

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

2

HOUSE RESOLUTION 280
Committee Substitute Favorable 4/29/03

Sponsors:

Referred to:

March 6, 2003

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE
2 HOUSE OF REPRESENTATIVES FOR THE 2003 REGULAR SESSIONS.

3 Be it resolved by the House of Representatives:

4 **SECTION 1.** The permanent rules of the Regular Sessions of the House of
5 Representatives of the 2003 General Assembly are:

6 **PERMANENT RULES OF THE REGULAR SESSIONS OF THE HOUSE OF**
7 **REPRESENTATIVES OF THE 2003 GENERAL ASSEMBLY OF NORTH**
8 **CAROLINA**

9 I. Order of Business, 1-5

10 II. Conduct of Debate, 6-12

11 III. Motions, 13-19

12 IV. Voting, 20-25

13 V. Committees, 26-30

14 VI. Handling of Bills, 31-44.1

15 VII. Legislative Officers and Employees, 45-49

16 VIII. Privileges of the Hall, 50-53

17 IX. General Rules, 54-62

18 **I. Order of Business**

19 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday Legislative**
20 **Sessions.** – The House shall convene each legislative day at the hour fixed by the
21 House. In the event the House adjourns on the preceding legislative day without having
22 fixed an hour for reconvening, the House shall convene on the next legislative day at
23 2:00 P.M. During January and February of 2003, no sessions may be held on Friday. No
24 session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on any other
25 days, and the Speaker shall adjourn the House without motion at that point, except that a
26 motion may be made as to the time and day of next convening. No session shall be held
27 on Sunday.

28 **RULE 2. Opening the Session.** – At the convening hour on each legislative day, the
29 Speaker shall call the members to order and shall have the session opened with prayer.
30 At the convening hour on the first day of each legislative week, the Speaker, or the

1 Speaker's designee, shall lead the members in the Pledge of Allegiance to the American
2 Flag.

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

5 (b) Should the point of a quorum be raised, the doors shall be closed, and the
6 Clerk shall call the roll of the House, after which the names of those not responding
7 shall again be called. In the absence of a quorum, 15 members are authorized to compel
8 the attendance of absent members and may order that absentees for whom no sufficient
9 excuses are made be taken into custody wherever they may be found by special
10 messenger appointed for that purpose.

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

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

20 **RULE 5. Order of Business of the Day.** – After the approval of the Journal of the
21 preceding day, unless otherwise ordered by the Speaker, the House shall proceed to
22 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 (1a) Messages from the Governor;
- 26 (2) Ratification of bills;
- 27 (3) Reports of standing committees and permanent subcommittees;
- 28 (4) Reports of select committees;
- 29 (5) Reports of referral by standing committee Chairs of bills to permanent
30 subcommittees;
- 31 (6) First reading and reference to committee of bills and resolutions;
- 32 (7) Messages from the Senate;
- 33 (8) Concurrence with Senate amendments or Senate committee
34 substitutes;
- 35 (9) The unfinished business of the preceding day;
- 36 (10) Calendar (each category in accordance with Rule 40):
 - 37 a. Local bills (roll call), third reading
 - 38 b. Local bills (roll call), second reading
 - 39 c. Local bills, third reading
 - 40 d. Local bills, second reading
 - 41 e. Public bills (roll call), third reading
 - 42 f. Public bills (roll call), second reading
 - 43 g. Public bills and resolutions, third reading
 - 44 h. Public bills and resolutions, second reading;

1 (11) Reading of notices and announcements.

2 **II. Conduct of Debate**

3 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have general
4 direction of the Hall. The Speaker may name any member to perform the duties of the
5 chair, but substitution shall not extend beyond one day, except in the case of sickness or
6 by leave of the House. If the Speaker is absent and has not designated a member to
7 perform the duties of the chair, the Principal Clerk shall preside during such absence. If
8 there is a vacancy in the office of Speaker, the Principal Clerk shall preside in place of
9 that Speaker until a replacement is elected by the House.

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

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

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

21 (1) A request that the member speaking yield for a question,

22 (2) A point of order,

23 (3) A parliamentary inquiry, or

24 (4) A question of privilege.

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

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

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

1 not; and if the case, in the judgment of the House, requires it, the member shall be liable
2 to censure by the House.

3 **RULE 10. Limitations on Debate.** – (a) No member shall speak on, debate, or
4 solicit cosponsors for a bill or resolution at its first reading.

5 (b) No member shall speak more than twice on the main question nor longer than
6 20 minutes for the first speech and 10 minutes for the second speech; nor shall the
7 member speak more than twice upon an amendment or motion to reconsider, re-refer,
8 appeal, or postpone or any motion on concurrence, and then not longer than 10 minutes
9 for the first speech and five minutes for the second speech.

10 (c) A member may speak only once and for not more than 20 minutes on the
11 question of the adoption of a minority report.

12 (d) The House, by consent of a majority of the members present, may suspend
13 the operation of subsections (b) and (c) of this rule during any debate on any particular
14 question before the House.

15 **RULE 11. Reading of Papers.** – When there is a call for the reading of the text of a
16 paper which has been presented to the House and there is objection to such reading, the
17 question shall be determined by a majority vote of the members of the House present.
18 Except for protests permitted by the Constitution, no member may have material printed
19 in the Journal until said material has been presented to the House and the printing
20 approved by the House, and said material shall not exceed 1,000 words.

21 **RULE 12. General Decorum.** – (a) The Speaker shall preserve order and
22 decorum.

23 (b) Decency of speech shall be observed and disrespect to personalities carefully
24 avoided.

25 (c) When the Speaker is putting any question, or addressing the House, no person
26 shall speak, stand up, walk out of, or cross the House nor, when a member is speaking,
27 engage in disruptive discourse or pass between the member and the chair.

28 (d) Food or beverages shall not be permitted on the floor of the House during the
29 first two hours of the daily session.

30 (e) The reading of newspapers shall not be permitted on the floor of the House
31 while the House is in session.

32 (f) Smoking shall not be permitted on the floor of the House or in the galleries at
33 any time. The consumption of food or beverages shall not be permitted in the galleries
34 at any time.

35 (g) Special recitals and performances by musicians or other groups shall not be
36 permitted on the floor of the House; and special guests of members of the House shall
37 not be permitted on the floor of the House.

38 (h) Members shall observe appropriate attire, coat and tie for male members and
39 dignified dress for female members.

40 (i) The use of wireless telephones shall not be permitted in the House Chamber.

41 (j) Placards, stickers, or signs not approved by the Speaker are not permitted in
42 the House Chamber.

