## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015

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## HOUSE RESOLUTION DRHR30009-MM-19 (01/27)

	Sponsors:	Representative Lewis.			
	Referred to:				
1 2 3	A HOUSE RESOLUTION TO AMEND THE TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES CONCERNING VOTING ON RESOLUTIONS, STANDING COMMITTEES, ASSICNMENT OF SEATS, AND CONFORMING CHANCES				
4	COMMITTEES, ASSIGNMENT OF SEATS, AND CONFORMING CHANGES. Be it resolved by the House of Representatives:				
5		<b>ECTION 1.</b> House Rule 20(b), as contained in House Resolution 1, 2015 Regular			
6	Session of the General Assembly, reads as rewritten:				
7		b) Votes on the following questions shall be taken on the electronic voting			
8	system:				
9	(1	) Second reading of all public bills, bills except resolutions, all amendments to			
10	,	public bills offered after second reading, third reading if a public bill was			
11		amended after second reading or if the reading occurs on a day or days			
12		following the second reading, all conference reports on public bills, all			
13		motions to lay public bills on the table, and all motions to postpone public			
14		bills indefinitely.			
15	(2	· 1			
16	(3				
17		member supported by one-fifth of the members present."			
18		ECTION 2. House Rule 61, as contained in House Resolution 1, 2015 Regular			
19		e General Assembly, reads as rewritten:			
20		RULE 61. Assignment of Seats After initial assignment of seats, a member			
21		e to occupy the seat to which initially assigned until assigned a permanent seat;			
22		d a permanent seat, the member shall occupy it for the entire biennial session. In			
23	event of vacancy, that member's successor will occupy the seat of the member replaced for the				
24	remainder of the biennial session. the Speaker or the Chair of the Standing Committee on Rules,				
25 26		d Operations of the House may assign such permanent seats as are necessary to			
26 27	maintain seat	<b>ECTION 3.(a)</b> House Rule 27, as contained in House Resolution 1, 2015 Regular			
28		e General Assembly, reads as rewritten:			
28 29		RULE 27. List of Standing Committees and Permanent			
30		<b>ces.</b> <u>Committees.</u> – The standing committees <del>and permanent subcommittees.</del> thereof			
31	are:	the standing committees and permanent subcommittees thereof			
32		nittees Subcommittees			
33	Com				
34	Aging	g (None)			
35	88				
36	Agric	ulture (None)			
37	6				

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1	Alcoholic Beverage Control	(None)
2 3	Appropriations	-Education
4		-General Government
5		-Health and Human Services
6		-Information Technology
7		-Justice and Public Safety
8		-Agriculture and Natural and Economic
9		Resources
10		-Transportation
11	<u>Appropriations</u>	
12	Appropriations, Capital	
13	Appropriations, Education	
14	Appropriations, General Govern	nent
15	Appropriations, Health and Hum	
16	Appropriations, Information Tech	
17	Appropriations, Justice and Public	
18		Natural and Economic Resources
19	Appropriations, Transportation	
20		
21	Banking	(None)
22	6	
23	Children, Youth, and Families	(None)
24		
25	Commerce and	
26	Job Development	(None)
27		
28	Education – K-12	(None)
29		
30	Education – Community Colleges	(None)
31		
32	Education – Universities	(None)
33		
34	Elections	(None)
35		
36	Environment	(None)
37		
38	Ethics	(None)
39		
40	Finance	(None)
41		
42	Health	(None)
43		
44	Homeland Security, Military, and	
45	Veterans Affairs	(None)
46		
47	Insurance	(None)
48		
49	Judiciary I	(None)
50	2	
51	Judiciary II	(None)
	2	

