

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

H

D

HOUSE RESOLUTION DRHR10004-LB-4B (11/16)

Sponsors: Representative Blust.

Referred to:

1 A HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF
2 REPRESENTATIVES FOR THE 2007 SESSION.

3 Be it resolved by the House of Representatives:

4 **SECTION 1.** The permanent rules of the Regular Sessions of the House of
5 Representatives of the 2007 General Assembly are:

6 **PERMANENT RULES OF THE REGULAR SESSIONS OF THE HOUSE OF**
7 **REPRESENTATIVES OF THE 2007 GENERAL ASSEMBLY OF NORTH**
8 **CAROLINA**

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

18 **I. Order of Business**

19 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday**
20 **Legislative Sessions.** – The House shall convene each legislative day at the hour fixed
21 by the House. In the event the House adjourns on the preceding legislative day without
22 having fixed an hour for reconvening, the House shall convene on the next legislative
23 day at 2:00 P.M. No session shall continue after 10:00 P.M. on Monday nor after 9:00
24 P.M. on any other days, and the Speaker shall adjourn the House without motion at that
25 point, except that a motion may be made as to the time and day of next convening. No
26 session shall be held on Sunday. The actual time shall govern the applicability of this
27 rule, and the clock in the chamber shall not be followed if the time on the clock is not
28 the accurate time.

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, the Speaker, or the Speaker's designee, shall lead the
4 members in the Pledge of Allegiance to the American Flag.

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

7 (b) Should the point of a quorum be raised, the doors shall be closed, and
8 the 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 Pledge of Allegiance,
18 and upon appearance of a quorum, the Speaker shall call for the Journal report by the
19 Chair of the Standing Committee on Rules, Calendar, and Operations of the House, or
20 by a Representative designated by the Chair, as to whether the proceedings of the
21 previous day have been correctly recorded. Without objection, the Speaker shall cause
22 the Journal to stand approved.

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

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

1 and shall have precedence over all other questions, except motions to adjourn. Privilege
2 may not be used to explain a vote or debate a bill. The Speaker shall determine if the
3 question is one of privilege and shall, without the point of order being raised, enforce
4 this rule.

5 **RULE 9. Points of Order.** – (a) The Speaker shall decide questions of order
6 pursuant to these rules and may speak to points of order in preference to other members
7 arising from their seats for that purpose. Any member may appeal from the ruling of the
8 chair on questions of order; on such appeal no member may speak more than once,
9 unless by leave of the House. A majority vote of the members present and voting shall
10 be necessary to sustain any appeal from the ruling of the chair.

11 (b) When the Speaker calls a member to order, the member shall be
12 seated, except that a member called to order may clear a matter of fact, or explain, but
13 shall not proceed in debate so long as the decision stands. If the member appeals from
14 the ruling of the chair and the decision by a majority vote of the members present be in
15 favor of the member called to order, the member may proceed; if otherwise, the member
16 shall not; and if the case, in the judgment of the House, requires it, the member shall be
17 liable to censure by the House.

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

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

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

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

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

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

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

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

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

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

3 (f) Smoking shall not be permitted on the floor of the House or in the
4 galleries at any time. The consumption of food or beverages shall not be permitted in
5 the galleries at any time.

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

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

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

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

15 (k) Written material attacking members of the House may not be
16 distributed in the chamber while the House is in session.

17 **III. Motions**

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

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

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

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

30 To adjourn.

31 To lay on the table.

32 Previous question.

33 To recess.

34 To postpone indefinitely.

35 To reconsider.

36 To postpone to a day certain.

37 To re-refer.

38 To amend an amendment.

39 To amend.

40 To pass the bill.

41 No motion to lay on the table, to postpone indefinitely, to postpone to a day
42 certain, to re-refer, or to make a particular amendment, being decided, shall be again
43 allowed at the same stage of the bill or proposition.

1 **RULE 15. Motion to Adjourn.** – (a) A motion to adjourn shall be seconded
2 before the motion is put to the vote of the House.

3 (b) A motion to adjourn shall be decided without debate and shall always
4 be in order, except when the House is voting or some member is speaking; but a motion
5 to adjourn shall not follow a motion to adjourn until debate or some other business of
6 the House has intervened.

7 **RULE 16. Motion to Table.** – (a) A motion to table shall be seconded before
8 the motion is put to the vote of the House and is in order except when a motion to
9 adjourn is before the House.

10 (b) A motion to table shall not be paired with a motion to reconsider.

11 (c) A motion to table a bill shall constitute a motion to table the bill and
12 all amendments thereto.

13 (d) When the question before the House is the adoption of an amendment
14 to a bill or resolution, a motion to table the bill is not in order; and a motion to table an
15 amendment applies to the amendment only, and the motion may not expressly or by
16 implication or construction be expanded to include a motion to table the bill also.

17 (e) When a question has been tabled, it shall not thereafter be considered
18 except on motion to reconsider under Rule 18 or to remove from the table approved by a
19 two-thirds vote.

20 **RULE 17. Motion to Postpone Indefinitely.** – A motion to postpone
21 indefinitely is in order except when a motion to adjourn or to lay on the table or for the
22 previous question or to recess is before the House. However, after one motion to
23 postpone indefinitely has been decided, another motion to postpone indefinitely shall
24 not be allowed at the same stage of the bill or proposition. When a question has been
25 postponed indefinitely, it shall not thereafter be considered except on motion to
26 reconsider under Rule 18 or to place on the favorable calendar approved by a two-thirds
27 vote.