43 III. Motions

1 **RULE 13. Motions Generally.** – (a) Every motion shall be reduced to writing if the
2 Speaker or any two members request it. No motion relating to a bill shall be in order
3 which does not identify the bill by its number and short title.

4 (b) When a motion is made, it shall be stated by the Speaker, or, if written, it
5 shall be handed to the chair and read aloud by the Speaker or Clerk before debate.

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

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

13 To adjourn.

14 To lay on the table.

15 Previous question.

16 To recess.

17 To postpone indefinitely.

18 To reconsider.

19 To postpone to a day certain.

20 To re-refer.

21 To amend an amendment.

22 To amend.

23 To pass the bill.

24 No motion to lay on the table, to postpone indefinitely, to postpone to a day certain,
25 to re-refer, or to make a particular amendment, being decided, shall be again allowed at
26 the same stage of the bill or proposition.

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

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

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

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

37 (c) A motion to table shall not be paired with a motion to reconsider.

38 (d) A motion to table a bill shall constitute a motion to table the bill and all
39 amendments thereto.

40 (e) When the question before the House is the adoption of an amendment to a bill
41 or resolution, a motion to table the bill is not in order; and a motion to table an
42 amendment applies to the amendment only, and the motion may not expressly or by
43 implication or construction be expanded to include a motion to table the bill also.

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

4 **RULE 17. Motion to Postpone Indefinitely.** – A motion to postpone indefinitely is
5 in order except when a motion to adjourn or to lay on the table or for the previous
6 question is before the House. However, after one motion to postpone indefinitely has
7 been decided, another motion to postpone indefinitely shall not be allowed at the same
8 stage of the bill or proposition. When a question has been postponed indefinitely, it shall
9 not thereafter be considered except on motion to reconsider under Rule 18 or to place on
10 the favorable calendar approved by a two-thirds vote.

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

16 (b) A motion to reconsider shall be determined by a majority vote, except the
17 following shall require a two-thirds vote: a second or subsequent motion to reconsider
18 and a motion to reconsider:

- 19 (1) A vote upon a motion to table,
- 20 (2) A motion to postpone indefinitely,
- 21 (3) A motion to remove a bill from the unfavorable calendar,
- 22 (4) A motion that a bill be read twice on the same day, or
- 23 (5) A motion to remove from the table.

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

27 **RULE 19. Previous Question.** – (a) The previous question may be called only by:

- 28 (1) The Chair of the Committee on Rules, Calendar, and Operations of the
29 House;
- 30 (2) The member submitting the report on the bill or other matter under
31 consideration;
- 32 (3) The member introducing the bill or other matter under consideration;
33 or
- 34 (4) The member in charge of the measure, who shall be designated by the
35 chair of the standing committee or permanent subcommittee reporting
36 the same to the House at the time the bill or other matter under
37 consideration is reported to the House or taken up for consideration.

38 (b) The previous question shall be as follows: "Call for the previous question
39 having been made, is the call sustained?" When the call for the previous question has
40 been decided in the affirmative by a majority vote of the House, the question is on the
41 passage of the bill, resolution, or other matter under consideration.

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

1 (d) If the previous question is decided in the negative, the question remains under
2 debate.

3 IV. Voting

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

7 (1) The passage as required by Article II, Section 23 of the North Carolina
8 Constitution on second and third readings of any bill:

- 9 a. Raising money on the credit of the State,
10 b. Pledging the faith of the State for the payment of a debt,
11 c. Imposing a State tax, or
12 d. Authorizing a county, municipality, or other local governmental
13 unit to
14 1. Raise money on its credit,
15 2. Pledge its faith for the payment of a debt, or
16 3. Impose a local tax.

17 (2) All measures affecting a fee imposed by the State or any subdivision
18 thereof.

19 (3) All questions on which a call for the ayes and noes under Rule 24(a)
20 and Article II, Section 19 of the North Carolina Constitution has been
21 sustained.

22 (4) Both second and third readings of bills proposing amendment of the
23 North Carolina Constitution or ratifying resolutions amending the
24 United States Constitution.

25 (5) The passage of a bill notwithstanding the Governor's veto thereof
26 pursuant to Article II, Section 22 of the North Carolina Constitution.

27 (b) Votes on the following questions shall be taken on the electronic voting
28 system:

29 (1) Second reading of all public bills, all amendments to public bills
30 offered after second reading, third reading if a public bill was amended
31 after second reading or if the reading occurs on a day or days
32 following the second reading, all conference reports on public bills, all
33 motions to lay public bills on the table, and all motions to postpone
34 public bills indefinitely.

35 (2) Upon a call for division.

36 (3) Any other question upon direction of the Speaker or upon motion of
37 any member supported by one-fifth of the members present.

38 (c) When the electronic voting system is used, 15 seconds shall be allowed for
39 voting on the question before the House, unless the Chair shall direct otherwise. The
40 system shall be set to close automatically when that time has expired. Once the system
41 is locked, the vote shall be recorded and printed.

42 (d) The voting station at each member's desk in the Chamber shall be used only
43 by the member to which the station is assigned. Under no circumstances shall any other
44 person vote at a member's station. It is a breach of the ethical obligation of a member

1 either to request that another person vote at the requesting member's station or to vote at
2 another member's station. The Speaker shall enforce this rule without exception.

3 (e) When the electronic voting system is used, the Speaker shall state the
4 question and shall then state substantially the following: "All in favor vote 'aye'; all
5 opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the
6 member must vote by the electronic voting system within the time allowed for that vote,
7 unless the voting station assigned to a member is malfunctioning. The Speaker shall
8 enforce this rule without exception. After the allotted time for voting has elapsed, the
9 Speaker shall say: "The Clerk will now lock the machine and record the vote." After the
10 machine is locked and the vote recorded, the Speaker shall announce the vote and
11 declare the result.

12 (f) One copy of the machine printout of the vote record of all votes taken on the
13 electronic voting system shall be filed in the office of the Principal Clerk, and two
14 copies shall be filed in the Legislative Library where the copies shall be open to public
15 inspection. A legible copy of the bill, amendment, or motion on which the vote was
16 taken shall be filed with the printout of the vote in the Legislative Library.

17 (g) When the Speaker ascertains that the electronic voting system is inoperative
18 before a vote is taken or while a vote is being taken on the electronic voting system, the
19 Speaker shall announce that fact to the House, and any partial electronic voting system
20 voting record shall be voided. In such a case, if the North Carolina Constitution or the
21 Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of the
22 House, and the ayes and noes shall be taken manually and shall be recorded on the
23 Journal. All roll call votes shall be taken alphabetically. If, after a vote is taken on the
24 electronic voting system, it is discovered that a malfunction caused an error in the
25 electronic voting system printout, the Speaker shall direct the Reading Clerk and the
26 Principal Clerk to verify and correct the printout record and so advise the House.