1(None)2Judiciary III(None)3Judiciary IV(None)5(None)6Local Government(None)79(None)99910Public Utilities(None)11111212Regulatory Reform(None)1314Rules, Calendar, and15Operations of the House(None)			
4 Judiciary IV (None) 5 6 Local Government (None) 7 7 8 Pensions and Retirement (None) 9 10 Public Utilities (None) 11 12 Regulatory Reform (None) 13 14 Rules, Calendar, and			
6Local Government(None)78Pensions and Retirement(None)9910Public Utilities(None)10Public Utilities(None)1112Regulatory Reform(None)1314Rules, Calendar, and(None)			
8Pensions and Retirement(None)910Public Utilities(None)10Public Utilities(None)1112Regulatory Reform(None)1314Rules, Calendar, and			
10Public Utilities(None)1112Regulatory Reform(None)1314Rules, Calendar, and(None)			
12Regulatory Reform(None)1314Rules, Calendar, and			
4 Rules, Calendar, and			
.6			
7 State Personnel (None)			
8			
9 Transportation (None)			
0			
1 University Board of Governors			
2 Nominating (None)			
3 4 Wildlife Resources (None)"			
5 SECTION 3.(b) House Rule 5(3) and 5(5), as contained in House R	esolution 1		
5 2015 Regular Session of the General Assembly, read as rewritten:			
"RULE 5. Order of Business of the Day. – After the approval of the Journal of the			
<ul> <li>"RULE 5. Order of Business of the Day. – After the approval of the Jo</li> <li>preceding day, except by leave of the House, the House shall proceed to business</li> </ul>			
9 following order:			
)			
1 (3) Reports of standing <del>committees</del> and permanent subcommittees; <u>cc</u>	ommittees;		
2			
3 (5) Reports of referral by standing committee Chairs of bills to	-permanent		
4 <del>subcommittees;</del> 5"			
5 SECTION 3.(c) House Rule 19(a)(5), as contained in House Resolut	tion 1 2015		
7 Regular Session of the General Assembly, reads as rewritten:	1011 1, 2012		
8 "RULE 19. <b>Previous Question.</b> – (a) The previous question may be called only	by:		
9	•		
0 (5) The member in charge of the measure, who shall be designated	•		
1 of the standing committee or permanent subcommittee reporting			
2 the House at the time the bill or other matter under consideration	1 1s reported		
to the House or taken up for consideration. "			
5 SECTION 3.(d) House Rule 26, as contained in House Resolution 1, 20	015 Regular		
5 Session of the General Assembly, reads as rewritten:	oro regula		
7 "RULE 26. Standing Committees and Permanent Subcommittees G	- Jenerally.		
8 (a) The Speaker shall appoint a chair, or cochairs, of every standing committee	•		
•	subcommittee, committee and select committee, if any. In the construction of these rules, the		
0 word "chair" as applied to a committee, extends to and includes a cochair of the	committee.		

1 The Speaker shall have the exclusive right and authority to establish select committees, but this 2 does not exclude the right of the House by resolution to establish select committees.

3 (b) The Speaker shall establish the number of members of each standing 4 committee and standing subcommittee, and appoint the members in a manner to reflect the 5 partisan membership of the House, except that the Committee on Ethics shall have an equal 6 number of members of the majority and minority.

(c) Before appointing members of committees and subcommittees, committees,
the Speaker shall consult with the Minority Leader. The Speaker and Minority Leader shall
consider members' committee preferences in making appointments and recommendations.

10 (d) The Speaker may not appoint new members to committees or permanent 11 subcommittees after April 15 of an odd-numbered year or at any time during an even-numbered 12 year except to fill vacancies caused by the resignation, death, removal, or inability to serve of a 13 member. As to select committees established after March 1 of an odd-numbered year or during 14 an even-numbered year, the Speaker may not appoint new members more than 60 calendar 15 days after the select committee is established, except to fill vacancies caused by the resignation, 16 death, removal, or inability to serve of a member.

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

21 (f) A maximum of two chairs of a standing committee are entitled to vote in a
 22 permanent subcommittee of the standing committee.

(g) Either the chair or acting chair, designated by the chair or by the Speaker,
and five other members of the standing committee or permanent subcommittee, committee, or a
majority of the standing committee or permanent subcommittee, whichever is fewer,
shall constitute a quorum of that standing committee or permanent subcommittee.committee. A
quorum of less than a majority of all the members must include at least one member of the
minority party.

