

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE RESOLUTION 49

Sponsors: Representatives Culpepper; and Goodwin.

Referred to: Rules, Calendar, and Operations of the House.

February 5, 2001

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE
2 REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF
3 REPRESENTATIVES OF THE 2001 GENERAL ASSEMBLY.

4 Be it resolved by the House of Representatives:

5 **SECTION 1.** The permanent rules of the Regular Sessions of the House of
6 Representatives of the 2001 General Assembly are:
7 PERMANENT RULES OF THE REGULAR SESSIONS OF THE HOUSE OF
8 REPRESENTATIVES OF THE 2001 GENERAL ASSEMBLY OF NORTH
9 CAROLINA

- 10 I. Order of Business, 1-5
- 11 II. Conduct of Debate, 6-12
- 12 III. Motions, 13-19
- 13 IV. Voting, 20-25
- 14 V. Committees, 26-30
- 15 VI. Handling of Bills, 31-44.1
- 16 VII. Legislative Officers and Employees, 45-49
- 17 VIII. Privileges of the Hall, 50-53
- 18 IX. General Rules, 54-62

19 I. Order of Business

20 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday**
21 **Legislative Sessions.** – The House shall convene each legislative day at the hour fixed
22 by the House. In the event the House adjourns on the preceding legislative day without
23 having fixed an hour for reconvening, the House shall convene on the next legislative
24 day at 2:00 P.M. During January and February of 2001, no sessions may be held on
25 Friday. No session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on
26 any other days, and the Speaker shall adjourn the House without motion at that point,
27 except that a motion may be made as to the time and day of next convening. No session
28 shall be held on Sunday.

1 **RULE 2. Opening the Session.** – At the convening hour on each legislative
2 day, the Speaker shall call the members to order and shall have the session opened with
3 prayer. At the convening hour on the first day of each legislative week, the Speaker, or
4 his designee, shall lead the members in the Pledge of Allegiance to the American Flag.

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

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

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

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

23 **RULE 5. Order of Business of the Day.** – After the approval of the Journal
24 of the preceding day, unless otherwise ordered by the Speaker, the House shall proceed
25 to business in the following order:

- 26 (1) The receiving of petitions, memorials, and papers addressed to the
27 General Assembly or to the House;
- 28 (1a) Messages from the Governor;
- 29 (2) Ratification of bills;
- 30 (3) Reports of standing committees and permanent subcommittees;
- 31 (4) Reports of select committees;
- 32 (5) Reports of referral by standing committee Chairs of bills to permanent
33 subcommittees;
- 34 (6) First reading and reference to committee of bills and resolutions;
- 35 (7) Messages from the Senate;
- 36 (8) Concurrence with Senate amendments or Senate committee
37 substitutes;
- 38 (9) The unfinished business of the preceding day;
- 39 (10) Calendar (each category in accordance with Rule 40):
- 40 a. Local bills (roll call) third reading
- 41 b. Local bills (roll call) second reading
- 42 c. Local bills third reading
- 43 d. Local bills second reading
- 44 e. Public bills (roll call) third reading

- 1 f. Public bills (roll call) second reading
- 2 g. Public bills and resolutions, third reading
- 3 h. Public bills and resolutions, second reading;
- 4 (11) Reading of notices and announcements.

5 II. Conduct of Debate

6 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have
7 general direction of the Hall. With the consent of or in the absence of the Speaker Pro
8 Tempore, the Speaker may name any member to perform the duties of the chair, but
9 substitution shall not extend beyond one day, except in the case of sickness or by leave
10 of the House.

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

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

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

- 23 (1) A request that the member speaking yield for a question,
- 24 (2) A point of order,
- 25 (3) A parliamentary inquiry, or
- 26 (4) A question of privilege.

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

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

42 (b) When the Speaker calls a member to order, the member shall be
43 seated except that a member called to order may clear a matter of fact, or explain, but
44 shall not proceed in debate so long as the decision stands. If the member appeals from

1 the ruling of the chair and the decision by a two-thirds vote of the members present be
2 in favor of the member called to order, the member may proceed; if otherwise, the
3 member shall not; and if the case, in the judgment of the House, requires it, the member
4 shall be liable to censure by the House.