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

- 29 (1) To adjourn.
- 30 (2) To lay on the table.
- 31 (3) Previous question.
- 32 (4) To recess.
- 33 (5) To postpone indefinitely.
- 34 (6) To reconsider.
- 35 (7) To postpone to a day certain.
- 36 (8) To re-refer.
- 37 (9) To amend an amendment.
- 38 (10) To amend.
- 39 (11) To concur or not concur.
- 40 (12) Miscellaneous.

41 **RULE 21. Voice Votes; Stating Questions.** – (a) All other votes except those
42 required to be taken on the electronic voting system shall be taken by voice vote.

1 (b) When a voice vote is taken, the Speaker shall put the question substantially as
2 follows: "Those in favor (as the question may be) will say 'Aye'", and after the
3 affirmative voice has been expressed, "Those opposed will say 'No'".

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

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

10 (b) No member may vote unless the member is in the Chamber when the
11 question is put. This subsection of this rule cannot be suspended.

12 **RULE 23. Voting by Division.** – Any member may call for a division of the
13 members upon the question before the result of the vote has been announced. Upon a
14 call for a division, the Speaker shall cause the number voting in the affirmative and in
15 the negative to be determined. Upon a division and count of the House on any question,
16 no member away from the member's seat shall be counted.

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

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

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

28 (b) The member may make a brief oral statement of the reasons for making the
29 request. The member may send forward to the Principal Clerk, on a form provided by
30 the Clerk, a concise written statement of the reason for the request, and the Clerk shall
31 include this statement in the Journal.

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

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

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

41 **RULE 25. Voting by Speaker.** – In all elections the Speaker may vote. In all other
42 instances the Speaker may vote or may reserve this right until there is a tie in which
43 event the Speaker may vote; but in no instance may the Speaker vote twice on the same
44 question.

V. Committees

1
2 **RULE 26. Standing Committees and Permanent Subcommittees Generally.** – (a)
3 The Speaker shall appoint a chair, or cochairs, of every standing committee, permanent
4 subcommittee, and select committee, if any. In the construction of these rules, the word
5 "chair" as applied to a committee extends to and includes a cochair of the committee.
6 The Speaker shall have the exclusive right and authority to establish select committees,
7 but this does not exclude the right of the House by resolution to establish select
8 committees.

9 (b) All permanent subcommittees of each standing committee shall be appointed
10 by the Speaker, and the members appointed, along with the chair of the standing
11 committee, shall constitute the standing committee of which the permanent
12 subcommittee is a part. The Speaker shall appoint all members of permanent
13 subcommittees at the beginning of the first regular session in a manner to reflect the
14 partisan membership of the House.

15 (c) The Speaker shall appoint the members of all standing committees having no
16 permanent subcommittees at the beginning of the first regular session in a manner to
17 reflect the partisan membership of the House, except that the standing committees on
18 Congressional Redistricting and Legislative Redistricting shall have an equal number of
19 members of the two parties having the largest membership in the House.

20 (d) Each chair of a permanent subcommittee shall be a vice-chair of the standing
21 committee of which it is a permanent subcommittee. The Speaker may name other
22 members as vice-chairs of the standing committee. The Speaker may name one or more
23 vice-chairs for any standing committee not having permanent subcommittees.

24 (e) The chair of the standing committee shall be a voting member of each
25 permanent subcommittee of the standing committee.

26 (f) Either the chair or acting chair, designated by the chair or by the Speaker, and
27 five other members of the standing committee or permanent subcommittee, or a
28 majority of the standing committee or permanent subcommittee, whichever is fewer,
29 shall constitute a quorum of that standing committee or permanent subcommittee. For
30 purposes of determining a quorum, the persons designated by the Speaker when serving
31 only as ex officio members under subsection (h) of this rule, shall be counted among the
32 membership of the committee or subcommittee only when present.

33 (g) In any joint meeting of the Senate and House committees or subcommittees,
34 the House standing committee or permanent subcommittee reserves the right to vote
35 separately.

36 (h) Four members designated by the Speaker at the time of appointments of
37 chairs of standing committees are ex officio members of every standing committee and
38 permanent subcommittee, except the standing committees on Congressional
39 Redistricting and Legislative Redistricting and any permanent subcommittees thereof,
40 with the right to vote.

41 **RULE 26.1. Mentions of Standing Committee Includes Select Committee.** – Any
42 reference in these rules to standing committees shall extend to select committees unless
43 the context requires otherwise.

1 **RULE 27. List of Standing Committees and Permanent Subcommittees.** – The
2 standing committees and permanent subcommittees thereof are:

3	Committees	Subcommittees
4	Aging	(None)
5		
6	Agriculture	(None)
7		
8	Alcoholic Beverage Control	(None)
9		
10	Appropriations	-Capital
11		-Education
12		-General Government
13		-Health and Human Services
14		-Information Technology
15		-Justice and Public Safety
16		-Natural and Economic Resources
17		-Transportation
18		
19	Children, Youth and Families	(None)
20		
21	Commerce (formerly Economic Growth	
22	and Community Development)	(None)
23		
24	Congressional Redistricting	(None)
25		
26	Cultural Resources	(None)
27		
28	Education	-Community Colleges
29		-Pre-School, Elementary and Secondary
30		Education
31		-Universities
32		
33	Election Law and	
34	Campaign Finance Reform	(None)
35		
36	Environment and	
37	Natural Resources	(None)
38		
39	Ethics	(None)
40		
41	Finance	(None)
42		
43	Financial Institutions	(None)
44		

1	Health	(None)
2		
3	Highway Safety	(None)
4		
5	Insurance	(None)
6		
7	Judiciary I	(None)
8		
9	Judiciary II	(None)
10		
11	Judiciary III	(None)
12		
13	Judiciary IV	(None)
14		
15	Law Enforcement	(None)
16		
17	Legislative Redistricting	(None)
18		
19	Local Government I	(None)
20		
21	Local Government II	(None)
22		
23	Marine Fisheries	(None)
24		
25	Mental Health	(None)
26		
27	Military, Veterans and	
28	Indian Affairs	(None)
29		
30	Occupational Safety and Health	(None)
31		
32	Pensions and Retirement	(None)
33		
34	Public Health	(None)
35		
36	Public Utilities	(None)
37		
38	Rules, Calendar, and	
39	Operations of the House	(None)
40		
41	Science and Technology	(None)
42		
43	Small Business	(None)
44		

1	State Government	(None)
2		
3	State Personnel	(None)
4		
5	Transportation	(None)
6		
7	Travel and Tourism	(None)
8		
9	University Board of Governors	
10	Nominating	(None)
11		
12	Ways and Means	(None)
13		
14	Welfare Reform	(None)
15		
16	Wildlife Resources	(None)
17		

18 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.** – (a)
19 Standing committees and permanent subcommittees of standing committees shall be
20 furnished with suitable meeting places pursuant to a schedule adopted by the Standing
21 Committee on Rules, Calendar, and Operations of the House. Select committees shall be
22 furnished with suitable meeting places as their needs require by the Chair of the
23 Standing Committee on Rules, Calendar, and Operations of the House.