28 **RULE 18. Motion to Reconsider.** – (a) When a question has been decided, it
29 is in order for a member of the prevailing side to move for the reconsideration thereof
30 on the same or the succeeding legislative day.

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

34 (1) A vote upon a motion to table,

35 (2) A motion to postpone indefinitely,

36 (3) A motion to remove a bill from the unfavorable calendar,

37 (4) A motion that a bill be read twice on the same day, or

38 (5) A motion to remove from the table.

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

41 (1) The Chair of the Committee on Rules, Calendar, and Operations of the
42 House;

43 (2) The member submitting the report on the bill or other matter under
44 consideration;

- 1 (3) The member introducing the bill or other matter under consideration;
2 (4) The member in charge of the measure, who shall be designated by the
3 chair of the standing committee or permanent subcommittee reporting
4 the same to the House at the time the bill or other matter under
5 consideration is reported to the House or taken up for consideration;
6 (5) The majority leader or a majority whip; or
7 (6) The minority leader or a minority whip.
8 (a1) The previous question may only be called after at least three members
9 have spoken in the affirmative and three members in the negative if there are three or
10 more members desiring to speak on each side of a question.
11 (b) The previous question shall be as follows: "Call for the previous
12 question having been made, is the call sustained?" When the call for the previous
13 question has been decided in the affirmative by a majority vote of the House, the
14 question is on the passage of the bill, resolution, or other matter under consideration.
15 (c) The call for the previous question shall preclude all motions,
16 amendments, and debate, except the motion to adjourn or motion to table.
17 (d) If the previous question is decided in the negative, the question
18 remains under debate.

19 IV. Voting

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

- 23 (1) The passage as required by Article II, Section 23 of the North Carolina
24 Constitution on second and third readings of any bill:
25 a. Raising money on the credit of the State,
26 b. Pledging the faith of the State for the payment of a debt,
27 c. Imposing a State tax, or
28 d. Authorizing a county, municipality, or other local governmental
29 unit to
30 1. Raise money on its credit,
31 2. Pledge its faith for the payment of a debt, or
32 3. Impose a local tax.
33 (2) All measures affecting a fee imposed by the State or any subdivision
34 thereof.
35 (3) All questions on which a call for the ayes and noes under Rule 24(a)
36 and Article II, Section 19 of the North Carolina Constitution has been
37 sustained.
38 (4) Both second and third readings of bills proposing amendment of the
39 North Carolina Constitution or ratifying resolutions amending the
40 United States Constitution.
41 (5) The passage of a bill notwithstanding the Governor's veto thereof
42 pursuant to Article II, Section 22 of the North Carolina Constitution.
43 (b) Votes on the following questions shall be taken on the electronic
44 voting system:

1 (1) Second reading of all public bills, all amendments to public bills, third
2 reading if a public bill was amended after second reading or if the
3 reading occurs on a day or days following the second reading, all
4 conference reports on public bills, all motions to lay public bills on the
5 table, and all motions to postpone public bills indefinitely.

6 (2) Upon a call for division.

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

9 (c) When the electronic voting system is used, 15 seconds shall be
10 allowed for voting on the question before the House, unless the Chair shall direct
11 otherwise. The system shall be set to close automatically when that time has expired.
12 Once the system is locked, the vote shall be recorded and printed.

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

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

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

33 (g) When the Speaker ascertains that the electronic voting system is
34 inoperative before a vote is taken or while a vote is being taken on the electronic voting
35 system, the Speaker shall announce that fact to the House, and any partial electronic
36 voting system voting record shall be voided. In such a case, if the North Carolina
37 Constitution or the Rules of the House require a call of the ayes and noes, the Clerk
38 shall call the roll of the House, and the ayes and noes shall be taken manually and shall
39 be recorded on the Journal. All roll call votes shall be taken alphabetically. If, after a
40 vote is taken on the electronic voting system, it is discovered that a malfunction caused
41 an error in the electronic voting system printout, the Speaker shall direct the Reading
42 Clerk and the Principal Clerk to verify and correct the printout record and so advise the
43 House.

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

- 3 (1) To adjourn.
4 (2) To lay on the table.
5 (3) Previous question.
6 (4) To recess.
7 (5) To postpone indefinitely.
8 (6) To reconsider.
9 (7) To postpone to a day certain.
10 (8) To re-refer.
11 (9) To amend an amendment.
12 (10) To amend.
13 (11) To concur or not concur.
14 (12) Miscellaneous.

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

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

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

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

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

28 **RULE 23. Voting by Division.** – Any member may call for a division of the
29 members upon the question before the result of the vote has been announced. Upon a
30 call for a division, the Speaker shall cause the number voting in the affirmative and in
31 the negative to be determined. The Speaker or other presiding officer may not disregard
32 a timely call for a division by a member. Upon a division and count of the House on any
33 question, no member away from the member's seat shall be counted.

34 **RULE 24. Roll Call Vote.** – (a) Before a question is put, any member may
35 call for the ayes and noes. The Speaker may not disregard a timely request for the ayes
36 and noes. If the call is sustained by one-fifth of the members present, the question shall
37 be decided by the ayes and noes upon a roll call vote.