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

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

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

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

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

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

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

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

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

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

34 (f) Smoking or the consumption of food or beverages shall not be permitted
35 in the galleries at any time.

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

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

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

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

1 III. Motions

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

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

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

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

14 To adjourn.

15 To lay on the table.

16 Previous question.

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
25 certain, to re-refer or to make a particular amendment, being decided, shall be again
26 allowed at the same stage of the bill or proposition.

27 **RULE 15. Motion to Adjourn.** – (a) A motion to adjourn shall be seconded
28 before 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
30 in 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
34 before the motion is put to the vote of the House and is in order except when a motion
35 to adjourn is 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
41 bill 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
2 except 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
5 indefinitely is in order except when a motion to adjourn or to lay on the table or for the
6 previous question is before the House. However, after one motion to postpone
7 indefinitely has been decided, another motion to postpone indefinitely shall not be
8 allowed at the same stage of the bill or proposition. When a question has been
9 postponed indefinitely, it shall not thereafter be considered except on motion to
10 reconsider under Rule 18 or to place on the favorable calendar approved by a two-thirds
11 vote.

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

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

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

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

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

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

42 (b) The previous question shall be as follows: "Call for the previous question
43 having been made, is the call sustained?" When the call for the previous question has

1 been decided in the affirmative by a majority vote of the House, the question is on the
2 passage of the bill, resolution, or other matter under consideration.

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

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

7 IV. Voting

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

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

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

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

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

26 (4) Both second and third readings of bills proposing amendment of the
27 North Carolina Constitution or ratifying resolutions amending the
28 United States Constitution.

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

31 (b) Votes on the following questions shall be taken on the electronic voting
32 system:

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

39 (2) Upon a call for division.

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

42 (c) When the electronic voting system is used, 15 seconds shall be allowed
43 for voting on the question before the House, unless the Chair shall direct otherwise. The

1 system shall be set to close automatically when that time has expired. Once the system
2 is locked, the vote shall be recorded and printed.

3 (d) The voting station at each member's desk in the Chamber shall be used
4 only by the member to which the station is assigned. Under no circumstances shall any
5 other person vote at a member's station. It is a breach of the ethical obligation of a
6 member either to request that another person vote at the requesting member's station or
7 to vote at another member's station. The Speaker shall enforce this rule without
8 exception.

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

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

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

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

- 36 (1) To adjourn.
- 37 (2) To lay on the table.
- 38 (3) Previous question.
- 39 (4) To postpone indefinitely.
- 40 (5) To reconsider.
- 41 (6) To postpone to a day certain.
- 42 (7) To re-refer.
- 43 (8) To amend an amendment.
- 44 (9) To amend.

1 (10) To concur or not concur.

2 (11) Miscellaneous.

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

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

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

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

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

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

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

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

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

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

36 (c) The member so excused shall not debate the bill or any amendment to the
37 bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any
38 motion concerning the bill at that reading, any subsequent reading, or any subsequent
39 consideration of the bill.

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

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

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

5 **V. Committees**

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

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

19 (c) The Speaker shall appoint the members of all standing committees having
20 no permanent subcommittees at the beginning of the first regular session in a manner to
21 reflect the partisan membership of the House.

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

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

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

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

39 (h) The Speaker Pro Tempore, Majority Leader, two Majority Whips, and one
40 member designated by the Speaker at the time of appointments of chairs of standing
41 committees are ex officio members of every standing committee and permanent
42 subcommittee, except the standing committees on Congressional Redistricting and
43 Legislative Redistricting and any permanent subcommittees thereof, with the right to

1 vote. No more than three of these persons may vote under the authority of this
2 subsection at any committee meeting.

3 **RULE 26.1. Mentions of Standing Committee Includes Select Committee.**

4 – Any reference in these rules to standing committees shall extend to select committees
5 unless the context requires otherwise.

