

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE RESOLUTION 1

Sponsors: Senator Rand.

Referred to:

January 25, 1995

1 A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE
2 SENATE FOR THE REGULAR SESSIONS OF THE 1995 GENERAL ASSEMBLY
3 OF NORTH CAROLINA.

4 Be it resolved by the Senate:

5 Section 1. The permanent rules for the Regular Sessions of the Senate shall be
6 as follows:

7 **"PERMANENT RULES OF**
8 **THE REGULAR SESSIONS OF THE SENATE**
9 **1995 GENERAL ASSEMBLY OF NORTH CAROLINA**

- 10 I. Order of Business, Rules 1-7
11 II. Conduct of Debate, Rules 8-17
12 III. Motions, Rules 18-24
13 IV. Voting, Rules 25-30
14 V. Committees, Rules 31-37
15 VI. Handling Bills, Rules 38-59.1
16 VII. Legislative Officers and Employees, Rules 60-65
17 VIII. General Rules, Rules 66-77.

18 **I. ORDER OF BUSINESS**

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

22 **RULE 2. Convening hour.**—The Presiding Officer shall take the Chair at the
23 hour fixed by the Senate upon adjournment on the preceding legislative day, and shall

1 call the members to order. In case the Senate adjourned on the preceding legislative day
2 without having fixed the hour of reconvening, the Senate shall reconvene on the next
3 legislative day at 1:30 p.m., except that if the next legislative day is Monday, time for
4 convening shall be 8:00 p.m.

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

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

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

18 (b) When a lesser number than a quorum convenes, the Senators present may send
19 the Sergeant-at-Arms or any person, for any or all absent Senators, as a majority of the
20 Senators present determines.

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

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

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

1 (iii) Second reading **viva voce**

2 (iv) Third reading **viva voce**

3 **II. CONDUCT OF DEBATE**

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

8 **RULE 9. Substitution for Presiding Officer.**—The Presiding Officer, while in
9 the Senate chamber, shall have the right to call on any member of the Senate to perform
10 the duties of the Chair.

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

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

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

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

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

38 (b) A Senator who has the floor may yield the floor to another Senator only for the
39 purpose of allowing another Senator to state a question. Only the Presiding Officer may
40 award the floor to any Senator.

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

- 43 1. A request that the member speaking yield for a question,

1 2. A point of order, or

2 3. A parliamentary inquiry.

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

4 RULE 13. (Reserved for future use).

5 RULE 14. **Limitations on individual debate.**—(a) No Senator shall speak on the
6 same reading more than twice on the main question, nor longer than thirty minutes for the
7 first speech and fifteen minutes for the second speech. No Senator shall speak on the
8 same reading more than once on any motion or appeal, and then no longer than ten
9 minutes.

10 (b) By permission of the Presiding Officer any member of the Senate may address
11 the Senate from the well of the Senate.

12 RULE 15. **Questions of personal privilege.**—Upon recognition by the
13 Presiding Officer for that purpose, any Senator may speak to a question of personal
14 privilege for a time not exceeding three minutes. Personal privilege may not be used to
15 explain a vote, debate a bill, or in any way disrupt the regular business of the Senate.
16 Personal privilege shall not be used to solicit support or sponsors for any bill. The
17 Presiding Officer shall determine if the question raised is one of privilege and shall,
18 without the point of order being raised, enforce this rule.

19 RULE 16. (Reserved for future use).

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

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

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

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

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

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

38 (g) Food or beverage shall not be permitted in the Senate Chamber, either on the
39 floor or in the galleries; however, after the Senate has remained in session for a period of
40 one hour, food and beverage shall be allowed upon the floor of the Senate.

41 (h) Reading of newspapers, magazines, periodicals or books shall not be
42 acceptable while the Senate is in session. This rule does not prohibit the use of
43 quotations during debate or for personal privilege.

III. MOTIONS

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

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

- (1) To adjourn.
- (2) To lay on the table.
- (3) For the previous question.
- (4) To postpone indefinitely.
- (5) To postpone to a certain day.
- (6) To commit to a standing committee.
- (7) To commit to a select committee.
- (8) To amend.