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

40 **RULE 24.1A. Excuse From Deliberations and Voting on a Bill.** – (a) Any
41 member shall, upon request, be excused from the deliberations and voting on a
42 particular bill, but to do so must make that request after the second reading of the bill
43 and before any motion or vote on the bill or any amendment thereto. If the reason for

1 the request arises at some point later in the proceedings, the request may be made at that
2 time.

3 (b) The member must make a brief oral statement of the reasons for
4 making the request. The member must send forward to the Principal Clerk, on a form
5 provided by the Clerk, a concise written statement of the reason for the request, and the
6 Clerk shall include this statement in the Journal.

7 (c) The member so excused shall not debate the bill or any amendment to
8 the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on
9 any motion concerning the bill at that reading, any subsequent reading, or any
10 subsequent consideration of the bill.

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

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

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

20 **V. Committees**

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

28 (b) The members of all permanent subcommittees of each standing
29 committee shall be appointed by the Speaker, and the members appointed, along with
30 the chair of the standing committee, shall constitute the standing committee of which
31 the permanent subcommittee is a part. The Speaker shall appoint all members of
32 permanent subcommittees before the end of the tenth legislative day of the first regular
33 session in a manner to reflect the partisan membership of the House.

34 (c) The Speaker shall appoint the members of all standing committees
35 having no permanent subcommittees before the end of the tenth legislative day of the
36 first regular session. The appointments shall be made in a manner to reflect the partisan
37 membership of the House on a mathematical basis. If the two largest parties have a
38 different number of members, the majority party shall have at least one more member
39 on each committee and subcommittee than the minority party, except that the Ethics
40 Committee shall have an equal number of members from the majority and minority
41 parties.

42 (d) Each chair of a permanent subcommittee shall be a vice-chair of the
43 standing committee of which it is a permanent subcommittee. The Speaker may name

1 other members as vice-chairs of the standing committee. The Speaker may name one or
 2 more vice-chairs for any standing committee not having permanent subcommittees.

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

5 (f) Either the chair or acting chair, and five other members of the standing
 6 committee or permanent subcommittee, or a majority of the standing committee or
 7 permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing
 8 committee or permanent subcommittee.

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

12 (h) Once a member is appointed to a committee or permanent
 13 subcommittee of a standing committee (or is appointed as chair of a committee or
 14 permanent subcommittee), the member can only be removed for cause, and no
 15 additional members may thereafter be appointed to a committee or permanent
 16 subcommittee except to fill a vacancy.

17 (i) Each member of the House, other than the Speaker and Speaker Pro
 18 Tempore, shall be assigned to either the Committee on Appropriations or the Committee
 19 on Finance, and if appointed to the Committee on Appropriations, shall also be
 20 appointed to one of its subcommittees.

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

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

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

25 The standing committees and permanent subcommittees thereof are:

Committees	Subcommittees
Aging	(None)
Agriculture	(None)
Alcoholic Beverage Control	(None)
Appropriations	-Capital -Education -General Government -Health and Human Services -Justice and Public Safety -Natural and Economic Resources -Transportation
Children, Youth and Families	(None)
Commerce	(None)

1		
2	Education	-Community Colleges
3		-Pre-School, Elementary and Secondary
4		Education
5		-Universities
6		
7	Election Law and	
8	Campaign Finance Reform	(None)
9		
10	Environment and	
11	Natural Resources	(None)
12		
13	Ethics	(None)
14		
15	Federal Relations and Trade Issues	(None)
16		
17	Finance	(None)
18		
19	Financial Institutions	(None)
20		
21	Health	(None)
22		
23	Insurance	(None)
24		
25	Judiciary I	(None)
26		
27	Judiciary II	(None)
28		
29	Judiciary III	(None)
30		
31	Judiciary IV	(None)
32		
33	Local Government I	(None)
34		
35	Local Government II	(None)
36		
37	Military, Veterans and	
38	Indian Affairs	(None)
39		
40	Pensions and Retirement	(None)
41		
42	Public Utilities	(None)
43		
44	Rules, Calendar, and	

1	Operations of the House	(None)
2		
3	Science and Technology	(None)
4		
5	State Government	(None)
6		
7	State Personnel	(None)
8		
9	Transportation	(None)
10		
11	University Board of Governors	
12	Nominating	(None)
13		
14	Ways and Means	(None)
15		
16	Wildlife Resources	(None)
17		

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

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

25 (b) Subject to the provisions of subsection (c) of this rule, standing
26 committees and permanent subcommittees thereof shall permit other members of the
27 General Assembly, the press, and the general public to attend all sessions of said
28 standing committees or permanent subcommittees. Meetings of standing subcommittees
29 and permanent subcommittees may not be held on the floor of the House.

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

36 (d) Procedure in the standing committees and permanent subcommittees
37 shall be governed by the rules of the House, so far as the same may be applicable to
38 such procedure. Before a question is put, any member may call for the ayes and noes. If
39 the call is sustained by one-fifth of the members present, the question shall be decided
40 by the ayes and noes upon a roll call vote. All roll call votes shall be taken
41 alphabetically and shall be subject to Rule 21(c). No presiding officer may disregard a
42 member who timely calls for the ayes and noes or a division on a question before the
43 committee or standing subcommittee.

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

4 (f) No standing committee or permanent subcommittee shall meet during
5 any session of the House. Standing committees and permanent subcommittees shall
6 meet at their regularly scheduled hour. No permanent subcommittee shall meet at the
7 same time 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,
23 the 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.** – (a) On its own motion, or
27 in response to signed and sworn complaint of any individual filed with the Standing
28 Committee on Ethics, the Committee shall inquire into any alleged violation by
29 members of the House of any rule, standard of conduct, or law that applies to the
30 conduct of the business of the House or the conduct of House members.