6 **RULE 27. List of Standing Committees and Permanent Subcommittees. –**

7 The standing committees and permanent subcommittees thereof are:

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

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

1		
2	Small Business	(None)
3		
4	State Government	(None)
5		
6	State Personnel	(None)
7		
8	Technology	(None)
9		
10	Transportation	(None)
11		
12	Travel and Tourism	(None)
13		
14	University Board of Governors	
15	Nominating	(None)
16		
17	Ways and Means	(None)
18		
19	Welfare Reform	(None)
20		
21	Wildlife Resources	(None)

22 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.**

23 – (a) Standing committees and permanent subcommittees of standing committees shall
24 be furnished with suitable meeting places pursuant to a schedule adopted by the
25 Standing Committee on Rules, Calendar, and Operations of the House. Select
26 committees shall be furnished with suitable meeting places as their needs require by the
27 Chair of the Standing Committee on Rules, Calendar, and Operations of the House.

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

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

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

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

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

13 (1) 15 minutes preceding a regular session of the House, and

14 (2) 10 minutes preceding the hour of the next regularly scheduled standing
15 committee or permanent subcommittee meeting.

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

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

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

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

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

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

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

1 (3) Issue a public letter of reprimand if the violation of the Open Meetings
2 Law was intentional, or if the legislator has previously received a private letter of
3 reprimand. The Chair of the Committee on Ethics shall have the public letter of
4 reprimand spread on the pages of the House Journal.

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

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

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

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

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

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

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

39 (b) After passage of a motion to form a Standing Committee of the Whole
40 House, the Speaker shall appoint a Chair to preside in the standing committee, and the
41 Speaker shall leave the dais.

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

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

4 (e) When a bill is submitted to the Standing Committee of the Whole House,
5 it shall be read and debated by sections, leaving the preamble to be last considered. The
6 body of the bill shall not be defaced or interlined, but all amendments, noting the page
7 and line, shall be duly entered by the Principal Clerk on a separate paper as the same
8 shall be agreed to by the standing committee, and be so reported to the House. After
9 report, the bill shall again be subject to be debated and amended by sections before a
10 question on its passage be taken.

11 VI. Handling of Bills

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

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

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

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

32 (e) A Substitute Bill shall be covered with the same color jacket as the
33 original bill and shall be prefaced as follows:

34 "House Committee Substitute for_____".

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

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

39 (h) A bill containing no substantive provisions may not be introduced in the
40 House.

41 (i) Any reference in these rules to bills shall extend to resolutions unless the
42 context requires otherwise.

43 **RULE 31.1. Deadlines on Introduction and Receipt; Single Subject Rule.**

44 – (a) All public bills or resolutions recommended by commissions or standing

1 committees authorized or directed by act or resolution of the General Assembly to
2 report to the 2001 Regular Session of the General Assembly, or to report prior to
3 convening of that session, must have been submitted to the Bill Drafting Division of the
4 Legislative Services Office by 4:00 P.M. on the third Wednesday in February (February
5 21) and must be introduced not later than 3:00 P.M. on the next Wednesday (February
6 28) of the first year of the biennial session; and

7 (a1) All bills prepared to be introduced for departments, agencies, or
8 institutions of the State must have been submitted to the Bill Drafting Division of the
9 Legislative Services Office by 4:00 P.M. on the third Wednesday in February (February
10 21) and must be introduced not later than 3:00 P.M. on the next Wednesday (February
11 28). A bill introduced under this subsection shall be identified as an Agency Bill after its
12 short title.

13 (a2) All local bills must have been submitted to the Bill Drafting
14 Division of the Legislative Services Office by 4:00 P.M. on the third Wednesday in
15 March (March 21) and must be introduced not later than 3:00 P.M. on the next
16 Wednesday (March 28) of the first year of the biennial session.

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

22 (c) All public bills which under Rule 38 would be required to be re-referred
23 to the Appropriations Committee, or to both the Appropriations and Finance
24 Committees, must have been submitted to the Bill Drafting Division of the Legislative
25 Services Office by 4:00 P.M. on the third Wednesday in April (April 18) and must be
26 introduced not later than 3:00 P.M. on the next Wednesday (April 25) of the first year of
27 the biennial session. All public bills which under Rule 38 would be required to be re-
28 referred to the Finance Committee but not the Appropriations Committee must have
29 been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00
30 P.M. on the first Wednesday in May (May 2) and must be introduced not later than 3:00
31 P.M. on the next Wednesday (May 9) of the first year of the biennial session. If any bill
32 is eligible for introduction on account of the date only under this subsection, and the bill
33 is amended so that qualifying appropriation or tax law change does not remain in the
34 bill, it shall not be eligible for further consideration. For the purpose of this section, a
35 "tax law change" includes any provision that would require a bill under Rule 38(b) to be
36 referred to the Standing Committee on Finance.

