

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

H

1

HOUSE BILL 287

Short Title: Legislative Session Length Limit.

(Public)

Sponsors: Representatives Rhyne; Grady, Isenhower, Kimsey, Loflin, Morgan, Pope, and Privette.

Referred to: Courts.

March 21, 1991

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE
2 NUMBER OF DAYS THE GENERAL ASSEMBLY MAY REMAIN IN SESSION
3 EACH YEAR.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. Section 11 of Article II of the North Carolina Constitution reads as
7 rewritten:

8 "(1) Regular Sessions. ~~The General Assembly shall meet in regular session in 1973~~
9 ~~and every two years thereafter on the day prescribed by law. In odd-numbered years, the~~
10 General Assembly shall meet in February and shall remain in session for no more than
11 120 legislative days. In even-numbered years, the General Assembly shall meet in May
12 and shall remain in session for no more than 30 legislative days. The day of convening
13 shall be set by law. Neither house shall proceed upon public business unless a majority
14 of all its members are actually present. No valid action, other than a resolution of
15 adjournment, may be taken by the General Assembly after the time limits prescribed in
16 this section have expired.

17 (2) Extra sessions on legislative call. The President of the Senate and the
18 Speaker of the House of Representatives shall convene the General Assembly in extra
19 session by their joint proclamation upon receipt by the President of the Senate of written
20 requests therefor signed by three-fifths of all the members of the Senate and upon
21 receipt by the Speaker of the House of Representatives of written requests therefor
22 signed by three-fifths of all the members of the House of Representatives.

1 The proclamation of the President of the Senate and the Speaker of the House
2 convening an extra session shall state the purpose of the session, and the session shall be
3 limited to the subjects stated in the proclamation. An extra session shall be limited to
4 20 legislative days."

5 Sec. 2. Section 5(7) of Article III of the Constitution of North Carolina reads
6 as rewritten:

7 "(7) Extra sessions. The Governor may, on extraordinary occasions, by and with
8 the advice of the Council of State, convene the General Assembly in extra session by his
9 proclamation, stating therein the purpose or purposes for which they are thus convened.
10 An extra session shall be limited to 20 legislative days."

11 Sec. 3. The amendments set out in Sections 1 and 2 of this act shall be
12 submitted to the qualified voters of the State at the next statewide general election,
13 statewide primary election, or the next statewide election, whichever is earlier. That
14 election shall be conducted under the laws then governing elections.

15 Sec. 4. At that election, each qualified voter desiring to vote shall be
16 provided a ballot on which shall be printed the following:

17 " FOR constitutional amendments limiting the duration of regular
18 sessions of the General Assembly to 120 legislative days in odd-
19 numbered years and 30 legislative days in even-numbered years, and
20 limiting extra sessions to 20 legislative days.

21 AGAINST constitutional amendments limiting the duration of regular
22 sessions of the General Assembly to 120 days in odd-numbered years
23 and 30 legislative days in even-numbered years, and limiting extra
24 sessions to 20 legislative days."

25 Those voters in favor of the amendments shall vote by marking an "X" or
26 check mark in the square beside the statement beginning "FOR", and those opposed to
27 the amendments shall vote by marking an "X" or check mark in the square beside the
28 statement beginning "AGAINST".

29 Notwithstanding the foregoing provisions of this section, voting machines
30 may be used in accordance with the rules prescribed by the State Board of Elections.

31 Sec. 5. G.S. 120-11.1 reads as rewritten:

32 **"§ 120-11.1. Time of meeting.**

33 The regular session of the Senate and House of Representatives ~~shall be held~~
34 ~~biennially beginning at 12:00 noon on the third Wednesday after the second Monday in~~
35 ~~January next after their election—in odd-numbered years shall begin at noon on the first~~
36 Wednesday after the second Monday in February and shall extend for no more than 120
37 legislative days. The regular session of the General Assembly in even-numbered years
38 shall begin at noon on the first Wednesday after the second Monday in May and shall
39 extend for no more than 30 legislative days."

40 Sec. 6. If a majority of the votes cast thereon are in favor of the amendments
41 set out in Sections 1 and 2, the State Board of Elections shall certify the amendments to
42 the Secretary of State, who shall enroll the certified amendments among the permanent
43 records of his office, and the amendments shall become effective January 1, 1993. If
44 the constitutional amendments are approved, Section 5 of this act becomes effective at

- 1 the same time as the constitutional amendments. If the amendments are not approved,
- 2 Section 5 shall be of no effect.
- 3 Sec. 7. This act is effective upon ratification.