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

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

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

41 (2) Issue a private letter of reprimand to the member.

42 (3) Issue a public letter of reprimand if the violation was intentional or if
43 the member has previously received a private letter of reprimand. The

1 Chair of the Committee on Ethics shall have the public letter of
2 reprimand spread on the pages of the House Journal.

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

4 (d) The Ethics Committee shall consider complaints against presiding
5 officers for violations of these rules if the violation was timely brought to the attention
6 of the presiding officer who thereafter failed to immediately redress the violation.

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

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

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

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

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

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

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

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

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

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

14 VI. Handling of Bills

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

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

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

30 (d) All bills and resolutions shall show in their captions a brief descriptive
31 statement of the true substance of same, which captions may thereafter be amended.
32 Third reading shall not be had on any bill or resolution on the same day that such
33 caption is amended.

34 (e) A Substitute Bill shall be covered with the same color jacket as the
35 original bill and shall be prefaced as follows: "House Committee Substitute
36 for_____".

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

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

41 (h) A bill containing no substantive provisions may not be introduced.

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

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

1
2 – (a) All public bills or resolutions recommended by commissions or standing
3 committees authorized or directed by act or resolution of the General Assembly to
4 report to the 2007 Regular Session of the General Assembly, or to report prior to
5 convening of that session, must have been submitted to the Bill Drafting Division of the
6 Legislative Services Office by 4:00 P.M. on March 7, 2007, and must be introduced not
7 later than 3:00 P.M. on March 14, 2007; and

8 (a1) All bills prepared to be introduced for departments, agencies, or
9 institutions of the State must have been submitted to the Bill Drafting Division of the
10 Legislative Services Office by 4:00 P.M. on March 7, 2007, and must be introduced not
11 later than 3:00 P.M. on March 14, 2007. A bill introduced under this subsection shall be
12 identified as an Agency Bill after its short title.

13 (a2) All local bills must have been submitted to the Bill Drafting Division
14 of the Legislative Services Office by 4:00 P.M. on March 20, 2007, and must be
15 introduced not later than 3:00 P.M. on March 28, 2007.

16 (b) All public bills which would not be required to be re-referred to the
17 Appropriations or Finance Committees under Rule 38 must have been submitted to the
18 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on April 11,
19 2007, and must be introduced not later than 3:00 P.M. on April 18, 2007.

20 (c) All public bills which under Rule 38 would be required to be
21 re-referred to the Appropriations Committee, or to both the Appropriations and Finance
22 Committees, or to the Finance Committee, must have been submitted to the Bill
23 Drafting Division of the Legislative Services Office by 4:00 P.M. on May 2, 2007, and
24 must be introduced not later than 3:00 P.M. on May 9, 2007. If any bill is eligible for
25 introduction on account of the date only under this subsection, and the bill is amended
26 so that qualifying appropriation or tax law change does not remain in the bill, it shall not
27 be eligible for further consideration. For the purpose of this section, a "tax law change"
28 includes any provision that would require a bill under Rule 38(b) to be referred to the
29 Standing Committee on Finance.

30 (d) In order to be eligible for consideration by the House during the first
31 Regular Session, all Senate bills other than finance or appropriations bills which would
32 be required to be re-referred to the Appropriations or Finance Committees under Rule
33 38 or adjournment resolutions must be received and read on the floor of the House as a
34 message from the Senate no later than May 17, 2007; provided that a message from the
35 Senate received by the next legislative day stating that a bill has passed its third reading
36 and is being engrossed shall comply with the requirements of this subsection and
37 provided that the Senate has a similar rule.

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

42 (e) This rule, other than subsection (d1), does not apply to bills
43 establishing districts for Congress or State or local entities. This rule, other than

1 subsection (d1), does not apply to measures ratifying an amendment or amendments to
2 the Constitution of the United States.

3 **RULE 32. Reference to Standing Committee and to Permanent**
4 **Subcommittee; Serial Referrals.** – (a) Each bill not introduced on the report of a
5 standing committee shall immediately upon its first reading be referred by the Speaker
6 to the standing committee or permanent subcommittee whose usual jurisdiction relates
7 to the subject matter of the bill. The Speaker at the same time may order that, if the bill
8 is reported with any favorable recommendation or without prejudice, it be re-referred
9 automatically upon the committee report to another committee or permanent
10 subcommittee designated in the order. Each joint resolution or House resolution not
11 introduced on the report of a standing committee shall immediately upon its first
12 reading either be referred by the Speaker to a standing committee or permanent
13 subcommittee or be calendared on the date designated by the Speaker, as the Speaker
14 deems appropriate.