RULE 20. **Motions requiring a second.**—The motions to adjourn, to lay on the table, and to call for the previous question, shall be seconded and decided without debate.

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

RULE 22. **Motion to substitute.**—Subject to Rule 19, a member may offer a motion to substitute to any motion, except the motions for the previous question, to table, or to adjourn. No motion to substitute shall be offered to a motion to substitute.

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

RULE 24. **Motion to reconsider.**—(a) When a question has been once put and decided, any Senator who voted in the majority may move to reconsider the vote thereof. No motion for the reconsideration of any vote shall be in order after the bill, resolution, or other matter upon which the vote was taken has gone out of the possession of the

1 Senate. No motion for reconsideration shall be in order unless made on the same day or
2 in the next following legislative day on which the vote took place. When the next
3 legislative day has by motion of the Senate been restricted as to matters which may be
4 considered, a motion to reconsider shall be in order on the next succeeding day upon
5 which regular business is conducted. No question shall be reconsidered more than once.

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

10 IV. VOTING

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

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

20 (b) Votes on the following questions shall be taken on the electronic voting
21 system, and the resulting totals shall be recorded on the Journal:

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

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

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

37 (e) When the electronic voting system is used, the Presiding Officer shall state the
38 question and shall then state substantially the following: 'All in favor vote "aye"; all
39 opposed vote "no"; _____ seconds will be allowed for voting on this question; the Clerk
40 will record the vote.' After the machine locks and records the vote, the Presiding Officer
41 shall announce the vote and declare the result.

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

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

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

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

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

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

1 Officer shall announce, 'An insufficient number up' and a vote by electronic voting or by
2 voice, whichever is appropriate under the Rules of the Senate, shall be taken.

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

12 (b) This rule does not apply to committee or subcommittee proceedings.

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

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

19 (b) A Senator who is a member of a committee shall, upon request, be excused
20 from deliberations and voting on the bill while it is before the committee. The Senator
21 must make the request to the chair of the committee when the bill is first taken up for
22 consideration and before any motion or vote on the bill or any amendment to the bill.
23 The Senator making the request for excuse in Committee must renew his request for
24 excuse on the floor of the Senate as set forth in this rule.

25 (c) Any Senator may move to be excused at any time, from voting on any matter.
26 The Senator may make a brief statement of the reasons for the motion which question
27 shall be taken without debate on the motion.

28 (d) The Senator may send forward to the Principal Clerk, on a form provided by
29 the Clerk, a concise statement of the reason for the motion, and the Clerk shall include
30 this statement in the Journal.

31 (e) The Senator so excused shall not debate the bill or any amendment to the bill,
32 vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any
33 motion concerning the bill at that reading, any subsequent reading, or any subsequent
34 consideration of the bill.

35 (f) A Senator may move that his excuse from deliberations on a particular bill be
36 withdrawn, which question shall be determined without debate.

37 (g) A motion to be excused or for the withdrawal of an excuse shall be taken
38 without debate.

39 **RULE 30. Explanation of vote.**—Any Senator may explain his vote on any
40 bill by obtaining permission of the Presiding Officer after the final vote is taken. No
41 more than three minutes shall be consumed in such explanation.

V. COMMITTEES

1 **RULE 31. Appointment of committees.**—(a) The President Pro Tempore of the
2 Senate shall have the exclusive right and authority to appoint the majority party's
3 membership of all committees, regular and select, and to appoint committee chairmen
4 and vice-chairmen and to establish select committees, but this does not exclude the right
5 of the Senate by resolution to establish select committees. The minority leader shall have
6 the exclusive right and authority to appoint all minority party's members of said
7 committees and appoint the ranking minority member. Upon the recommendation of the
8 committee on Rules and Operation of the Senate, the Senate may authorize by majority
9 vote of the Senators present and voting a change in the number of standing committees.