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

32 SECTION 3.(e) House Rule 28, as contained in House Resolution 1, 2015 Regular
 33 Session of the General Assembly, reads as rewritten:

34 "RULE 28. Standing Committee and Permanent Subcommittee Meetings. – (a) 35 Standing committees and permanent subcommittees of standing committees shall be furnished 36 with suitable meeting places pursuant to a schedule established by the Chair of the Standing 37 Committee on Rules, Calendar, and Operations of the House. Select committees shall be 38 furnished with suitable meeting places as their needs require by the Chair of the Standing 39 Committee on Rules, Calendar, and Operations of the House.

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

44 (c) The chair or other presiding officer shall have general direction of the 45 meeting place of the standing committee or permanent subcommittee, committee, and, in case 46 of any disturbance or disorderly conduct therein, or if the peace, good order, and proper 47 conduct of the legislative business is hindered by any person or persons, the Chair or presiding 48 officer shall have power to exclude from the session any individual or individuals so hindering 49 the legislative business.

50 (d) Procedure in the standing committees and permanent subcommittees shall be 51 governed by the rules of the House, so far as the same may be applicable to such procedure.

1 Before a question is put, any member may call for the ayes and noes. If the call is sustained by 2 one-fifth of the members present, the question shall be decided by the ayes and noes upon a roll 3 call vote. All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c).

4 The committee chair shall set the agenda for each committee meeting. After (d1) 5 April 1, 2015, a committee may, provided there is a written request signed by at least 6 two-thirds of the members of the committee, place a bill on the committee's agenda for the next 7 regularly scheduled meeting of the committee.

8 No standing committee or permanent subcommittee shall meet on any day (e) 9 when the House shall not convene except by permission of the Speaker or by approval of the 10 House by resolution adopted by a majority vote of the House.

11 No standing committee or permanent subcommittee shall meet during any (f) session of the House. Standing committees and permanent subcommittees shall meet at their 12 13 regularly scheduled hour. No permanent subcommittee shall meet at the same time that its 14 standing committee is meeting. Standing committees and permanent subcommittees may meet 15 at other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and 16 Operations of the House in order to assure the availability of the meeting room and that no 17 conflicts will exist with the meetings of other bodies. All standing committee and permanent 18 subcommittee meetings shall adjourn no later than:

19

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

20

10 minutes preceding the hour of the next regularly scheduled standing

21

(2)committee or permanent subcommittee meeting.

22 Action taken by a committee in violation of this rule is voidable unless taken by 23 unanimous consent at a meeting at which a majority of all the members of the committee are 24 present, and at least one member present is of the minority party.

25 Any call or notice of a standing committee or permanent subcommittee (g) 26 meeting between legislative sessions shall be sent by electronic mail to each member of the 27 standing committee or permanent subcommittee at least five days prior to such meeting. If a 28 member of the body so requests in writing to the chair of the standing committee or permanent 29 subcommittee, committee, the member shall also be notified of the meetings by mail at a 30 designated address.

31 (h) During standing committee and permanent subcommittee meetings, the chair 32 may exercise the right to vote, or may reserve this right until there is a tie, in which event the 33 chair may vote, but in no instance may the chair vote twice on the same question."

34 SECTION 3.(f) House Rule 29, as contained in House Resolution 1, 2015 Regular 35 Session of the General Assembly, reads as rewritten:

36 "RULE 29. Notice of Standing Committee and Permanent Subcommittee 37 Meetings and Hearings. – (a) Notice of meetings of standing committees and permanent 38 subcommittees that will occur at the regularly scheduled meeting times shall be given by one or 39 both of the following methods:

- 40
- 41
- Notice given openly at a session of the House; or (1)
- Notice mailed or sent by electronic mail to those who have requested notice, (2)42 and to the Legislative Services Office, which shall post the notice on the 43 General Assembly Web site.