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

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

41 Any recommendation of favorable or without prejudice may include a
42 recommendation of re-referral to another standing committee. After a bill is reported to
43 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 attached
13 thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the
14 original resolution or bill is numbered and shall cause the same to be available at all
15 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 the
39 establishment of an occupational or professional licensing board, as defined in Article
40 18A of Chapter 120 of the General Statutes, or a study for the need to establish such a
41 board shall have attached to the jacket of the original bill or resolution at the time of its
42 consideration on second and third readings by the House or by any standing committee
43 or permanent subcommittee of the House an assessment report from the Legislative
44 Committee on New Licensing Boards pursuant to Article 18A of Chapter 120 of the

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

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

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

17 (a) **When Reports Required.** – All House bills and resolutions that have a cumulative
18 total of 10 or more principal sponsors or co-sponsors shall be reported from the standing
19 committee or permanent subcommittee to which referred with such recommendations as
20 the standing committee or permanent subcommittee may desire to make except in the
21 case where the principal introducer requests in writing to the chair of the standing
22 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 second legislative day following the report unless:

- 33 (1) The bill is re-referred to the Committee on Appropriations or
34 Committee on Finance under Rule 38 or was serially referred under
35 Rule 32;
- 36 (2) The bill has not yet been placed on the calendar, and the Speaker refers
37 the bill to another committee, if such referral is approved by a majority
38 vote of the House; or
- 39 (3) The principal sponsor of the bill requests in writing that the Chairman
40 of the Standing Committee on Rules, Calendar, and Operations of the
41 House delay the calendaring of the bill for up to two legislative days.

42 In order to delay placing a bill on the calendar for a legislative day, notice shall be given
43 by the Chair of the Standing Committee on Rules, Calendar, and Operations of the
44 House orally in the House or in writing to the Principal Clerk.

1 When a committee substitute is adopted and receives a favorable report by the
2 committee or permanent subcommittee, the standing committee or permanent
3 subcommittee chair shall submit to the standing committee or permanent subcommittee
4 the question of an unfavorable report on the original bill. Except by vote of two-thirds
5 of the committee members present, no committee substitute may be considered in a
6 committee unless the committee substitute shall have been sent by electronic mail to
7 each committee member at least one legislative day prior to its consideration. The
8 standing committee's or permanent subcommittee's action, if any, on the original bill
9 shall be reported at the same time the committee substitute is reported.

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

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

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

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

27 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
28 Committee, of the Finance Committee, or of the Standing Committee on Rules,
29 Calendar, and Operations of the House, upon the floor of the House, may request that a
30 fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution
31 which is in the possession of the House and that a fiscal note be attached to the measure,
32 which request shall be allowed when, in the opinion of the Speaker, the fiscal effects of
33 that measure are not apparent from the language of the measure.

34 (b) Once a request is made for a fiscal note pursuant to subsection (a) of
35 this section, the bill, resolution, or amendment shall be removed from the calendar until
36 the requested fiscal note is attached thereto, at which time the bill, amendment, or
37 resolution shall be placed back on the calendar. The fiscal note shall be filed and
38 attached to the bill or amendment within two legislative days of the request. If it is
39 impossible to prepare a fiscal note within two legislative days, the Director of Fiscal
40 Research shall, in writing, so advise the Speaker, the Principal Clerk, and the member
41 introducing or proposing the measure and shall indicate the time when the fiscal note
42 will be ready.

43 (c) The fiscal note shall be prepared by the Fiscal Research Division on a
44 form approved by the Chair of the Standing Committee on Rules, Calendar, and

1 Operations of the House as to content and form and signed by the staff member or
2 members preparing it. If no estimate in dollars is possible, the fiscal note shall indicate
3 the reasons that no estimate is provided. The fiscal note shall not comment on the merit
4 but may identify technical problems. The Fiscal Research Division shall make the fiscal
5 note available to the membership of the House.

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

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

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

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

19 (1) State, municipal, or other retirement system funded in whole or in part
20 out of public funds; or

21 (2) Program of hospital, medical, disability, or related benefits provided
22 for teachers and State employees, funded in whole or in part by State
23 funds; shall have attached to it at the time of its consideration by any
24 standing committee or permanent subcommittee a brief explanatory
25 statement or note which shall include a reliable estimate of the
26 financial and actuarial effect of the proposed change to that retirement
27 or pension system. The actuarial note shall be attached to the jacket of
28 each proposed bill or resolution which is reported favorably by any
29 standing committee or any permanent subcommittee, shall be separate
30 therefrom, and shall be clearly designated as an actuarial note. A bill
31 described in subdivision (a)(1) of this rule shall be referred to the
32 Committee on Pensions and Retirement upon its introduction in
33 accordance with G.S. 120-111.3.

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

41 (c) The sponsor of the bill or resolution shall also present a copy of the
42 measure to the actuary employed by the system or program affected by the measure.
43 Actuarial notes shall be prepared and transmitted to the sponsor of the measure not later
44 than two weeks after the request is received, unless an extension of time is agreed to by

1 the sponsor as being necessary in the preparation of the note. The actuarial note shall be
2 attached to the jacket of the measure. The provisions of this subsection may be waived
3 by the measure's sponsor for a measure affecting local government retirement or
4 pension plans not administered by the State or any local government program of
5 hospital, medical, disability, or related benefits for local government employees not
6 administered by the State.

7 (d) The note shall be factual and shall, if possible, provide a reliable
8 estimate of both the immediate effect and, if determinable, the long-range fiscal and
9 actuarial effect of the measure. If, after careful investigation, it is determined that no
10 dollar estimate is possible, the note shall contain a statement to that effect, setting forth
11 the reasons why no dollar estimate can be given. No comment or opinion shall be
12 included in the actuarial note with regard to the merits of the measure for which the note
13 is prepared. Technical and mechanical defects in the measure may be noted.