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

12 **RULE 32. List of standing/select committees.**—The standing committees
13 shall be:

14 Agriculture/Environment/Natural Resources

15 Appropriations

16 Appropriations on Department of Transportation

17 Appropriations on Education/Higher Education

18 Appropriations on General Government

19 Appropriations on Human Resources

20 Appropriations on Justice and Public Safety

21 Appropriations on Natural and Economic Resources

22 Base Budget

23 Children & Human Resources

24 Commerce

25 Education/Higher Education

26 Finance

27 Judiciary I/Constitution

28 Judiciary II/Election Laws

29 Local Government & Regional Affairs

30 Pensions & Retirement/Insurance/State Personnel

31 Rules and Operation of the Senate

32 Transportation

33 Ways & Means.

34 **RULE 33. Notice of committee meetings.**—(a) Public notice of all committee
35 meetings shall be given in the Senate. The required notice may be waived as to any
36 meeting by the attendance at that meeting of all of the members of the committee, or by
37 personal waiver.

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

41 (c) The published calendar shall reflect those committee notices received in the
42 Office of the Principal Clerk prior to 3:30 p.m. or as announced in the daily session.

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

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

12 Monday until 8:30 o'clock p.m.;

13 Tuesday, Wednesday, and Thursday until

14 3:00 o'clock p.m.;

15 Friday until 2:00 o'clock p.m.

16 All bills shall be numbered by the Office of the Principal Clerk when filed and shall be
17 considered introduced when presented to the Senate on the next following legislative day
18 for the first reading.

19 (b) All memorializing, celebration, commendation, and commemoration
20 resolutions, except those which solely honor the memory of deceased persons or a North
21 Carolina institution, or both, shall be excluded from introduction and consideration in the
22 Senate.

23 RULE 40.1. **Deadlines on filing for introduction of bills and resolutions.**

24 (a) All local bills and resolutions must be filed for introduction not later than Wednesday,
25 April 5, 1995; provided that any such measure submitted to the Bill Drafting Division of
26 the Legislative Services Office by 3:00 p.m. on that day and filed for introduction in the
27 Senate before 3:00 p.m. on Wednesday, April 12, 1995, shall be treated as if it had been
28 filed for introduction under this rule.

29 (b) All public bills and resolutions, except those honoring the memory of deceased
30 persons or adjourning the General Assembly, must be filed for introduction not later than
31 Wednesday, April 26, 1995; provided that any such measure submitted to the Bill
32 Drafting Division of the Legislative Services Office by 3:00 p.m. on that day and filed for
33 introduction in the Senate before 3:00 p.m. on Wednesday, May 3, 1995, shall be treated
34 as if it had been filed for introduction under this rule.

35 (c) A two-thirds vote of the membership of the Senate present and voting shall be
36 required to file for introduction any bill or resolution after the dates established by this
37 rule.

38 (d) This rule shall not apply to any appropriations or finance bills filed in
39 reconvened session following the adjournment of the first year of the biennial session.

40 RULE 41. **Crossover bill deadline.**—In order to be eligible for consideration
41 by the Senate during the 1995 or 1996 Regular Sessions of the 1995 General Assembly,
42 all House Bills other than those required to be referred to the Committee on Finance by
43 Rule 42, appropriations bills or adjournment resolutions must be received and read on the

1 floor of the Senate as a message from the House no later than May 11, 1995; provided
2 that a message from the House received by the next legislative day stating that a bill has
3 passed its third reading and is being engrossed shall comply with the requirements of this
4 rule and provided that the House accepts Senate bills ordered engrossed on the next
5 legislative day.

6 **RULE 41.1.** Relationship between Ways and Means Committee and other
7 committees dealing with money matters; relationship between these other committees
8 dealing with money matters.—In those instances specified herein, the Committee on Ways
9 and Means shall have responsibility for final consideration of bills dealing with money
10 matters before the bills are considered on the floor of the Senate. Upon the agreement of
11 a chairman of any two of the following committees: Appropriations, Finance, and Ways
12 and Means, any bill which is reported favorably from the Committee on Appropriations,
13 or the Committee on Finance shall be re-referred by the Presiding Officer to the
14 Committee on Ways and Means for consideration. Bills referred to the Committee on
15 Appropriations pursuant to Rule 43 may be referred by the Chairman of the Committee
16 on Appropriations to the Appropriations Committee on the Department of Transportation,
17 the Appropriations Committee on Education, the Appropriations Committee on General
18 Government, the Appropriations Committee on Human Resources, the Appropriations
19 Committee on Justice and Public Safety, or the Appropriations Committee on Natural and
20 Economic Resources for a report back to the Committee on Appropriations.