37 (d) In order to be eligible for consideration by the House during the first
38 Regular Session, all Senate bills other than finance or appropriations bills which would
39 be required to be re-referred to the Appropriations or Finance Committees under Rule
40 38 or adjournment resolutions, must be received and read on the floor of the House as a
41 message from the Senate no later than April 26; provided that a message from the
42 Senate received by the next legislative day stating that a bill has passed its third reading
43 and is being engrossed shall comply with the requirements of this subsection and
44 provided that the Senate has a similar rule.

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

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

9 **RULE 32. Reference to Standing Committee and to Permanent**
10 **Subcommittees; Serial Referrals.** – (a) Each bill, joint resolution, or House resolution
11 not introduced on the report of a standing committee shall immediately upon its first
12 reading be referred by the Speaker to such standing committee or permanent
13 subcommittee as the Speaker deems appropriate. The Speaker at the same time may
14 order that, if the bill is reported with any favorable recommendation or without
15 prejudice, it be re-referred automatically upon the committee report to another
16 committee or permanent subcommittee designated in the order.

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

- 23 (1) Favorable, without prejudice, or unfavorable as to the original bill with
24 the recommendation that the report be made to the standing
25 committee;
- 26 (2) Favorable, without prejudice, or unfavorable as to the original bill, as
27 amended, with the recommendation that the report be made to the
28 standing committee;
- 29 (3) Favorable or without prejudice to the proposed committee substitute,
30 and unfavorable to the original bill, with the recommendation that the
31 report be made to the standing committee;
- 32 (4) Favorable as to the original bill with the recommendation that the
33 report be made directly to the floor of the House, if approved by the
34 standing committee chair;
- 35 (5) Favorable to the original bill, as amended, with the recommendation
36 that the report be made directly to the floor of the House, if approved
37 by the standing committee chair; or
- 38 (6) Favorable to the proposed committee substitute with the
39 recommendation that the report be made directly to the floor of the
40 House, if approved by the standing committee chair, and unfavorable
41 to the original bill.

42 Any recommendation of favorable or without prejudice may include a
43 recommendation of re-referral to another standing committee. After a bill is reported to
44 a standing committee by a permanent subcommittee of that standing committee, the

1 standing committee chair may re-refer the bill to another permanent subcommittee of
2 that standing committee.

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

6 **RULE 33. Papers Addressed to the House.** – Petitions, memorials, and
7 other papers addressed to the House shall be presented by the Speaker. A brief
8 statement of the contents thereof may be made orally by the introducer before reference
9 to a committee, but such papers shall not be debated or decided on the day of their first
10 being read unless the House shall direct otherwise.

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

16 (b) Numbering of House Bills shall be designated as "H.B.____." (No.
17 following). A Joint Resolution shall be designated as "H.J.R. ____." (No. following). A
18 House Resolution shall be designated as "H.R.____." (No. following).

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

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

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

38 **RULE 35.1. Assessment Reports.** – (a) Every bill or resolution proposing
39 the establishment of an occupational or professional licensing board, as defined in
40 Article 18A of Chapter 120 of the General Statutes, or a study for the need to establish
41 such a board shall have attached to the jacket of the original bill or resolution at the time
42 of its consideration on second and third readings by the House or by any standing
43 committee or permanent subcommittee of the House, an assessment report from the
44 Legislative Committee on New Licensing Boards pursuant to Article 18A of Chapter

1 120 of the General Statutes. The assessment report shall not constitute any part of the
2 expression of legislative intent proposed by the formation of a licensing board. Upon
3 receipt of the request, the Legislative Committee on New Licensing Boards shall
4 prepare and return the assessment report as soon as possible but not later than 60 days,
5 reserving the right to extend this time to 90 days.