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

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

29 **RULE 36.3. Local Legislation Affecting State Highway System.** – A local
30 bill affecting the State Highway System shall be referred to the Committee on
31 Transportation.

32 **RULE 36.4. Content of appropriations bills.** – (a) No provision changing
33 existing law shall be contained in any of the following bills: (i) the Current Operations
34 Appropriations Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill
35 generally revising appropriations for the second fiscal year of a biennium.

36 (b) No amendment to any bill listed in subsection (a) of this rule shall be
37 in order if the language is prohibited by that subsection.

38 (c) Notwithstanding subsections (a) and (b) of this section, any of the bills
39 listed in subsection (a) of this section or an amendment to such bill may change existing
40 law if the change:

41 (1) Alters expenditures or salaries;

42 (2) Changes the scope or character of a program which must be reduced,
43 increased, or changed because of an increase or decrease of funds

1 appropriated for the program or because of changes in federal law or
2 regulation; or

3 (3) Modifies any function of State government which necessitates a
4 transfer of funds from one department to another; provided, that for a
5 provision to be in order under this subsection, it must be recommended
6 to the General Assembly in a written report adopted by the
7 Appropriations Committee before or at the same time the bill is
8 reported, or, if such provision is contained in a floor amendment, the
9 sponsor of the amendment must present to the Principal Clerk at or
10 before the time the amendment is offered an explanation of the
11 amendment for distribution to each member of the House.

12 (d) Each individual expenditure or special provision included in the
13 budget shall be accompanied by the name of a house member (or in the case of the
14 conference report, the name of the member of the House or Senate) who requested the
15 expenditure, and no such expenditure shall be placed in the bill unless it was also
16 contained in a separately filed bill.

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

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

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

24 (2) Requires or will require in the future substantial additional State
25 monies from the General Fund or Highway Fund to implement its
26 provisions shall indicate same in the report, and said bill or resolution
27 shall be referred to the Standing Committees on Appropriations for a
28 further report before being acted upon by the House.

29 (b) All standing committees, other than the Standing Committee on
30 Finance, when favorably reporting any bill which in any way or manner raises revenue,
31 reduces revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or
32 authorizes the issue of bonds or notes, whether public, public-local, or private, shall
33 indicate same in the report, and said bill shall be referred to the Standing Committee on
34 Finance for a further report before being acted upon by the House. This subsection shall
35 not apply to bills only imposing fines, forfeitures, or penalties.

36 (c) Action on Amendment Before Re-Referral. – If any standing
37 committee recommends adoption of an amendment or committee substitute of a bill
38 which, under the rules of the House, must be referred to the Standing Committees on
39 Appropriations or the Standing Committee on Finance, the amendment or committee
40 substitute shall be considered and, if adopted, the amendment or substitute engrossed
41 before the bill is re-referred.

42 **RULE 38.1 Special Rules Relating to the Budget.** – (a) Any proposed
43 allocation of availability among the appropriations subcommittees shall be put to a vote
44 of the membership of the House for approval at least two legislative days prior to the

1 meeting of the full Appropriations Committee at which a vote on approval of the
2 Current Operations Appropriations Bill takes place.

3 (b) No vote shall be taken on the Current Operations Appropriations Bill
4 on either second or third reading has taken place until at least 10 hours of debate on the
5 bill or on consideration of amendments to the bill has taken place, unless no member of
6 the House seeks to further debate or offer further amendments.

7 (c) No additional rules on consideration of the Current Operations
8 Appropriations Act not contained in these rules may be enforced unless agreed to by
9 majority vote of the members present and voting. No additional rule shall prohibit
10 amendments to the Current Operations Appropriations Bill that transfers funds from one
11 subcommittee area to another subcommittee area.

12 **RULE 39. Recall of Bill From Standing Committee.** – (a) When a House
13 bill has been introduced and referred to a standing committee, or when a Senate bill has
14 been referred to a standing committee, if after 10 legislative days the standing
15 committee has failed to act thereon, then the introducer of the House bill or some
16 member designated by the introducer, or some House member designated by the
17 introducer of the Senate bill, may, after three legislative days' public notice given in the
18 House and delivered in writing to the chair of the standing committee, on motion
19 supported by a vote of a majority of the members of the House, recall the same from the
20 standing committee to the floor of the House for consideration and such action thereon
21 as a majority of the members present may direct. The re-referral of a bill to another
22 committee or subcommittee does not restart the 10-day period after a notice has been
23 given pursuant to this rule.

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

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

34 **RULE 39.2. Re-Referral of Bills From One Standing Committee to**
35 **Another Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker,
36 the chair of the standing committee from whom the bill is to be re-referred, and the
37 chair of the standing committee to whom the bill is to be re-referred, the chair of the
38 standing committee from whom the bill is to be re-referred or the Chair of the Standing
39 Committee on Rules, Calendar, and Operations of the House may move for a re-referral
40 to another standing committee, and the bill shall be re-referred upon vote of the majority
41 present during a regular session of the House.