21 **RULE 42. Reference of appropriation and finance bills.**—(a) All bills introduced
22 in the Senate providing for appropriations from the State, or any subdivision thereof
23 shall, before being considered by the Senate, be referred to the Committee on
24 Appropriations, and bills referred to other committees carrying any such provisions shall
25 be reported to the Senate as being bills to be referred to the Appropriations Committee
26 before proper action may be taken by the Senate.

27 (b) All bills introduced in the Senate providing for bond issues, imposing or
28 raising fees or other revenues payable to the State, its agencies, its licensing boards, or
29 any of its subdivisions, levying taxes, or in any manner affecting the taxing power of the
30 State or any subdivision thereof, shall, before being considered by the Senate, be referred
31 to the Committee on Finance, and bills referred to other committees carrying any such
32 provisions shall be reported to the Senate as being bills to be referred to the Finance
33 Committee before proper action may be taken by the Senate.

34 (c) This rule shall not apply to bills imposing civil penalties, criminal fines,
35 forfeitures, or penalties for infractions.

36 **RULE 42.1. Fiscal notes.**—(a) A chairman of the Appropriations Committee, or of the
37 Finance Committee, or of the Rules and Operations of The Senate Committee, or of the
38 Ways and Means Committee, upon the floor of the Senate, may request that a fiscal
39 analysis be made of a bill, resolution, or an amendment to a bill or resolution which is in
40 the possession of the Senate and that a fiscal note be attached to the measure, when in the
41 opinion of that chairman the fiscal effects of that measure are not apparent from the
42 language of the measure. No bill for which a fiscal note has been requested may be
43 considered for passage prior to the fiscal note being attached to the bill.

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

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

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

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

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

24 **RULE 42.2. Actuarial notes.**—(a) Every bill or resolution proposing any change in
25 the law relative to any

26 1. State, municipal or other retirement system funded in whole or in part
27 out of public funds; or
28 2. Program of hospital, medical, disability or related benefits provided for
29 teachers and State employees, funded in whole or in part by State funds,
30 shall have attached to it at the time of its consideration by any committee a brief
31 explanatory statement or note which shall include a reliable estimate of the financial and
32 actuarial effect of the proposed change to that retirement or pension system. The
33 actuarial note shall be attached to the jacket of each proposed bill or resolution which is
34 reported favorably by any committee, shall be separate therefrom, and shall be clearly
35 designated as an actuarial note. Upon its introduction, a bill described in subsection
36 (a)(1) of this rule shall be referred to the Committee on Pensions and Retirement.

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

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

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

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

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

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

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

39 **RULE 42.3A. Proposed increases in incarceration.**—(a) Every bill and resolution
40 proposing any change in the law that could cause a net increase in the length of time for
41 which persons are incarcerated or the number of persons incarcerated, whether by
42 increasing penalties for violating existing laws, by criminalizing behavior, or by any
43 other means, shall have attached to it at the time of its consideration by the Senate a fiscal

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

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

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

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

27 **RULE 42.3B. Local legislation affecting the State Highway System.**—A
28 local bill affecting the State Highway System shall be referred to the Committee on
29 Transportation.

30 **RULE 42.4. Content of appropriations bills.**—(a) No provision changing existing
31 law shall be contained in any of the following bills: (1) the Current Operations
32 Appropriations Bill; (2) the Capital Improvement Appropriations Bill; (3) any bill
33 generally revising appropriations for the second fiscal year of a biennium.

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

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

- 39 (1) Alters expenditures or salaries;
- 40 (2) Changes the scope or character of a program which must be reduced,
41 increased, or changed because of an increase or decrease of funds
42 appropriated for the program or because of changes in federal law or
43 regulation; or

1 (3) Modifies any function of State government which necessitates a transfer
2 of funds from one department to another;
3 provided, that for a provision to be in order under this subsection, it must be
4 recommended to the General Assembly in a written report adopted by the Appropriations
5 Committee before or at the same time the bill is reported, or if such provision is
6 contained in a floor amendment, the sponsor of the amendment must present to the
7 Principal Clerk at or before the time the amendment is offered an explanation of the
8 amendment for distribution to each member of the Senate.