6 (b) Every legislative proposal introduced in the House of Representatives, or
7 received in the House of Representatives from the Senate, proposing the incorporation
8 of a municipality shall have attached to the jacket of the original bill at the time of its
9 consideration on second or third readings by the House of Representatives or by any
10 committee of the House of Representatives prior to a favorable report, a
11 recommendation from the Joint Legislative Commission on Municipal Incorporations,
12 established by Article 20 of Chapter 120 of the General Statutes. The recommendation
13 of the Joint Legislative Commission on Municipal Incorporations shall be made in
14 accordance with the provisions and criteria set forth in Article 20 of Chapter 120 of the
15 General Statutes and shall include the findings required to be made by G.S. 120-166
16 through G.S. 120-170.

17 **RULE 36. Report by Standing Committee or Permanent Subcommittee. –**

18 (a) **When Reports Required.** – All House bills and resolutions shall be reported from
19 the standing committee or permanent subcommittee to which referred with such
20 recommendations as the standing committee or permanent subcommittee may desire to
21 make except in the case where the principal introducer requests in writing to the chair of
22 the standing committee or permanent subcommittee that the bill not be considered.

23 With the written approval of the chair of the standing committee and with the
24 recommendation of the subcommittee pursuant to Rule 32(b)(4) through (6), the chair of
25 the permanent subcommittee may report the bill directly to the floor with that
26 recommendation. If a permanent subcommittee recommends reporting a bill to the floor
27 and the chair of the standing committee fails to give approval, the bill shall be deemed
28 to have been reported to the standing committee with the same recommendation as the
29 subcommittee would have made to the House.

30 (b) **Favorable Report.** – When a standing committee or permanent
31 subcommittee reports a bill with the recommendation that it be passed, the bill shall be
32 placed on the favorable calendar on the day and in the order designated by the Chair of
33 the Committee on Rules, Calendar, and Operations of the House, but no later than the
34 fourth legislative day after submission of the report or Senate message under Rule
35 43.3(a), unless:

36 (1) The bill is re-referred to the Committee on Appropriations or
37 Committee on Finance under Rule 38 or was serially referred under
38 Rule 32; or

39 (2) The bill has not yet been placed on the calendar, and the Speaker refers
40 the bill to another committee.

41 In order to place a bill on the calendar for a legislative day, notice shall be given by the
42 Chair of the Committee on Rules, Calendar, and Operations of the House orally in the
43 House or in writing to the Principal Clerk. When a committee substitute is adopted and
44 receives a favorable report by the committee or permanent subcommittee, the standing

1 committee or permanent subcommittee chair shall submit to the standing committee or
2 permanent subcommittee the question of an unfavorable report on the original bill. The
3 standing committee's or permanent subcommittee's action, if any, on the original bill
4 shall be reported at the same time the committee substitute is reported.

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

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

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

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

22 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
23 Committee, of the Finance Committee, or of the Rules, Calendar, and Operations of the
24 House Committee, upon the floor of the House, may request that a fiscal analysis be
25 made of a bill, resolution, or an amendment to a bill or resolution which is in the
26 possession of the House and that a fiscal note be attached to the measure, when in the
27 opinion of that Chair the fiscal effects of that measure are not apparent from the
28 language of the measure.

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

34 (c) The fiscal note shall be prepared by the Fiscal Research Division on a
35 form approved by the Rules, Calendar, and Operations of the House Committee as to
36 content and form and signed by the staff member or members preparing it. If no
37 estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate
38 is provided. The fiscal note shall not comment on the merit but may identify technical
39 problems. The Fiscal Research Division shall make the fiscal note available to the
40 membership of the House.

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

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

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

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

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

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

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

41 (d) The note shall be factual and shall, if possible, provide a reliable
42 estimate of both the immediate effect and, if determinable, the long-range fiscal and
43 actuarial effect of the measure. If, after careful investigation, it is determined that no
44 dollar estimate is possible, the note shall contain a statement to that effect, setting forth

1 the reasons why no dollar estimate can be given. No comment or opinion shall be
2 included in the actuarial note with regard to the merits of the measure for which the note
3 is prepared. Technical and mechanical defects in the measure may be noted.