42 **RULE 39.3. Discharge petition.** – A motion to discharge a committee from
43 consideration of a bill or resolution may be filed with the Principal Clerk if
44 accompanied by a petition signed by 61 members of the House asking that the

1 committee be discharged from further consideration of the bill or resolution. No petition
2 may be circulated for signatures until 10 legislative days after the bill has been referred
3 to the committee. No petition may be circulated for signature until notice has been given
4 on the floor of the House that the petition is to be circulated. If such a motion
5 accompanied by a valid petition is filed, the Principal Clerk shall place that motion on
6 the calendar for the next legislative day as a special order of business. If the motion is
7 adopted, then the committee to which the bill or resolution has been referred is
8 discharged from further consideration of the bill or resolution, and that bill or resolution
9 is placed on the calendar for the next legislative day as a special order of business. If the
10 committee had, prior to discharge, adopted any amendment or committee substitute for
11 the bill, it shall be in order to offer that amendment or substitute on the floor as if it
12 were a committee amendment or substitute. The Principal Clerk shall provide a form for
13 discharge petitions.

14 **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House
15 shall prepare a daily schedule of business, including the Calendar of Bills and
16 Resolutions for consideration and debate that day, in accordance with the Order of
17 Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the
18 order in which they are introduced. All bills and resolutions shall be taken up by the full
19 house as they appear in each category (Rule 5(10)) in the order they were placed on the
20 Calendar under Rule 36(b). The Speaker shall not vary from the order unless a majority
21 of the members present agree.

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

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

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

- 34 (1) Been tabled,
- 35 (2) Been postponed indefinitely,
- 36 (3) Failed to pass on any of its readings, or
- 37 (4) Been placed on the unfavorable calendar, the contents of that bill or
38 the principal provisions of its subject matter shall not be considered in
39 any other measure originating in the Senate or originating thereafter in
40 the House. Upon the point of order being raised and sustained by the
41 Chair, that measure shall be laid upon the table, and shall not be taken
42 therefrom except by a two-thirds vote of the members present and
43 voting.

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

5 **RULE 43. Amendments.** – No amendment to a measure before the House
6 shall be in order unless the amendment is germane to the measure under consideration.
7 A House amendment deleting a previously adopted House amendment shall not be in
8 order, except that this sentence does not apply to amendments adopted under Rule
9 38(c).

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

13 Only one principal (first degree) amendment shall be pending at any one
14 time. If a subsequent or substitute principal amendment shall be offered, the Speaker
15 shall rule it out of order. However, any member desiring to offer a subsequent or
16 substitute principal amendment in opposition to the pending amendment may inform the
17 House by way of argument against the pending amendment that if it is defeated the
18 member proposes to offer another principal amendment, and the member may then read
19 and explain such proposed amendment.

20 Perfecting or second degree amendments may be offered and considered
21 without limitation as to number, and in the event of multiple perfecting amendments,
22 they shall be voted upon in inverse order.

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

26 **RULE 43.2. House Concurrence in Senate Amendments to House Bills.** –
27 When the House receives a Senate amendment to a bill originating in the House, it shall
28 be placed on the calendar in accordance with Rule 36(b).

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

34 (b) The Speaker shall rule whether the committee substitute is a material
35 amendment under Article II, Section 23 of the North Carolina Constitution which reads:

36 **"Revenue bills.** – No law shall be enacted to raise money on the credit of the State,
37 or to pledge the faith of the State directly or indirectly for the payment of any debt, or to
38 impose any tax upon the people of the State, or to allow the counties, cities, or towns to
39 do so, unless the bill for the purpose shall have been read three several times in each
40 house of the General Assembly and passed three several readings, which readings shall
41 have been on three different days, and shall have been agreed to by each house
42 respectively, and unless the yeas and nays on the second and third readings of the bill
43 shall have been entered on the journal."

1 If the committee substitute was referred to standing committee, the standing
2 committee shall:

3 (1) Report the bill with the recommendation either that the House do
4 concur or that the House do not concur; and

5 (2) Advise the Speaker as to whether or not that committee substitute is a
6 material amendment under Article II, Section 23 of the North Carolina
7 Constitution.

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

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

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

16 **RULE 44. Conference Standing Committees.** – (a) Whenever the House
17 shall decline or refuse to concur in amendments put by the Senate to a bill originating in
18 the House, or shall refuse to concur in a substitute adopted by the Senate for a bill
19 originating in the House, or whenever the Senate shall decline or refuse to concur in
20 amendments put by the House to a bill originating in the Senate, or shall refuse to
21 concur in a substitute adopted by the House for a bill originating in the Senate, a
22 conference committee may be appointed by the Speaker upon the Speaker's own motion
23 and shall be appointed upon request by the principal sponsor of the original bill, the
24 chair of the House standing committee which reported the bill, or the sponsor of the
25 amendment in which the Senate refused to concur; and the bill under consideration shall
26 thereupon go to and be considered by the joint conferees on the part of the House and
27 Senate. In appointing members to conference committees, the Speaker shall appoint no
28 less than a majority of members who generally supported the House position as
29 determined by the Speaker.

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

34 (c) If the conferees fail to agree or if either house fails to adopt the report
35 of its conferees, new conferees may be appointed.

36 (d) No vote shall be taken on adoption of a conference report until the
37 third legislative day following the distribution of the report to the office of each member
38 of the House. The Conference Report for the Current Operations Appropriations Bill
39 and the Conference Report on a bill making general revisions in that act for the second
40 fiscal year of a biennium may not be placed on the calendar for action earlier than the
41 third legislative day after the Conference is distributed to the office of all members of
42 the House.

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

4 **VII. Legislative Officers and Employees**

5 **RULE 45. Elected Officers.** – (a) The House shall elect its Speaker from
6 among its membership. The election of the Speaker shall be by a call of the roll of the
7 members of the House and may not be done by resolution or be combined with any
8 other matter.

