

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 89

Short Title: Legislative Session Length Limit.

(Public)

Sponsors: Senators Kincaid; and Simpson.

Referred to: Constitution.

February 1, 1989

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"Sec. 11. Sessions.(1) Regular Sessions. ~~The General Assembly shall meet in regular session in 1973 and every two years thereafter on the day prescribed by law. In each odd-numbered year beginning in 1991, the General Assembly shall meet on a day in February prescribed by law, and shall remain in session for no more than 70 legislative days. In even-numbered years, the General Assembly shall meet on a day in May prescribed by law, and shall remain in session for no more than 20 legislative days. A legislative day is any day on which either the House of Representatives or the Senate is in session. Neither house shall proceed upon public business unless a majority of all of its members are actually present. No valid action, other than a resolution of adjournment, may be taken by the General Assembly after the time limits prescribed in this section have expired.~~

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

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

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

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

12 Sec. 3. The amendments set out in Sections 1 through 3 of this act shall be
13 submitted to the qualified voters of the State at the general election in November 1990,
14 which election shall be conducted under the laws then governing elections in the State.
15 At that election, each qualified voter desiring to vote shall be provided a ballot on which
16 shall be printed the following:

17 "[] FOR Constitutional amendments limiting the duration of regular
18 session of the General Assembly to 70 legislative days in odd-
19 numbered years and 20 legislative days in even-numbered years, and
20 limiting extra sessions to 20 legislative days.

21 [] AGAINST Constitutional amendments limiting the duration of regular
22 session of the General Assembly to 70 legislative days in odd-
23 numbered years and 20 legislative days in even-numbered years, and
24 limiting extra sessions to 20 legislative days."

25 Those qualified voters favoring the amendments set out in Sections 1
26 through 3 of this act shall vote by making an X or a check mark in the square beside the
27 statement beginning "FOR", and those qualified voters opposed to those amendments
28 shall vote by making an X or check mark in the square beside the statement beginning
29 "AGAINST".

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

33 Sec. 4. If a majority of votes cast thereon are in favor of the amendments set
34 out in Sections 1 through 3 of this act, the State Board of Elections shall certify the
35 amendments to the Secretary of State, who shall enroll the amendments so certified
36 among the permanent records of his office, and the amendments shall become effective
37 upon such certification.

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

39 **"§ 120-11.1. Time of meeting.**

40 The regular session of the Senate and House of Representatives in odd-numbered
41 years shall begin at noon on the first Wednesday after the second Monday in February
42 and shall extend for no more than 70 legislative days~~shall be held biennially beginning on~~
43 ~~the first Wednesday after the second Monday in January next after their election.~~ The regular
44 session of the General Assembly in even-numbered years shall begin at noon on the first

1 Wednesday after the second Monday in May and shall extend for no more than 20
2 legislative days."

3 Sec. 6. Section 5 of this act shall become effective only if the constitutional
4 amendments proposed by Sections 1 through 3 of this act are approved, and if approved,
5 shall become effective at the same time as the constitutional amendments.

6 Sec. 7. This act is effective upon ratification.