24 (b) Subject to the provisions of subsection (c) of this rule, standing committees
25 and permanent subcommittees thereof shall permit other members of the General
26 Assembly, the press, and the general public to attend all sessions of said standing
27 committees or permanent subcommittees.

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

34 (d) Procedure in the standing committees and permanent subcommittees shall be
35 governed by the rules of the House, so far as the same may be applicable to such
36 procedure. Before a question is put, any member may call for the ayes and noes. If the
37 call is sustained by one-fifth of the members present, the question shall be decided by
38 the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically
39 and shall be subject to Rule 21(c).

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

43 (f) No standing committee or permanent subcommittee shall meet during any
44 session of the House. Standing committees and permanent subcommittees shall meet at

1 their regularly scheduled hour. No permanent subcommittee shall meet at the same time
2 that its standing committee is meeting. Standing committees and permanent
3 subcommittees may meet at other times as authorized by the Chair of the Standing
4 Committee on Rules, Calendar, and Operations of the House in order to assure the
5 availability of the meeting room and that no conflicts will exist with the meetings of
6 other bodies. All standing committee and permanent subcommittee meetings shall
7 adjourn no later than:

8 (1) 15 minutes preceding a regular session of the House, and

9 (2) 10 minutes preceding the hour of the next regularly scheduled standing
10 committee or permanent subcommittee meeting.

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

17 (h) During standing committee and permanent subcommittee meetings, the chair
18 may exercise the right to vote, or may reserve this right until there is a tie, in which
19 event the chair may vote, but in no instance may the chair vote twice on the same
20 question.

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

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

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

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

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

38 (3) Issue a public letter of reprimand if the violation of the Open Meetings
39 Law was intentional or if the legislator has previously received a
40 private letter of reprimand. The Chair of the Committee on Ethics shall
41 have the public letter of reprimand spread on the pages of the House
42 Journal.

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

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

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

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

18 (b) Persons desiring to appear and be heard at a public hearing shall submit their
19 requests to the chair of the standing committee or permanent subcommittee. The
20 standing committee or permanent subcommittee chair may designate one or more
21 members to arrange the order of appearance of interested parties. A brief written
22 statement of testimony may be submitted without oral presentation and shall be
23 incorporated into the minutes of the public hearing.

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

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

34 (b) After passage of a motion to form a Standing Committee of the Whole House,
35 the Speaker shall appoint a chair to preside in the standing committee, and the Speaker
36 shall leave the dais.

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

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

43 (e) When a bill is submitted to the Standing Committee of the Whole House, it
44 shall be read and debated by sections, leaving the preamble to be last considered. The

1 body of the bill shall not be defaced or interlined, but all amendments, noting the page
2 and line, shall be duly entered by the Principal Clerk on a separate paper as the same
3 shall be agreed to by the standing committee and be so reported to the House. After
4 report, the bill shall again be subject to be debated and amended by sections before a
5 question on its passage be taken.

6 **VI. Handling of Bills**

7 **RULE 31. Introduction of Bills and Resolutions.** – (a) All bills and resolutions
8 shall be introduced by submitting same to the Principal Clerk's office on the legislative
9 day prior to the first reading and reference thereof according to the following schedule:
10 by 30 minutes after adjournment each Monday; and by 3:00 P.M. each Tuesday,
11 Wednesday, Thursday, and Friday.

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

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

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

27 (e) A Substitute Bill shall be covered with the same color jacket as the original
28 bill and shall be prefaced as follows: "House Committee Substitute for_____".

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

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

33 (h) Any reference in these rules to bills shall extend to resolutions unless the
34 context requires otherwise.

35 **RULE 31.1. Deadlines on Introduction and Receipt; Single Subject Rule.** – (a)
36 All public bills or resolutions recommended by commissions or standing committees
37 authorized or directed by act or resolution of the General Assembly to report to the 2003
38 Regular Session of the General Assembly, or to report prior to convening of that
39 session, must have been submitted to the Bill Drafting Division of the Legislative
40 Services Office by 4:00 P.M. on the fourth Wednesday in February (February 26) and
41 must be introduced not later than 3:00 P.M. on the next Wednesday (March 5) of the
42 first year of the biennial session; and

43 (a1) All bills prepared to be introduced for departments, agencies, or institutions
44 of the State must have been submitted to the Bill Drafting Division of the Legislative

1 Services Office by 4:00 P.M. on the fourth Wednesday in February (February 26) and
2 must be introduced not later than 3:00 P.M. on the next Wednesday (March 5). A bill
3 introduced under this subsection shall be identified as an Agency Bill after its short title.

4 (a2) All local bills must have been submitted to the Bill Drafting Division of the
5 Legislative Services Office by 4:00 P.M. on the third Wednesday in March (March 19)
6 and must be introduced not later than 3:00 P.M. on the next Wednesday (March 26) of
7 the first year of the biennial session.

8 (b) All public bills which would not be required to be re-referred to the
9 Appropriations or Finance Committees under Rule 38 must have been submitted to the
10 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the first
11 Wednesday in April (April 2) and must be introduced not later than 3:00 P.M. on the
12 next Wednesday (April 9) of the first year of the biennial session.

13 (c) All public bills which under Rule 38 would be required to be re-referred to
14 the Appropriations Committee, or to both the Appropriations and Finance Committees,
15 must have been submitted to the Bill Drafting Division of the Legislative Services
16 Office by 4:00 P.M. on the third Wednesday in April (April 16) and must be introduced
17 not later than 3:00 P.M. on the next Wednesday (April 23) of the first year of the
18 biennial session. All public bills which under Rule 38 would be required to be
19 re-referred to the Finance Committee but not the Appropriations Committee must have
20 been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00
21 P.M. on the first Wednesday in May (May 7) and must be introduced not later than 3:00
22 P.M. on the next Wednesday (May 14) of the first year of the biennial session. If any
23 bill is eligible for introduction on account of the date only under this subsection, and the
24 bill is amended so that qualifying appropriation or tax law change does not remain in
25 the bill, it shall not be eligible for further consideration. For the purpose of this section,
26 a "tax law change" includes any provision that would require a bill under Rule 38(b) to
27 be referred to the Standing Committee on Finance.