9 (b) The House shall elect its Speaker Pro Tempore from among its
10 membership who shall perform such duties as the Speaker may assign.

11 (c) The House shall elect a Principal Clerk, who shall continue in office
12 until another is elected. The Speaker may appoint a Reading Clerk and shall appoint a
13 Sergeant-at-Arms, both of whom shall serve at the Speaker's pleasure. The Principal
14 Clerk, Reading Clerk, and Sergeant-at-Arms shall have and perform duties and
15 responsibilities, not inconsistent with these rules, as the Speaker may assign. Unless
16 directed otherwise by the Speaker on behalf of the House, the Principal Clerk or an
17 employee designated by the Principal Clerk shall receive House bills not approved by
18 the Governor.

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

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

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

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

29 **RULE 48. Member's Staff.** – (a) Each standing committee and permanent
30 subcommittee shall have a committee assistant. The committee assistant to a standing
31 committee or permanent subcommittee shall serve as staff to the chair of the standing
32 committee or permanent subcommittee.

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

35 (c) The selection and retention of committee assistants, legislative
36 assistants, and office assistants shall be the sole prerogative of the individual member or
37 members. Such staff shall file initial applications for employment with the Principal
38 Clerk and shall receive compensation as prescribed by the Legislative Services
39 Commission. The employment period of such staff shall commence not earlier than the
40 convening date of the General Assembly and shall terminate not later than the final
41 adjournment or recess of the General Assembly unless employment for an extended
42 period is approved by the Speaker. The committee assistants, legislative assistants, and
43 office assistants shall adhere to such uniform rules and regulations not inconsistent with

1 these rules regarding hours and other conditions of employment as the Legislative
2 Services Commission shall fix by appropriate regulations.

3 **RULE 49. Compensation of Legislative Assistants.** – No clerk, committee
4 assistant, legislative assistant, office assistant, or other person employed or appointed
5 under Rules 46, 47, and 48 hereof shall receive during such employment, appointment,
6 or service any compensation from any department of the State government, and there
7 shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of
8 them; but they shall receive only the pay now provided by law for such duties and
9 services. This rule shall not apply to employment, appointment, or service or to the
10 receipt of compensation or additional pay, bonus, or gratuity from another department
11 of State government between regular sessions of the General Assembly.

12 **VIII. Privileges of the Hall**

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

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

26 **RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or
27 lobby shall be extended at the discretion of the Speaker and only by the Speaker.
28 Requests by members to extend these courtesies shall be typewritten and delivered to
29 the Speaker. No member shall orally ask the Speaker to extend these courtesies during
30 the daily session.

31 **RULE 53. Order in House Chamber, Galleries, and Lobby.** – In case of
32 any disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the
33 Speaker or other presiding officer is empowered to order the same to be cleared to the
34 extent they deem necessary.

35 **IX. General Rules**

36 **RULE 54. Attendance of Members.** – No member or officer of the House
37 shall be absent from the service of the House without leave, unless from sickness or
38 disability.

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

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

1 **RULE 57. Placement or Circulation of Materials.** – Persons other than
2 members of the House shall not place or cause to be placed any materials on members'
3 desks in the House Chamber without obtaining approval of the Speaker. Any material
4 placed on members' desks in the House Chamber, or circulated to House members
5 anywhere in the Legislative Building or the Legislative Office Building, shall bear the
6 name of the originator.

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

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

14 **RULE 59. Cosponsorship of Bills and Resolutions.** – (a) Any member
15 wishing to cosponsor a bill or resolution which has been introduced may do so by
16 appearing in the office of the Principal Clerk for such purpose within one-half hour
17 following the adjournment of the session during which such bill or resolution was first
18 read and referred, except as approved by the Principal Clerk, a member may cosponsor
19 the bill electronically not later than one hour following the adjournment.

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

26 (c) No member shall permit anyone, other than that member's committee
27 assistant, legislative assistant, office assistant, or another member, to have possession of
28 the bill jacket in order to solicit for cosponsorship.

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

35 **RULE 61. Assignment of Seats.** – The assignment of seats shall be made
36 within each party caucus, with each member choosing a seat in order of seniority. The
37 Democratic members shall be seated in the 60 seats to the Speaker's left in the chamber,
38 and the Republican members shall be seated in the 60 seats to the Speaker's right in the
39 chamber. Except that to the extent that members of one party are in the majority, the
40 excess shall be seated first in the center aisle seats on the other side of the chamber,
41 being allocated first, front to rear. After initial assignment of seats, a member shall
42 continue to occupy the seat to which initially assigned until assigned a permanent seat;
43 once assigned a permanent seat, the member shall occupy it for the entire biennial

1 session. In event of vacancy, that member's successor will occupy the seat of the
2 member replaced for the remainder of the biennial session.

3 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on
4 Rules, Calendar, and Operations of the House shall assign to each member an office
5 space. The office assignments shall be made on the basis of seniority, with the chair of
6 the Committee on Rules, Calendar, and Operations of the House making assignments in
7 conformity with the request of each member to the extent practicable. When available,
8 chairs of standing committees and permanent subcommittees shall be assigned an office
9 adjacent to the room in which the standing committee or permanent subcommittee
10 generally meets if the Chair so desires. The Speaker shall be assigned an office of his or
11 her choice.

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

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

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

37 **SECTION 2.** This resolution is effective upon adoption.