becomes law.