

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 106
Committee Substitute Favorable 5/4/95

Short Title: Speaker and Pro Temp Terms Limit.

(Public)

Sponsors:

Referred to:

February 6, 1995

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO SERVICE IN THOSE OFFICES, RESPECTIVELY, TO TWO CONSECUTIVE GENERAL ASSEMBLIES.

The General Assembly of North Carolina enacts:

Section 1. Section 15 of Article II of the Constitution of North Carolina reads as rewritten:

"Sec. 15. Officers of the House of Representatives.

The House of Representatives shall elect its Speaker and other officers. No person may serve as Speaker in more than two consecutive General Assemblies. The initial convening of a session of the General Assembly after the terms of members commence shall constitute a new General Assembly for the purpose of this section. Service as Speaker during any part of an odd-numbered year shall constitute service as Speaker for that General Assembly for the purpose of this section."

Sec. 2. Section 14 of Article II of the Constitution of North Carolina reads as rewritten:

"Sec. 14. Other officers of the Senate.

1 (1) President Pro Tempore – succession to presidency. The Senate shall elect from
2 its membership a President Pro Tempore, who shall become President of the Senate upon
3 the failure of the Lieutenant Governor-elect to qualify, or upon succession by the
4 Lieutenant Governor to the office of Governor, or upon the death, resignation, or removal
5 from office of the President of the Senate, and who shall serve until the expiration of his
6 term of office as Senator.

7 No person may serve as President Pro Tempore in more than two consecutive General
8 Assemblies. The initial convening of a session of the General Assembly after the terms
9 of members commence shall constitute a new General Assembly for the purpose of this
10 section. Service as President Pro Tempore during any part of an odd-numbered year shall
11 constitute service as President Pro Tempore for that General Assembly for the purpose of
12 this section.

13 (2) President Pro Tempore – temporary succession. During the physical or mental
14 incapacity of the President of the Senate to perform the duties of his office, or during the
15 absence of the President of the Senate, the President Pro Tempore shall preside over the
16 Senate.

17 (3) Other officers. The Senate shall elect its other officers."

18 Sec. 3. The amendments set out in this act shall be submitted to the qualified
19 voters of the State at the earlier of any statewide election that may be held for another
20 purpose in November of 1995 or the general election in November 1996, which election
21 shall be conducted under the laws then governing elections in the State. Ballots, voting
22 systems, or both may be used in accordance with Chapter 163 of the General Statutes.
23 The question to be used in the voting systems and ballots shall be:

24 **"[] FOR [] AGAINST**

25 Constitutional amendments providing that the Speaker of the House and the
26 President Pro Tempore of the Senate may not serve more than two consecutive terms."

27 Sec. 4. If a majority of the votes cast on the question are in favor of the
28 amendments set out in this act, the State Board of Elections shall certify the amendments
29 to the Secretary of State. The amendments shall become effective upon the convening of
30 the General Assembly next on or after January 1, 1997, and service as Speaker or
31 President Pro Tempore prior to that date shall not be considered for the purpose of the
32 amendments. The Secretary of State shall enroll the amendments so certified among the
33 permanent records of that office.

34 Sec. 5. This act is effective upon ratification.