28 (d) In order to be eligible for consideration by the House during the first Regular
29 Session, all Senate bills other than finance or appropriations bills which would be
30 required to be re-referred to the Appropriations or Finance Committees under Rule 38
31 or adjournment resolutions must be received and read on the floor of the House as a
32 message from the Senate no later than May 1; provided that a message from the Senate
33 received by the next legislative day stating that a bill has passed its third reading and is
34 being engrossed shall comply with the requirements of this subsection and provided that
35 the Senate has a similar rule.

36 (d1) Except by motion approved by a majority of members of the House present
37 and voting, no public House bill other than the Current Operations Appropriations Act
38 or the Capital Improvement Appropriations Act may contain more than one subject.

39 (e) This rule, other than subsection (d1), does not apply to bills establishing
40 districts for Congress or State or local entities. This rule, other than subsection (d1),
41 does not apply to measures ratifying an amendment or amendments to the Constitution
42 of the United States.

43 **RULE 32. Reference to Standing Committee and to Permanent Subcommittee;**
44 **Serial Referrals.** – (a) Each bill not introduced on the report of a standing committee

1 shall immediately upon its first reading be referred by the Speaker to such standing
2 committee or permanent subcommittee as the Speaker deems appropriate. The Speaker
3 at the same time may order that, if the bill is reported with any favorable
4 recommendation or without prejudice, it be re-referred automatically upon the
5 committee report to another committee or permanent subcommittee designated in the
6 order. Each joint resolution or House resolution not introduced on the report of a
7 standing committee shall immediately upon its first reading either be referred by the
8 Speaker to a standing committee or permanent subcommittee or be calendared on the
9 date designated by the Speaker, as the Speaker deems appropriate.

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

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

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

40 Upon recommendation to the standing committee, the bill shall be before that body
41 for further action unless the permanent subcommittee chair reports the bill directly
42 pursuant to Rule 36.

43 **RULE 33. Papers Addressed to the House.** – Petitions, memorials, and other
44 papers addressed to the House shall be presented by the Speaker. A brief statement of

1 the contents thereof may be made orally by the introducer before reference to a
2 committee, but such papers shall not be debated or decided on the day of their first
3 being read unless the House shall direct otherwise.

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

9 (b) Numbering of House Bills shall be designated as "H.B.____." (No. following).
10 A Joint Resolution shall be designated as "H.J.R. ____." (No. following). A House
11 Resolution shall be designated as "H.R.____." (No. following).

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

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

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

31 **RULE 35.1. Assessment Reports.** – (a) Every bill or resolution proposing the
32 establishment of an occupational or professional licensing board, as defined in Article
33 18A of Chapter 120 of the General Statutes, or a study for the need to establish such a
34 board shall have attached to the jacket of the original bill or resolution at the time of its
35 consideration on second and third readings by the House or by any standing committee
36 or permanent subcommittee of the House an assessment report from the Legislative
37 Committee on New Licensing Boards pursuant to Article 18A of Chapter 120 of the
38 General Statutes. The assessment report shall not constitute any part of the expression of
39 legislative intent proposed by the formation of a licensing board. Upon receipt of the
40 request, the Legislative Committee on New Licensing Boards shall prepare and return
41 the assessment report as soon as possible but not later than 60 days, reserving the right
42 to extend this time to 90 days.

43 (b) Every legislative proposal introduced in the House or received in the House
44 from the Senate, proposing the incorporation of a municipality shall have attached to the

1 jacket of the original bill at the time of its consideration on second or third readings by
2 the House or by any committee of the House prior to a favorable report, a
3 recommendation from the Joint Legislative Commission on Municipal Incorporations,
4 established by Article 20 of Chapter 120 of the General Statutes. The recommendation
5 of the Joint Legislative Commission on Municipal Incorporations shall be made in
6 accordance with the provisions and criteria set forth in Article 20 of Chapter 120 of the
7 General Statutes and shall include the findings required to be made by G.S. 120-166
8 through G.S. 120-170.

9 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** – (a)
10 **When Reports Required.** – All House bills and resolutions shall be reported from the
11 standing committee or permanent subcommittee to which referred with such
12 recommendations as the standing committee or permanent subcommittee may desire to
13 make except in the case where the principal introducer requests in writing to the chair of
14 the standing committee or permanent subcommittee that the bill not be considered.

15 With the written approval of the chair of the standing committee and with the
16 recommendation of the subcommittee pursuant to Rule 32(b)(4) through (6), the chair of
17 the permanent subcommittee may report the bill directly to the floor with that
18 recommendation. If a permanent subcommittee recommends reporting a bill to the floor
19 and the chair of the standing committee fails to give approval, the bill shall be deemed
20 to have been reported to the standing committee with the same recommendation as the
21 subcommittee would have made to the House.

22 (b) **Favorable Report.** – When a standing committee or permanent
23 subcommittee reports a bill with the recommendation that it be passed, the bill shall be
24 placed on the favorable calendar on the day and in the order designated by the Chair of
25 the Standing Committee on Rules, Calendar, and Operations of the House, but no later
26 than the fourth legislative day after submission of the report or Senate message under
27 Rule 43.2 or Rule 43.3(a), unless:

- 28 (1) The bill is re-referred to the Committee on Appropriations or
29 Committee on Finance under Rule 38 or was serially referred under
30 Rule 32; or
31 (2) The bill has not yet been placed on the calendar, and the Speaker refers
32 the bill to another committee.

33 In order to place a bill on the calendar for a legislative day, notice shall be given by the
34 Chair of the Standing Committee on Rules, Calendar, and Operations of the House
35 orally in the House or in writing to the Principal Clerk. When a committee substitute is
36 adopted and receives a favorable report by the committee or permanent subcommittee,
37 the standing committee or permanent subcommittee chair shall submit to the standing
38 committee or permanent subcommittee the question of an unfavorable report on the
39 original bill. The standing committee's or permanent subcommittee's action, if any, on
40 the original bill shall be reported at the same time the committee substitute is reported.

41 (c) **Report Without Prejudice.** – When a standing committee reports a bill
42 without prejudice, the bill shall be placed on the favorable calendar in the same manner
43 as provided in subsection (a) of this rule.

1 (d) **Postponed Indefinitely.** – When a standing committee reports a bill with the
2 recommendation that it be postponed indefinitely and no minority report accompanies it,
3 the bill shall be placed on the unfavorable calendar.