4 (e) When any permanent subcommittee or standing committee reports
5 a measure to which an actuarial note is attached at the time of permanent subcommittee
6 or standing committee consideration, with any amendment of such nature as would
7 substantially affect the cost to or the revenues of any retirement or pension system, or
8 program of hospital, medical, disability, or related benefits for teachers or State
9 employees, the chair of the permanent subcommittee or standing committee reporting
10 the measure shall obtain from the Fiscal Research Division an actuarial note of the fiscal
11 and actuarial effect of the proposed amendment. The actuarial note shall be attached to
12 the jacket of the measure. An amendment to any bill or resolution shall not be in order if
13 the amendment affects the costs to or the revenues of a State-administered retirement or
14 pension system, or program of hospital, medical, disability, or related benefits for
15 teachers or State employees, unless the amendment is accompanied by an actuarial note,
16 prepared by the Fiscal Research Division, as to the actuarial effect of the amendment.

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

19 **RULE 36.3. Local Legislation Affecting State Highway System.** – A local
20 bill affecting the State Highway System shall be referred to the Committee on
21 Transportation.

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

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

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

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

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

40 (c) **Action on Amendment Before Re-Referral.** – If any standing committee
41 recommends adoption of an amendment or committee substitute of a bill which, under
42 the rules of the House must be referred to the Standing Committees on Appropriations
43 or the Standing Committee on Finance, the amendment or committee substitute shall be

1 considered and, if adopted, the amendment or substitute engrossed before the bill is re-
2 referred.

3 **RULE 39. Recall of Bill From Standing Committee.** – (a) When a House
4 bill has been introduced and referred to a standing committee, or when a Senate bill has
5 been referred to a standing committee, if after 10 legislative days the standing
6 committee has failed to act thereon, then the introducer of the House bill or some
7 member designated by him, or some House member designated by the introducer of the
8 Senate bill, may, after three legislative days' public notice given in the House and
9 delivered in writing to the chair of the standing committee, on motion supported by a
10 vote of three-fifths of the members of the House, recall the same from the standing
11 committee to the floor of the House for consideration and such action thereon as a
12 majority of the members present may direct.

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

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

23 **RULE 39.2. Re-Referral of Bills From One Standing Committee to**
24 **Another Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker,
25 the chair of the standing committee from whom the bill is to be re-referred, and the
26 chair of the standing committee to whom the bill is to be re-referred, the chair of the
27 standing committee from whom the bill is to be re-referred or the chair of the
28 Committee on Rules, Calendar, and Operations of the House may move for a re-referral
29 to another standing committee and the bill shall be re-referred upon vote of the majority
30 present during a regular session of the House.

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

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

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

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

- 7 (1) Been tabled,
- 8 (2) Been postponed indefinitely,
- 9 (3) Failed to pass on any of its readings, or
- 10 (4) Been placed on the unfavorable calendar,

11 the contents of that bill or the principal provisions of its subject matter shall not be
12 considered in any other measure originating in the Senate or originating thereafter in the
13 House. Upon the point of order being raised and sustained by the Chair, that measure
14 shall be laid upon the table, and shall not be taken there from except by a two-thirds
15 vote of the members present and voting.

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

20 **RULE 43. Amendments.** – No amendment to a measure before the House
21 shall be in order unless the amendment is germane to the measure under consideration.
22 A House amendment deleting a previously adopted House amendment shall not be in
23 order, except that this sentence does not apply to amendments adopted under Rule
24 38(c).

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

28 Only one principal (first degree) amendment shall be pending at any one
29 time. If a subsequent or substitute principal amendment shall be offered, the Speaker
30 shall rule it out of order. However, any member desiring to offer a subsequent or
31 substitute principal amendment in opposition to the pending amendment may inform the
32 House by way of argument against the pending amendment that if it is defeated the
33 member proposes to offer another principal amendment, and the member may then read
34 and explain such proposed amendment.

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

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

41 **RULE 43.2. House Concurrence in Senate Amendments to House Bills.** –
42 The House shall not concur in a Senate amendment to a bill originating in the House
43 until the next legislative day after the day on which the House receives the Senate
44 amendment.