44 Notice of all other meetings shall be given in the House. If the meeting is (b) 45 scheduled to occur after adjournment, notice shall also be given by electronic mail and posting 46 on the General Assembly Web site.

47 The chair of the standing committee or permanent subcommittee shall notify (c) 48 or cause to be notified the sponsor of each bill that is set for hearing or consideration before the 49 standing committee or permanent subcommittee as to the date, time, and place of that meeting."

50 **SECTION 3.(g)** House Rule 29.1, as contained in House Resolution 1, 2015 51 Regular Session of the General Assembly, reads as rewritten:

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1 "RULE 29.1. **Public Hearings.** – (a) Requests for a public hearing shall be made in 2 writing to the chair of the standing committee and, if applicable, the chair of the permanent 3 subcommittee to which the bill has been referred. The chair of the standing committee may 4 schedule a public hearing by the standing committee as a whole after the adjournment of a 5 regular daily House session. The chair of the permanent subcommittee may schedule a public 6 hearing before the permanent subcommittee at its regularly scheduled hour. Denial of a request 7 made by a House member may be appealed to the Speaker.

8 Notice shall be given not less than five calendar days prior to public hearings. These 9 notices shall be issued as information for the press and shall be posted in the places designated 10 by the Principal Clerk.

11 (b) Persons desiring to appear and be heard at a public hearing shall submit their 12 requests to the chair of the standing committee or permanent subcommittee. The 13 standing committee or permanent subcommittee chair may designate one or more members to 14 arrange the order of appearance of interested parties. A brief written statement of testimony 15 may be submitted without oral presentation and shall be incorporated into the minutes of the 16 public hearing."

SECTION 3.(h) House Rule 29.2, as contained in House Resolution 1, 2015
 Regular Session of the General Assembly, reads as rewritten:

19 "RULE 29.2. Minutes to Legislative Library. – The chair of a standing committee 20 or a permanent subcommittee shall ensure that written minutes are compiled for each of the 21 body's meetings. The minutes shall indicate the members present and the actions taken at the 22 meeting. Not later than 10 days after the adjournment of each session of the General Assembly, 23 the chair shall deliver the minutes to the Legislative Library. The Speaker of the House may 24 grant a reasonable extension of time for filing said minutes upon written application of the 25 chair."

SECTION 3.(i) House Rule 32, as contained in House Resolution 1, 2015 Regular
 Session of the General Assembly, reads as rewritten:

28 "RULE 32. Reference to Standing Committee and to Permanent Subcommittee; 29 Committees; Serial Referrals. – (a) Each bill not introduced on the report of a standing 30 committee shall immediately upon its first reading be referred by the Speaker to such standing 31 committee, committee or committee of the whole, or permanent subcommittee whole as the 32 Speaker deems appropriate. The Speaker at the same time may order that, if the bill is reported 33 with any favorable recommendation or without prejudice, it be re-referred automatically upon 34 the committee report to another committee or permanent subcommittee designated in the order. 35 Each joint resolution or House resolution not introduced on the report of a standing committee 36 shall immediately upon its first reading either be referred by the Speaker to a standing 37 committee or permanent subcommittee or be calendared on the date designated by the Speaker, 38 as the Speaker deems appropriate.

39 (b) The standing committee chair may refer each bill referred to the standing 40 committee to the permanent subcommittee specifically charged with the subject matter of the 41 bill. A report of that referral shall be made in writing and submitted to the body pursuant to 42 Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is 43 referred shall report the bill back to the full standing committee. That subcommittee report shall 44 include one of the following recommendations:

45 46 (1) Favorable, without prejudice, or unfavorable as to the original bill with the recommendation that the report be made to the standing committee;

47 (2) Favorable, without prejudice, or unfavorable as to the original bill, as
48 amended, with the recommendation that the report be made to the standing
49 committee;