4 (e) **Unfavorable Report.** – When a standing committee reports a bill with the
5 recommendation that it not be passed and no minority report accompanies it, the bill
6 shall be placed on the unfavorable calendar.

7 (f) **Minority Report.** – When a bill is reported by a standing committee with a
8 recommendation that it not be passed or that it be postponed indefinitely but it is
9 accompanied by a minority report signed by at least one-fourth of the members of the
10 standing committee who were present and voting when the bill was considered in
11 standing committee, the question before the House shall be: "The adoption of the
12 minority report." If the minority report is adopted by majority vote, the bill shall be
13 placed on the favorable calendar for consideration. If the minority report fails of
14 adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

15 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
16 Committee, of the Finance Committee, or of the Standing Committee on Rules,
17 Calendar, and Operations of the House, upon the floor of the House, may request that a
18 fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution
19 which is in the possession of the House and that a fiscal note be attached to the measure,
20 which request shall be allowed when, in the opinion of the Speaker, the fiscal effects of
21 that measure are not apparent from the language of the measure.

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

27 (c) The fiscal note shall be prepared by the Fiscal Research Division on a form
28 approved by the Standing Committee on Rules, Calendar, and Operations of the House
29 as to content and form and signed by the staff member or members preparing it. If no
30 estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate
31 is provided. The fiscal note shall not comment on the merit but may identify technical
32 problems. The Fiscal Research Division shall make the fiscal note available to the
33 membership of the House.

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

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

42 (f) Subsection (a) of this rule shall not apply to the Current Operations
43 Appropriations Bill or the Capital Improvement Appropriations Bill. This rule shall not
44 apply to a bill or amendment requiring an actuarial note under these rules.

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

3 (1) State, municipal, or other retirement system funded in whole or in part
4 out of public funds; or

5 (2) Program of hospital, medical, disability, or related benefits provided
6 for teachers and State employees, funded in whole or in part by State
7 funds shall have attached to it at the time of its consideration by any
8 standing committee or permanent subcommittee a brief explanatory
9 statement or note which shall include a reliable estimate of the
10 financial and actuarial effect of the proposed change to that retirement
11 or pension system. The actuarial note shall be attached to the jacket of
12 each proposed bill or resolution which is reported favorably by any
13 standing committee or any permanent subcommittee, shall be separate
14 therefrom, and shall be clearly designated as an actuarial note. A bill
15 described in subdivision (a)(1) of this rule shall be referred to the
16 Committee on Pensions and Retirement upon its introduction.

17 (b) The sponsor of the bill or resolution shall present a copy of the measure, with
18 a request for an actuarial note, to the Fiscal Research Division, which shall prepare the
19 actuarial note as promptly as possible but not later than two weeks after the request is
20 made unless an extension of time is agreed to by the sponsor as being necessary in the
21 preparation of the note. Actuarial notes shall be prepared in the order of receipt of
22 request and shall be transmitted to the sponsor of the measure. The actuarial note of the
23 Fiscal Research Division shall be prepared and signed by an actuary.

24 (c) The sponsor of the bill or resolution shall also present a copy of the measure
25 to the actuary employed by the system or program affected by the measure. Actuarial
26 notes shall be prepared and transmitted to the sponsor of the measure not later than two
27 weeks after the request is received, unless an extension of time is agreed to by the
28 sponsor as being necessary in the preparation of the note. The actuarial note shall be
29 attached to the jacket of the measure. The provisions of this subsection may be waived
30 by the measure's sponsor for a measure affecting local government retirement or
31 pension plans not administered by the State or any local government program of
32 hospital, medical, disability, or related benefits for local government employees not
33 administered by the State.

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

41 (e) When any permanent subcommittee or standing committee reports a measure
42 to which an actuarial note is attached at the time of permanent subcommittee or standing
43 committee consideration, with any amendment of such nature as would substantially
44 affect the cost to or the revenues of any retirement or pension system, or program of

1 hospital, medical, disability, or related benefits for teachers or State employees, the
2 chair of the permanent subcommittee or standing committee reporting the measure shall
3 obtain from the Fiscal Research Division an actuarial note of the fiscal and actuarial
4 effect of the proposed amendment. The actuarial note shall be attached to the jacket of
5 the measure. An amendment to any bill or resolution shall not be in order if the
6 amendment affects the costs to or the revenues of a State-administered retirement or
7 pension system, or program of hospital, medical, disability, or related benefits for
8 teachers or State employees, unless the amendment is accompanied by an actuarial note,
9 prepared by the Fiscal Research Division, as to the actuarial effect of the amendment.

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

12 **RULE 36.3. Local Legislation Affecting State Highway System.** – A local bill
13 affecting the State Highway System shall be referred to the Committee on
14 Transportation.

15 **RULE 37. Removing Bill From Unfavorable Calendar.** – A bill may be removed
16 from the unfavorable calendar upon motion carried by a two-thirds vote. A motion to
17 remove a bill from the unfavorable calendar is debatable.

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

21 (1) Carries an appropriation from the State; or

22 (2) Requires or will require in the future substantial additional State
23 monies from the General Fund or Highway Fund to implement its
24 provisions shall indicate same in the report, and said bill or resolution
25 shall be referred to the Standing Committee on Appropriations for a
26 further report before being acted upon by the House.

27 (b) All standing committees, other than the Standing Committee on Finance,
28 when favorably reporting any bill which in any way or manner raises revenue, reduces
29 revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or
30 authorizes the issue of bonds or notes, whether public, public-local, or private, shall
31 indicate same in the report, and said bill shall be referred to the Standing Committee on
32 Finance for a further report before being acted upon by the House.

33 (c) Action on Amendment Before Re-Referral. – If any standing committee
34 recommends adoption of an amendment or committee substitute of a bill which, under
35 the rules of the House, must be referred to the Standing Committees on Appropriations
36 or the Standing Committee on Finance, the amendment or committee substitute shall be
37 considered and, if adopted, the amendment or substitute engrossed before the bill is
38 re-referred.

39 **RULE 39. Recall of Bill From Standing Committee.** – (a) When a House bill has
40 been introduced and referred to a standing committee, or when a Senate bill has been
41 referred to a standing committee, if after 10 legislative days the standing committee has
42 failed to act thereon, then the introducer of the House bill or some member designated
43 by the introducer, or some House member designated by the introducer of the Senate
44 bill, may, after three legislative days' public notice given in the House and delivered in

1 writing to the chair of the standing committee, on motion supported by a vote of
2 three-fifths of the members of the House, recall the same from the standing committee
3 to the floor of the House for consideration and such action thereon as a majority of the
4 members present may direct.