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

6 (b) The Speaker shall rule whether the committee substitute is a material
7 amendment under Article II, Section 23 of the State's Constitution which reads:

8 **"Revenue bills.** – No law shall be enacted to raise money on the credit of the
9 State, or to pledge the faith of the State directly or indirectly for the payment of any
10 debt, or to impose any tax upon the people of the State, or to allow the counties, cities,
11 or towns to do so, unless the bill for the purpose shall have been read three several times
12 in each House of the General Assembly and passed three several readings, which
13 readings shall have been on three different days, and shall have been agreed to by each
14 House respectively, and unless the yeas and nays on the second and third readings of the
15 bill shall have been entered on the journal."

16 If the committee substitute was referred to standing committee, the standing
17 committee shall:

- 18 (1) Report the bill with the recommendation either that the House do
19 concur or that the House do not concur; and
- 20 (2) Advise the Speaker as to whether or not that committee substitute is a
21 material amendment under Article II, Section 23 of the North Carolina
22 Constitution.

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

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

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

31 **RULE 44. Conference Standing Committees.** – (a) Whenever the
32 House shall decline or refuse to concur in amendments put by the Senate to a bill
33 originating in the House, or shall refuse to concur in a substitute adopted by the Senate
34 for a bill originating in the House or whenever the Senate shall decline or refuse to
35 concur in amendments put by the House to a bill originating in the Senate, or shall
36 refuse to concur in a substitute adopted by the House for a bill originating in the Senate,
37 a conference committee may be appointed by the Speaker upon the Speaker's own
38 motion and shall be appointed upon request by the principal sponsor of the original bill,
39 the chair of the House standing committee which reported the bill, or by the sponsor of
40 the amendment in which the Senate refused to concur; and the bill under consideration
41 shall thereupon go to and be considered by the joint conferees on the part of the House
42 and Senate. In appointing members to conference committees, the Speaker shall appoint
43 no less than a majority of members who generally supported the House position as
44 determined by the Speaker.

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

5 (c) If the conferees fail to agree or if either House fails to adopt the report of
6 its conferees, new conferees may be appointed.

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

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

12 VII. Legislative Officers and Employees

13 **RULE 45. Elected Officers.** – (a) The House shall elect one of its
14 members Speaker.

15 (b) The House shall elect one of its members Speaker Pro Tempore who shall
16 perform such duties as the Speaker may assign and shall preside over the House in the
17 absence or incapacity of the Speaker and shall perform all of the duties of the Speaker
18 until such time the Speaker may assume the chair.

19 (c) The House shall elect a Principal Clerk, who shall continue in office until
20 another is elected. The Speaker shall appoint a Reading Clerk and a Sergeant-at-Arms,
21 who shall serve at the Speaker's pleasure. The Principal Clerk, Reading Clerk, and
22 Sergeant-at-Arms shall have and perform duties and responsibilities, not inconsistent
23 with these rules, as the Speaker may assign. Unless directed otherwise by the Speaker
24 on behalf of the House, the Principal Clerk or an employee designated by the Principal
25 Clerk shall receive House bills not approved by the Governor. In addition, the Sergeant-
26 at-Arms may assign the Reading Clerk additional duties, to be performed while the
27 House is not in its daily session.

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

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

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

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

38 **RULE 48. Member's Staff.** – (a) Each standing committee and
39 permanent subcommittee shall have a committee assistant. The committee assistant to a
40 standing committee or permanent subcommittee shall serve as staff to the chair of the
41 standing committee or permanent subcommittee.

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

1 (c) The selection and retention of committee assistants, legislative assistants,
2 and office assistants shall be the sole prerogative of the individual member or members.
3 Such staff shall file initial applications for employment with the Principal Clerk and
4 shall receive compensation as prescribed by the Legislative Services Commission. The
5 employment period of such staff shall commence not earlier than the convening date of
6 the General Assembly and shall terminate not later than the final adjournment or recess
7 of the General Assembly unless employment for an extended period is approved by the
8 Speaker. The committee assistants, legislative assistants, and office assistants shall
9 adhere to such uniform rules and regulations not inconsistent with these rules regarding
10 hours and other conditions of employment as the Legislative Services Commission shall
11 fix by appropriate regulations.

12 **RULE 49. Compensation of Legislative Assistants.** – No clerk, committee
13 assistant, legislative assistant, office assistant, or other person employed or appointed
14 under Rules 46, 47, and 48 hereof shall receive during such employment, appointment,
15 or service, any compensation from any department of the State government, and there
16 shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of
17 them; but they shall receive only the pay now provided by law for such duties and
18 services.

