

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 905

Short Title: Session Length Limits.

(Public)

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Sponsors: Senators Hoyle, Cooper; Albertson, Conder, Dalton, Dannelly, Kerr, Martin of Pitt, Perdue, Rand, Warren, and Winner.

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Referred to: Judiciary.

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April 16, 1997

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"(1) **Regular sessions.** The General Assembly shall meet in regular session in 1973 and every two years thereafter on the day prescribed by law. Beginning with the regular session in 1999, during an odd-numbered year the General Assembly shall remain in session for no more than 135 calendar days, except that this period may be extended by joint resolution once per regular session for not more than 10 days. The month of December following the beginning of the term is also included in the calculation. If the General Assembly upon convening of the regular session meets for not more than two consecutive calendar days and then adjourns for not less than 30 days, that period of adjournment shall be excluded from the 135 days. If the regular session meets in even-numbered years, the General Assembly shall remain in session for no more than 60 calendar days, except that this period may be extended by joint resolution once per regular session for not more than 10 days, but the month in December following the election is excluded from the calculation. Any reconvened session called under Section 5

1 of Article III of this Constitution shall be excluded from the calculations of this section.  
2 Neither house shall proceed upon public business unless a majority of all of its members  
3 are actually present. No valid action, other than a resolution of adjournment, may be  
4 taken by the General Assembly after the time limits prescribed in this section have  
5 expired."

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

8 "Sec. 9. Term of office.

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

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

13 "Sec. 2. Number of Senators.

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

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

18 "Sec. 8. Elections.

19 The election for members of the ~~General Assembly~~ House of Representatives shall be  
20 held for the respective districts in 1972 and every two years thereafter, at the places and  
21 on the day prescribed by law. The election for members of the Senate shall be held for  
22 the respective districts in 1998 and every four years thereafter, at the places and on the  
23 day prescribed by law."

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

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

32 (a) The expiration of the term of office as Senator; or

33 (b) The qualification of a new Lieutenant Governor whichever comes first."

34 Section 6. The amendments set out in Sections 1 through 5 of this act shall be  
35 submitted to the qualified voters of the State at the general election in November 1998,  
36 which election shall be conducted under the laws then governing elections in the State.  
37 Ballots, voting systems, or both may be used in accordance with Chapter 163 of the  
38 General Statutes. The question to be used in the voting systems and ballots shall be:

39 "[ ] FOR [ ] AGAINST

40 Constitutional amendments limiting the length of the legislative session and  
41 making the term of members of the Senate four years, beginning with members elected in  
42 1998."

1           Section 7. If a majority of votes cast on the question are in favor of the  
2 amendments set out in Sections 1 through 5 of this act, the State Board of Elections shall  
3 certify the amendments to the Secretary of State. The constitutional amendments shall  
4 apply to members of the Senate elected in the 1998 general election so that they shall  
5 serve four-year terms. The Secretary of State shall enroll the amendments so certified  
6 among the permanent records of that office.

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