5 (b) This rule shall not be temporarily suspended without one day's notice on the
6 motion given in the House and delivered in writing to the chair of the standing
7 committee, and to sustain that motion two-thirds of the members of the House shall be
8 required.

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

15 **RULE 39.2. Re-Referral of Bills From One Standing Committee to Another**
16 **Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker, the chair
17 of the standing committee from whom the bill is to be re-referred, and the chair of the
18 standing committee to whom the bill is to be re-referred, the chair of the standing
19 committee from whom the bill is to be re-referred or the chair of the Standing
20 Committee on Rules, Calendar, and Operations of the House may move for a re-referral
21 to another standing committee, and the bill shall be re-referred upon vote of the majority
22 present during a regular session of the House.

23 **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House shall
24 prepare a daily schedule of business, including the Calendar of Bills and Resolutions for
25 consideration and debate that day, in accordance with the Order of Business of the Day
26 (Rule 5). The Clerk shall number all bills and resolutions in the order in which they are
27 introduced. All bills and resolutions shall be taken up as they appear in each category
28 (Rule 5(10)) in the order they were placed on the Calendar under Rule 36(b).

29 **RULE 41. Reading of Bills.** – (a) Every bill shall receive three readings in the
30 House prior to its passage. The first reading and reference to standing committee of a
31 House bill shall occur on the next legislative day following its introduction. The first
32 reading and reference to standing committee of a Senate bill shall occur on the next
33 legislative day following its receipt on messages from the Senate. The Speaker shall
34 give notice at each subsequent reading whether it is the second or third reading.

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

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

- 41 (1) Been tabled,
- 42 (2) Been postponed indefinitely,
- 43 (3) Failed to pass on any of its readings, or
- 44 (4) Been placed on the unfavorable calendar,

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

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

10 **RULE 43. Amendments.** – No amendment to a measure before the House shall be
11 in order unless the amendment is germane to the measure under consideration. A House
12 amendment deleting a previously adopted House amendment shall not be in order,
13 except that this sentence does not apply to amendments adopted under Rule 38(c).

14 If the Senate adopts an amendment or committee substitute to a House bill, the
15 House may refuse to receive the bill on account of lack of germaneness if the Senate has
16 a similar rule.

17 Only one principal (first degree) amendment shall be pending at any one time. If a
18 subsequent or substitute principal amendment shall be offered, the Speaker shall rule it
19 out of order. However, any member desiring to offer a subsequent or substitute principal
20 amendment in opposition to the pending amendment may inform the House by way of
21 argument against the pending amendment that if it is defeated the member proposes to
22 offer another principal amendment, and the member may then read and explain such
23 proposed amendment.

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

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

30 **RULE 43.2. House Concurrence in Senate Amendments to House Bills.** – When
31 the House receives a Senate amendment to a bill originating in the House, it shall be
32 placed on the calendar in accordance with Rule 36(b).

33 **RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating**
34 **in the House; Procedure for Treatment of Material Amendments Thereto.** – (a)
35 Whenever the Senate has adopted a committee substitute for a bill originating in the
36 House and has returned the bill to the House for concurrence in that committee
37 substitute, it shall be placed on the calendar in accordance with Rule 36(b).

38 (b) The Speaker shall rule whether the committee substitute is a material
39 amendment under Article II, Section 23 of the North Carolina Constitution which reads:

40 "**Revenue bills.** – No law shall be enacted to raise money on the credit of the State,
41 or to pledge the faith of the State directly or indirectly for the payment of any debt, or to
42 impose any tax upon the people of the State, or to allow the counties, cities, or towns to
43 do so, unless the bill for the purpose shall have been read three several times in each
44 House of the General Assembly and passed three several readings, which readings shall

1 have been on three different days, and shall have been agreed to by each House
2 respectively, and unless the yeas and nays on the second and third readings of the bill
3 shall have been entered on the journal."

4 If the committee substitute was referred to standing committee, the standing
5 committee shall:

6 (1) Report the bill with the recommendation either that the House do
7 concur or that the House do not concur; and

8 (2) Advise the Speaker as to whether or not that committee substitute is a
9 material amendment under Article II, Section 23 of the North Carolina
10 Constitution.

11 (c) If the committee substitute for a bill is not a material amendment, the
12 question before the House shall be concurrence.

13 (d) If the committee substitute for a bill is a material amendment, the receiving of
14 that bill on messages shall constitute first reading, and the question before the House
15 shall be concurrence on second reading. If the motion is passed, the question then shall
16 be concurrence on third reading on the next legislative day.

17 (e) No committee substitute adopted by the Senate for a bill originating in the
18 House may be amended by the House.

19 **RULE 44. Conference Standing Committees.** – (a) Whenever the House shall
20 decline or refuse to concur in amendments put by the Senate to a bill originating in the
21 House, or shall refuse to concur in a substitute adopted by the Senate for a bill
22 originating in the House, or whenever the Senate shall decline or refuse to concur in
23 amendments put by the House to a bill originating in the Senate, or shall refuse to
24 concur in a substitute adopted by the House for a bill originating in the Senate, a
25 conference committee may be appointed by the Speaker upon the Speaker's own motion
26 and shall be appointed upon request by the principal sponsor of the original bill, the
27 chair of the House standing committee which reported the bill, or the sponsor of the
28 amendment in which the Senate refused to concur; and the bill under consideration shall
29 thereupon go to and be considered by the joint conferees on the part of the House and
30 Senate. In appointing members to conference committees, the Speaker shall appoint no
31 less than a majority of members who generally supported the House position as
32 determined by the Speaker.

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

37 (c) If the conferees fail to agree or if either house fails to adopt the report of its
38 conferees, new conferees may be appointed.

39 (d) No vote shall be taken on adoption of a conference report until the next
40 legislative day following the report.

41 **RULE 44.1. Transmittal of Bills to Senate.** – Unless ordered by the Speaker or
42 two-thirds vote of the members present and voting, no bill shall be sent from the House
43 on the day of its passage, except on the last day of the session.

44 **VII. Legislative Officers and Employees**

1 **RULE 45. Elected Officers.** – (a) The House shall elect its Speaker from among its
2 membership.

3 (b) The House may elect at least one but not more than two of its members
4 Speaker Pro Tempore who shall perform such duties as the Speaker may assign.