19 VIII. Privileges of the Hall

20 **RULE 50. Admittance to Floor.** – No person except members, officers, and
21 employees of the General Assembly who have been issued identification tags as
22 provided by this rule, and former members of the General Assembly who are not
23 registered under the provisions of Article 9 of Chapter 120 of the General Statutes of
24 North Carolina, shall be allowed on the floor of the House during its session, unless
25 permitted by the Speaker or otherwise provided by law. Employees of the General
26 Assembly shall wear identification tags, approved by the Legislative Services Officer,
27 when on the floor of the House.

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

33 **RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or
34 lobby shall be extended at the discretion of the Speaker and only by the Speaker.
35 Requests by members to extend these courtesies shall be typewritten and delivered to
36 the Speaker. No member shall orally ask the Speaker to extend these courtesies during
37 the daily session.

38 **RULE 53. Order in Chamber, Galleries, and Lobby.** – In case of any
39 disturbance or disorderly conduct in the chamber, galleries, or lobby, the Speaker or
40 other presiding officer is empowered to order the same to be cleared to the extent they
41 deem necessary.

42 IX. General Rules

1 **RULE 54. Attendance of Members.** – No member or officer of the House
2 shall absent himself from the service of the House without leave, unless from sickness
3 or disability.

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

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

10 **RULE 57. Placement or Circulation of Materials.** – Persons other than
11 members of the House shall not place or cause to be placed any materials on members'
12 desks in the House Chamber without obtaining approval of the Speaker. Any material
13 placed on members' desks in the House Chamber, or circulated to House members
14 anywhere in the Legislative Building or the Legislative Office Building, shall bear the
15 name of the originator.

16 **RULE 58. Rules, Rescission, and Alteration.** – (a) These rules shall not be
17 permanently rescinded or altered except by House simple resolution passed by a two-
18 thirds vote of the members present and voting. The introducer of the resolution must on
19 the floor of the House give notice of intent to introduce the resolution on the legislative
20 day preceding its introduction.

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

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

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

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

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

43 **RULE 61. Assignment of Seats.** – After initial assignment of seats, a
44 member shall continue to occupy the seat to which initially assigned until assigned a

1 permanent seat; once assigned a permanent seat, the member shall occupy it for the
2 entire biennial session. In event of vacancy, that member's successor will occupy the
3 seat of the member replaced for the remainder of the biennial session.

4 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on
5 Rules, Calendar, and Operations of the House shall assign to each member an office
6 space. When available, Chairs of standing committees and permanent subcommittees
7 shall be assigned an office adjacent to the room in which the standing committee or
8 permanent subcommittee generally meets if the Chair so desires. The Speaker shall be
9 assigned an office of his or her choice.

10 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The
11 Principal Clerk of the previous House of Representatives shall convene the House of
12 Representatives at 12:00 noon on the date established by law for the convening of each
13 regular session, and preside over the body until the members elect a Speaker. In the case
14 of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the sergeant-
15 at-arms of the prior House, and in the case of a vacancy in that office, or inability or
16 refusal to so serve, the duty shall devolve upon the reading clerk of the prior House.

17 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
18 Calendar, and Operations of the House of the prior House to assign temporary seats to
19 the members of the House of Representatives in its Chamber. In the case of the inability
20 or refusal to serve of the Chair of the Standing Committee on Rules, Calendar, and
21 Operations of the House, the Speaker of the prior House of Representatives shall
22 appoint a person to assign seats to members of the House of Representatives in its
23 Chamber. In the event that the party that had a majority of members in the prior House
24 will no longer have a majority of members of the new House, then the duty assigned in
25 this subsection to the Chair of the committee of the prior House shall instead be the duty
26 of the person nominated as Speaker by the majority party caucus for the new House, or
27 some member-elect designated by the Speaker-nominee. In the event no party will have
28 a majority, then the duty assigned in this subsection to the Chair of the committee of the
29 prior House shall instead be the joint duty of one person chosen each by the caucuses of
30 the two parties having the greatest numbers of members.

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

34 Section 2. This resolution is effective upon adoption.