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1 2	(3) Favorable or without prejudice to the proposed committee substitute, and unfavorable to the original bill, with the recommendation that the report be
3	made to the standing committee;
4	(4) Favorable as to the original bill with the recommendation that the report be
5	made directly to the floor of the House, if approved by the standing
6	committee chair;
7	(5) Favorable to the original bill, as amended, with the recommendation that the
8 9	report be made directly to the floor of the House, if approved by the standing committee chair; or
9 0	(6) Favorable to the proposed committee substitute with the recommendation
1	that the report be made directly to the floor of the House, if approved by the
2	standing committee chair, and unfavorable to the original bill.
3	Any recommendation of favorable or without prejudice may include a
, 1	recommendation of re-referral to another standing committee. After a bill is reported to a
5	standing committee by a permanent subcommittee of that standing committee, the standing
5	committee chair may re refer the bill to another permanent subcommittee of that standing
5 7	committee chain may referer the onr to another permanent subcommittee of that standing
3	Upon recommendation to the standing committee, the bill shall be before that body for
) )	further action unless the permanent subcommittee chair reports the bill directly pursuant to
)	Rule 36."
) 1	<b>SECTION 3.(j)</b> House Rule 35.1(a), as contained in House Resolution 1, 2015
2	Regular Session of the General Assembly, reads as rewritten:
3	"RULE 35.1. Assessment Reports; Municipal Incorporation Reports. – (a)
, 1	Every bill or resolution proposing the establishment of an occupational or professional
5	licensing board or a study for the need to establish such a board shall have attached to the
, 5	jacket of the original bill or resolution at the time of its consideration on second and third
,	readings by the House or by any standing committee or permanent subcommittee of the House
3	an assessment report from the Joint Legislative Commission on Governmental Operations. The
, )	assessment report shall not constitute any part of the expression of legislative intent proposed
)	by the formation of a licensing board."
l	<b>SECTION 3.(k)</b> House Rule 36(a) and 36(b), as contained in House Resolution 1,
2	2015 Regular Session of the General Assembly, read as rewritten:
3	"RULE 36. Report by Standing Committee or Permanent Subcommittee.
4	<u>Committee.</u> – (a) <b>Reports.</b> – Bills and resolutions may be reported from the standing
5	committee or permanent subcommittee to which referred with such recommendations as the
5	standing committee or permanent subcommittee may desire to make. With the written approval
7	of the chair of the standing committee and with the recommendation of the subcommittee
8	pursuant to Rule 32(b)(4) through (6), the chair of the permanent subcommittee may report the
)	bill directly to the floor with that recommendation. If a permanent subcommittee recommends
)	reporting a bill to the floor and the chair of the standing committee fails to give approval, the
l	bill shall be deemed to have been reported to the standing committee with the same
2	recommendation as the subcommittee would have made to the House.
3	(b) <b>Favorable Report.</b> – When a standing committee or permanent
ļ	subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed
,	on the favorable calendar on the day designated by the Chair of the Standing Committee on
	Rules, Calendar, and Operations of the House, but not on the same day that it is reported except
,	by leave of the House, and no later than the fourth legislative day after submission of the report
3	or Senate message under Rule 43.2 or Rule 43.3(a), unless:
, )	(1) The bill is re-referred to the Committee on Appropriations or Committee on
)	Finance under Rule 38 or was serially referred under Rule 32; or
~	