5 (c) The House shall elect a Principal Clerk, who shall continue in office until
6 another is elected. The Speaker shall appoint a Reading Clerk and a Sergeant-at-Arms,
7 who shall serve at the Speaker's pleasure. The Principal Clerk, Reading Clerk, and
8 Sergeant-at-Arms shall have and perform duties and responsibilities, not inconsistent
9 with these rules, as the Speaker may assign. Unless directed otherwise by the Speaker
10 on behalf of the House, the Principal Clerk or an employee designated by the Principal
11 Clerk shall receive House bills not approved by the Governor. In addition, the
12 Sergeant-at-Arms may assign the Reading Clerk additional duties, to be performed
13 while the House is not in its daily session.

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

18 **RULE 47. Speaker's Staff; Chaplain; and Pages.** – (a) The Speaker may appoint
19 one or more staff members to the Speaker, a Chaplain of the House, and pages to wait
20 upon the sessions of the House.

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

23 (c) The Speaker, at the request of a member, may appoint honorary pages.

24 **RULE 48. Member's Staff.** – (a) Each standing committee and permanent
25 subcommittee shall have a committee assistant. The committee assistant to a standing
26 committee or permanent subcommittee shall serve as staff to the chair of the standing
27 committee or permanent subcommittee.

28 (b) Each member shall be assigned a legislative assistant, unless the member has
29 a committee assistant to serve as legislative assistant.

30 (c) The selection and retention of committee assistants, legislative assistants, and
31 office assistants shall be the sole prerogative of the individual member or members.
32 Such staff shall file initial applications for employment with the Principal Clerk and
33 shall receive compensation as prescribed by the Legislative Services Commission. The
34 employment period of such staff shall commence not earlier than the convening date of
35 the General Assembly and shall terminate not later than the final adjournment or recess
36 of the General Assembly unless employment for an extended period is approved by the
37 Speaker. The committee assistants, legislative assistants, and office assistants shall
38 adhere to such uniform rules and regulations not inconsistent with these rules regarding
39 hours and other conditions of employment as the Legislative Services Commission shall
40 fix by appropriate regulations.

41 **RULE 49. Compensation of Legislative Assistants.** – No clerk, committee
42 assistant, legislative assistant, office assistant, or other person employed or appointed
43 under Rules 46, 47, and 48 hereof shall receive during such employment, appointment,
44 or service any compensation from any department of the State government, and there

1 shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of
2 them; but they shall receive only the pay now provided by law for such duties and
3 services.

4 **VIII. Privileges of the Hall**

5 **RULE 50. Admittance to Floor.** – No person except members, officers, and
6 employees of the General Assembly who have been issued identification tags as
7 provided by this rule, and former members of the General Assembly who are not
8 registered under the provisions of Article 9 of Chapter 120 of the General Statutes, shall
9 be allowed on the floor of the House during its session, unless permitted by the Speaker
10 or otherwise provided by law. Employees of the General Assembly shall wear
11 identification tags, approved by the Legislative Services Officer, when on the floor of
12 the House.

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

18 **RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or lobby shall
19 be extended at the discretion of the Speaker and only by the Speaker. Requests by
20 members to extend these courtesies shall be typewritten and delivered to the Speaker.
21 No member shall orally ask the Speaker to extend these courtesies during the daily
22 session.

23 **RULE 53. Order in House Chamber, Galleries, and Lobby.** – In case of any
24 disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the
25 Speaker or other presiding officer is empowered to order the same to be cleared to the
26 extent they deem necessary.

27 **IX. General Rules**

28 **RULE 54. Attendance of Members.** – No member or officer of the House shall be
29 absent from the service of the House without leave, unless from sickness or disability.

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

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

36 **RULE 57. Placement or Circulation of Materials.** – Persons other than members
37 of the House shall not place or cause to be placed any materials on members' desks in
38 the House Chamber without obtaining approval of the Speaker. Any material placed on
39 members' desks in the House Chamber, or circulated to House members anywhere in
40 the Legislative Building or the Legislative Office Building, shall bear the name of the
41 originator.

42 **RULE 58. Rules, Rescission, and Alteration.** – (a) These rules shall not be
43 permanently rescinded or altered except by House simple resolution passed by a
44 two-thirds vote of the members present and voting. The introducer of the resolution

1 must on the floor of the House give notice of intent to introduce the resolution on the
2 legislative day preceding its introduction.

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

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

10 (b) Members wishing to jointly sponsor legislation should indicate such to the
11 drafter at the time the bill is requested or upon filing the bill with the Principal Clerk's
12 office. The names of the members who are the primary sponsors shall be listed in the
13 order requested by them, followed by the words (Primary Sponsors); and the remaining
14 names of members cosponsoring shall follow. No more than four members may be
15 listed as primary sponsors.

16 (c) No member shall permit anyone, other than that member's committee
17 assistant, legislative assistant, office assistant, or another member, to have possession of
18 and solicit for bill or resolution cosponsorship, the jacket of a bill or resolution.

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

25 **RULE 61. Assignment of Seats.** – After initial assignment of seats, a member shall
26 continue to occupy the seat to which initially assigned until assigned a permanent seat;
27 once assigned a permanent seat, the member shall occupy it for the entire biennial
28 session. In event of vacancy, that member's successor will occupy the seat of the
29 member replaced for the remainder of the biennial session.

30 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on Rules,
31 Calendar, and Operations of the House shall assign to each member an office space.
32 When available, chairs of standing committees and permanent subcommittees shall be
33 assigned an office adjacent to the room in which the standing committee or permanent
34 subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an
35 office of his or her choice.

36 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The
37 Principal Clerk of the previous House of Representatives shall convene the House of
38 Representatives at 12:00 noon on the date established by law for the convening of each
39 regular session and preside over the body until the members elect a Speaker. In the case
40 of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the
41 Sergeant-at-Arms of the prior House, and in the case of a vacancy in that office, or
42 inability or refusal to so serve, the duty shall devolve upon the Reading Clerk of the
43 prior House.

1 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
2 Calendar, and Operations of the House of the prior House to assign temporary seats to
3 the members of the House of Representatives in its Chamber. In the case of the inability
4 or refusal to serve of the Chair of the Standing Committee on Rules, Calendar, and
5 Operations of the House, the Speaker of the prior House of Representatives shall
6 appoint a person to assign seats to members of the House of Representatives in its
7 Chamber. In the event that the party that had a majority of members in the prior House
8 will no longer have a majority of members in the new House, then the duty assigned in
9 this subsection to the Chair of the Committee of the prior House shall instead be the
10 duty of the person nominated as Speaker by the majority party caucus for the new
11 House, or some member-elect designated by the Speaker-nominee. In the event no party
12 will have a majority, then the duty assigned in this subsection to the Chair of the
13 Committee of the prior House shall instead be the joint duty of one person chosen each
14 by the caucuses of the two parties having the greatest numbers of members.

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

18 **SECTION 2.** This resolution is effective upon adoption.