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

15 **RULE 43. First reading; reference to committee.**—All bills filed for
16 introduction and all House bills received in the office of the Principal Clerk not later than
17 one and one-half hours preceding the convening of the Senate, upon presentation to the
18 Senate, shall be read in regular order of business by their number and title which shall
19 constitute the first reading of the bill. The Chairman of the Committee on Rules and
20 Operations of the Senate or, in his absence, the Vice-Chairman of the Committee shall
21 refer to a Senate committee all bills introduced in the Senate or received from the House
22 of Representatives. Upon the referral being made, the Chairman of the Committee on
23 Rules and Operations of the Senate shall notify the Principal Clerk of the Senate of the
24 referral, and the Reading Clerk shall announce the referral of the bill. The Principal
25 Clerk shall inform the Presiding Officer of the referral. The title and referral shall be
26 entered upon the Journal.

27 Bills may be referred to more than one committee serially, i.e. 'S.B. _____ is
28 referred to the Committee on Finance and upon a favorable report referred to the
29 Appropriations Committee.'

30 **RULE 44. Bills to receive three readings.**—Every bill shall receive three
31 readings before being passed, and the Presiding Officer shall give notice at each reading
32 whether it be the first, second, or third. The Reading Clerk shall announce the referral as
33 set forth in Rule 43. No bill shall be amended upon the floor of the Senate until it has
34 been twice read. Senate simple resolutions shall not require three readings.

35 **RULE 45. Reports of committees.**—Every Senator presenting a report of a
36 committee shall endorse the report with the name of the committee and, in case of a
37 minority report, with the names of the members making the report. The report of the
38 committee shall show that a quorum of the committee was present and a majority of those
39 present voted in favor of the report. Every report of the committee upon a bill or
40 resolution shall stand upon the general orders with the bill or resolution. No committee
41 shall report a bill or resolution without prejudice.

42 **RULE 45.1. Action on amendment before re-referral.**—If any committee
43 recommends adoption of an amendment or committee substitute of a bill which, under the

1 rules of the Senate is sequentially referred to another committee, the amendment or
2 committee substitute shall be considered and, if adopted, the amendment or substitute
3 engrossed before the bill is re-referred.

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

8 (b) When a bill is reported by a committee with an unfavorable report, but
9 accompanied by a minority report, signed by at least three members of the committee
10 who were present and who voted on the bill when the bill was considered in committee,
11 then the minority report shall be placed on the calendar and considered the following day,
12 and the question before the Senate shall be 'The adoption of the Minority Report.' If the
13 minority report is adopted by a majority vote of the membership of the Senate, the bill
14 shall be placed upon the calendar; if the minority report is not adopted, the bill shall lie
15 upon the table.

16 **RULE 47. Recall of bill from committee.**—(a) When a bill has been introduced
17 and referred to a committee, if after 10 days the committee has failed to report thereon,
18 then the introducer of the bill may, after three days' public notice given in the Senate and
19 delivered in writing to the chairman of the committee, on motion supported by a vote of
20 two-thirds of the membership of the Senate present and voting, recall the bill from the
21 committee to the floor of the Senate for consideration and such action thereon as a
22 majority of the Senators present may direct. This rule shall not be temporarily suspended
23 except upon one day's notice on the motion given in the Senate and delivered in writing
24 to the chairman of the committee and to sustain that motion three-fifths of the
25 membership of the Senate shall be required.

26 (b) Notwithstanding anything to the contrary, the chairman of a committee to
27 which a bill or other matter is assigned may, with the consent of two-thirds of the
28 membership of the Senate present and voting, recall the measure to be referred to another
29 committee or the floor.

