

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 139

Short Title: Session Limits.

(Public)

Sponsors: Senators Hoyle; Apodaca, Dannelly, Garrou, Pittenger, Rand, Swindell, Thomas, and Weinstein.

Referred to: Ways and Means.

February 16, 2005

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOR AN EARLIER CONVENING OF THE GENERAL ASSEMBLY FOR ORGANIZATION.

The General Assembly of North Carolina enacts:

THE GENERAL ASSEMBLY OF NORTH CAROLINA ENACTS:

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

"(1) Regular sessions.

(a) The General Assembly shall meet in regular session ~~in 1973~~ after the term of office for Senators and Representatives commences in 2006 and every two years thereafter on the day prescribed by law.

(b) Odd-numbered years. – Beginning with the regular session in 2007, during an odd-numbered year, the General Assembly shall remain in session for no more than 135 calendar days, except that this period may be extended by joint resolution once per regular session for not more than 10 calendar days. The month of December beginning on the first Wednesday in the month in each preceding even-numbered year is also included in the calculation of the limit of days the General Assembly may meet in odd-numbered years. If the General Assembly, upon convening of the regular session, meets initially for not more than two consecutive calendar days and then adjourns for not less than 30 calendar days, that period of adjournment shall be excluded from the 135 calendar days.

(c) Even-numbered years. – If the regular session meets in even-numbered years, the General Assembly shall remain in session for no more than 60 calendar days, except that this period may be extended by joint resolution once per regular session for not more than 10 calendar days,

1 but the month of December beginning on the first Wednesday in the
2 month of each even-numbered year is excluded from the calculation of
3 the maximum number of days the General Assembly can meet in that
4 year.

5 (d) Any reconvened session called under Section 5 of Article III of this
6 Constitution shall be excluded from the calculations of this section.

7 (e) Neither house shall proceed upon public business unless a majority of
8 all of its members are actually present.

9 (f) No valid action, other than a resolution of adjournment, may be taken
10 by the General Assembly after the time limits prescribed in this section
11 have expired."

12 **SECTION 2.** Section 9 of Article II of the North Carolina Constitution reads
13 as rewritten:

14 **"Sec. 9. Term of office.**

15 The term of office of Senators and Representatives shall commence on the first ~~day~~
16 ~~of January~~ Wednesday in December next after their election."

17 **SECTION 3.** The amendments set out in Sections 1 and 2 of this act shall be
18 submitted to the qualified voters of the State at the next statewide election, primary or
19 otherwise, which election shall be conducted under the laws then governing elections in
20 the State. Ballots, voting systems, or both may be used in accordance with Chapter 163
21 of the General Statutes. The question to be used in the voting systems and ballots shall
22 be:

23 **"[] FOR [] AGAINST**

24 Constitutional amendments limiting the length of the legislative session and
25 making conforming amendments concerning the date of the beginning of the term."

26 **SECTION 4.** If a majority of votes cast on the question are in favor of the
27 amendments set out in Sections 1 and 2 of this act, the State Board of Elections shall
28 certify the amendments to the Secretary of State whereupon the amendments shall
29 become effective. The Secretary of State shall enroll the amendments so certified
30 among the permanent records of that office.

31 **SECTION 5.** This act is effective when it becomes law.