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	(2) The bill has not yet been placed on the cale bill to another committee.	endar, and the Speaker refers the
In order	p place a bill on the calendar for a legislative day, no	otice shall be given by the Chai
	anding Committee on Rules, Calendar, and Operati	
	House or in writing to the Principal Clerk. When a committee substitute is adopted and receives	
a favorable report by the committee or permanent subcommittee, committee, the standing		
committee or permanent subcommittee chair shall submit to the standing committee e		
permanent subcommittee the question of an unfavorable report on the original bill. The		
standing	committee's or permanent subcommittee's action, if a	any, on the original bill shall b
reported	t the same time the committee substitute is reported.	
	<b>SECTION 3.(I)</b> House Rule 36.2(a) and 36.2(e), a	
1, 2015 Regular Session of the General Assembly, read as rewritten:		
	"RULE 36.2. Actuarial Notes. – (a) Every bill or a	resolution proposing any chang
in the lav	relative to any:	~
	(1) State, municipal, or other retirement system	funded in whole or in part out of
	public funds; or	
	(2) Program of hospital, medical, disability, of	1
chall hav	teachers and State employees, funded in who	1 1
	e attached to it at the time of its consideration	
permanent subcommittee a brief explanatory statement or note which shall include a reliable		
	estimate of the financial and actuarial effect of the proposed change to that retirement of pension system. The actuarial note shall be attached to the jacket of each proposed bill of	
	which is reported favorably by any standing	
	subcommittee, committee, shall be separate therefrom, and shall be clearly designated as an actuarial note. A bill described in subdivision (a)(1) of this rule shall be referred to the	
	e on State Personnel upon its introduction in accorda	
001111110	· · · · · · · · · · · · · · · · · · ·	
	(e) When any permanent subcommittee or-	standing committee reports
measure	o which an actuarial note is attached at the time	<b>e</b> 1
	committee consideration, with any amendment of suc	
	cost to or the revenues of any retirement or pension	
medical,	disability, or related benefits for teachers or Stat	te employees, the chair of th
-	t subcommittee or standing committee reporting the	
	search Division an actuarial note of the fiscal and	1 1
	nt. The actuarial note shall be attached to the jacket o	
•	resolution shall not be in order if the amendment af	
	e-administered retirement or pension system, or	
•	or related benefits for teachers or State employ	
-	ied by an actuarial note, prepared by the Fiscal Rese	earch Division, as to the actuaria
effect of	he amendment.	
	SECTION 3 (m) House Dule 42(h) as contained	d in House Desolution 1 201
Doculor (	<b>SECTION 3.(m)</b> House Rule 43(b), as containe ession of the General Assembly, reads as rewritten:	the in mouse Resolution 1, 201
Regular	"(b) The following rules apply when consider	ing: (i) the Current Operation
Annronri	tions Bill; (ii) the Capital Improvement Appropriati	•
	propriations for the second fiscal year of a bioppium	•

47 revising appropriations for the second fiscal year of a biennium:

48 (1) Amendments cannot increase total spending within a subcommittee 49 <u>committee</u> area beyond the total for that subcommittee committee as shown 50 in the committee report.

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1	(2) Amendments can only affect appropriations within the departments,	
2	agencies, or programs within the jurisdiction of the	
3	subcommittee.committee.	
4	(3) Amendments cannot increase total spending, from any source, beyond the	
5	total amount shown in the committee report.	
6	(4) Amendments that cause the budget to be unbalanced are not in order.	
7	(5) Amendments cannot spend reversions.	
8	(6) Amendments cannot make nonrecurring reductions to fund recurring items."	
9	SECTION 3.(n) House Rule 48(a), as contained in House Resolution 1, 2015	
10	Regular Session of the General Assembly, reads as rewritten:	
11	"RULE 48. Member's Staff. – (a) Each standing committee and permanent	
12	subcommittee shall have a committee assistant. The committee assistant to a standing	
13	committee or permanent subcommittee shall serve as staff to the chair of the standing	
14	committee or permanent subcommittee.committee."	
15	SECTION 3.(o) House Rule 61.1, as contained in House Resolution 1, 2015	
16	Regular Session of the General Assembly, reads as rewritten:	
17	"RULE 61.1. Office Assignments. – The Chair of the Standing Committee on	
18	Rules, Calendar, and Operations of the House shall assign to each member an office space.	
19	When available, chairs of standing committees and permanent subcommittees shall be assigned	
20	an office adjacent to the room in which the standing committee or permanent subcommittee	
21	generally meets if the Chair so desires. The Speaker shall be assigned an office of his or her	
22	choice."	
23	<b>SECTION 4.</b> This resolution is effective upon adoption.	