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

37 **RULE 49. (Reserved)**

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

42 **RULE 51. Special orders.**—Any bill or other matter in consideration before
43 the Senate may be made a special order for a subsequent day or hour by a vote of the

1 majority of the Senators voting, and if action on the bill is not completed on that day, it
2 shall be returned to its place on the calendar, unless it is made a special order for another
3 day; and when a special order is under consideration it shall take precedence over any
4 special order or subsequent order for the day, but such subsequent order may be taken up
5 immediately after the previous special order has been disposed of.

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

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

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

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

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

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

34 **RULE 56. Corrections of typographical errors in bills.**—The Enrolling Clerk
35 is authorized to make corrections of typographical errors in the text of bills at any time
36 prior to ratification. Before the correction is made, the Enrolling Clerk shall have the
37 approval of the Chairman of the Committee on Rules and Operation of the Senate or, in
38 his absence, the Vice-Chairman of said Committee.

39 **RULE 56.1. Amendments and committee substitutes adopted by the House to**
40 **bills originating in the Senate.**—(a) Whenever the House has adopted an
41 amendment or a committee substitute for a bill originating in the Senate, and has returned
42 the bill to the Senate for concurrence in that amendment or committee substitute, the

1 Senate may not concur in that amendment or committee substitute until the next
2 legislative day following the day on which the Senate receives that measure.

3 (b) The Chairman of the Rules and Operation Committee of the Senate may, or
4 upon motion supported by a majority of the Senate present and voting, shall refer the bill
5 to an appropriate committee for consideration of the amendment or committee substitute.

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

9 i. Report the bill with the recommendation either that the Senate concur or
10 that the Senate do not concur; and

11 ii. Advise the Presiding Officer as to whether or not the amendment or
12 committee substitute is a material amendment under Article II, Section
13 23, of the State's Constitution.

14 (d) If the amendment or committee substitute for a bill is not a material
15 amendment, the question before the Senate shall be concurrence. In the event there is
16 more than one House Amendment, the question shall be concurrence in all the House
17 amendments and the question may not be divided, notwithstanding Rule 28. The
18 question which shall be put before the Senate by the Presiding Officer shall be: 'Does
19 the Senate concur in the House amendments (Committee Substitute) to S.B. ?'.

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

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

26 **RULE 57. Conference committee.**—Whenever the Senate fails to concur in
27 amendments or committee substitutes put by the House to a bill originating in the Senate,
28 or whenever the House of Representatives fails to concur in amendments or committee
29 substitutes put by the Senate to a bill originating in the House, a conference committee
30 shall be appointed by the President Pro Tempore of the Senate or in his absence the
31 Deputy President Pro Tempore, upon motion, and the bill under consideration shall
32 thereupon go to and be considered by the joint conferees on the part of the Senate and
33 House of Representatives. Senate conferees shall not be less than three nor more than
34 twelve and shall include the primary sponsor and the chairman of each committee which
35 considered the bill. In considering matters in difference between the Senate and House
36 committed to the conferees, only such matters as are in difference between the two
37 houses shall be considered by the conferees, and the conference report shall deal only
38 with such matters. In conference committee, the Senate's position shall be determined by
39 a majority of the Senate conferees. The conference report shall not be amended.

40 **RULE 57.1. Germaneness of amendment.**—All amendments and
41 committee substitutes shall be germane to the original subject matter of the bill. The
42 question of germaneness is in order at any time the measure is before the body prior to
43 final action on the measure.

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

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

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

11 **VII. LEGISLATIVE OFFICERS AND EMPLOYEES**

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

15 (b) Members may designate honorary pages by a statement delivered to the
16 Principal Clerk who will have a certificate issued therefor.

17 **RULE 61. Sergeants-at-Arms.**—(a) There shall be 15 positions of Assistant
18 Sergeants-at-Arms to be appointed, upon the recommendation of the President Pro
19 Tempore, by the Sergeant-at-Arms who are to work under his or her supervision and to
20 be assigned such duties and powers as he or she shall direct.

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

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

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

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

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

36 (c) The selection of said clerk and/or secretary shall be the prerogative of the
37 individual member. Such clerks and secretaries shall file initial applications for
38 employment with the Supervisor of Clerks and shall receive compensation as prescribed
39 by the Legislative Services Commission. The employment period of clerks and
40 secretaries shall comply with the period as established by the Legislative Services
41 Commission unless employment for an extended period is approved by the President Pro
42 Tempore. The clerks and secretaries shall adhere to such uniform regulations and other

1 conditions of employment (including retention) under the direction of the Supervisor of
2 Clerks as the Committee on Rules and Operation of the Senate shall adopt.

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

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

9 **RULE 65. Deputy President Pro Tempore.**—The Senate shall elect a Deputy
10 President Pro Tempore. The Deputy President Pro Tempore shall become the President
11 Pro Tempore upon the death, resignation or removal from office of the President Pro
12 Tempore.

13 **VIII. GENERAL RULES**

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

17 **RULE 67. Admission to the floor of the Senate.**—No person except members
18 of the Senate, members of the House of Representatives, staff of the General Assembly;
19 staff of the Lieutenant Governor; Judges of the Supreme Court, Court of Appeals, and
20 Superior Courts; the Governor and members of the Council of State; former members of
21 the General Assembly; and persons particularly invited and extended the privileges of the
22 floor by the Presiding Officer shall be admitted to the floor of the Senate during its
23 session. Notwithstanding any other provision of these rules, no registered lobbyist shall
24 be admitted to the floor of the Senate or Senate Chamber while the Senate is in session.
25 When the Senate is not in daily session, the President Pro Tempore shall determine the
26 privileges of the floor.

27 **RULE 67A. Restricted admission to the floor of the Senate prior to the**
28 **daily session.**—No person, except members of the Senate; members of the House of
29 Representatives; staff of the General Assembly; the staff of the Lieutenant Governor;
30 Judges of the Supreme Court, Court of Appeals, and Superior Courts; the Governor and
31 members of the Council of State; former members of the General Assembly; and persons
32 particularly invited and extended the privileges of the floor by a member of the Senate or
33 the Presiding Officer, shall be admitted to or remain on the floor of the Senate within 15
34 minutes prior to the Senate's scheduled daily session. Notwithstanding any other
35 provision of this rule, no registered lobbyist shall be admitted to or remain on the floor of
36 the Senate within 15 minutes prior to the Senate's scheduled daily session.

37 **RULE 67.1. Recognition for extending courtesies.**—(a) Courtesies of the
38 floor and galleries shall be extended only by the Presiding Officer on his own motion or
39 upon the written request of a member of the Senate to former members of the General
40 Assembly or to distinguished visitors.

41 (b) The Presiding Officer, upon written request at intervals between various orders
42 of business, may extend courtesies to schools or other special large groups visiting in the
43 galleries while they are present, and the Presiding Officer shall, at such times as he deems

1 appropriate, express to those visitors in the galleries the pleasure of the Senate for their
2 presence.

3 **RULE 68. Privileges of the floor.**—Any group or individual other than
4 members of the Senate who desires to make remarks upon the floor of the Senate will
5 first obtain approval of the President Pro Tempore or, in his absence, the Deputy
6 President Pro Tempore of the Senate.

7 **RULE 69. News media.**—The President is authorized to assign area and
8 equipment on the floor of the Senate for the use of the representatives of news media; and
9 the President shall provide regulations for the operation of the representatives of the news
10 media on the floor of the Senate.

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

14 **RULE 71. Placing material on Senators' desks.**—Any person other than a
15 member of the Senate desiring to place articles of any kind on or about desks in the
16 Senate Chamber or in the offices of the members of the Senate shall make written
17 application to, and obtain written approval from the Principal Clerk.

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

26 (b) Not later than two weeks after the initial committee assignments become final,
27 the President Pro Tempore of the Senate is authorized to make assignments of committee
28 rooms and offices to designated committees, chairmen, and members of the Senate. In
29 making such assignments of individual offices, the President Pro Tempore may give
30 preferential consideration to the respective members according to the length of service
31 which each member has rendered in the Senate.

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

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

42 **RULE 75. Public hearings, filing of written statements.**—Persons desiring to
43 appear and be heard at a public hearing are encouraged to file with the chairman of the

1 committee a brief or a written statement of the remarks to be made at least 24 hours
2 before the time of the hearing.

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

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

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

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