

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 140

Short Title: Leadership Limits/Gubernatorial Team Ticket. (Public)

Sponsors: Senators Apodaca, Brunstetter, Tucker; Allran, Blake, Brown, Clary, Daniel, Davis, East, Goolsby, Gunn, Hise, Hunt, Jackson, Meredith, Rabon, Rucho, Soucek, and Tillman.

Referred to: Rules and Operations of the Senate.

February 28, 2011

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE TO THREE CONSECUTIVE TWO-YEAR TERMS IN THOSE OFFICES, AND TO PROVIDE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR SHALL RUN TOGETHER IN THE GENERAL ELECTION.

The General Assembly of North Carolina enacts:

SECTION 1. Section 15 of Article II of the North Carolina Constitution reads as rewritten:

"Sec. 15. Officers of the House of Representatives.

(1) The House of Representatives shall elect its Speaker and other officers.

(2) No person may serve as Speaker in more than three consecutive General Assemblies. The initial convening of a regular session of the General Assembly after the terms of members commence shall constitute a new General Assembly for the purpose of this Section. Only service as Speaker during any part of an odd-numbered year constitutes service as Speaker for that General Assembly for the purpose of this Section. Service as Speaker in the 2011 and subsequent regular sessions of the General Assembly shall be considered in applying the limit established by this subsection.

SECTION 2. Section 14 of Article II of the North Carolina Constitution reads as rewritten:

"Sec. 14. Other officers of the Senate.

(1) President Pro Tempore – succession to presidency. The Senate shall elect from its membership a President Pro Tempore, who shall become President of the Senate upon the failure of the Lieutenant Governor-elect to qualify, or upon succession by the Lieutenant Governor to the office of Governor, or upon the death, resignation, or removal from office of the President of the Senate, and who shall serve until the expiration of his term of office as Senator.

(1a) No person may serve as President Pro Tempore in more than three consecutive General Assemblies. The initial convening of a regular session of the General Assembly after the terms of members commence shall constitute a new General Assembly for the purpose of this Section. Only service as President Pro Tempore during any part of an odd-numbered year constitutes service as President Pro Tempore for that General Assembly for the purpose of this Section. Service as President Pro Tempore in the 2011 and subsequent regular sessions of the General Assembly shall be considered in applying the limit established by this subsection.



1 (2) President Pro Tempore – temporary succession. During the physical or mental
2 incapacity of the President of the Senate to perform the duties of his office, or during the
3 absence of the President of the Senate, the President Pro Tempore shall preside over the Senate.

4 (3) Other officers. The Senate shall elect its other officers."

5 **SECTION 3.** The amendments set out in Sections 1 and 2 of this act shall be
6 submitted to the qualified voters of the State at the general election on November 6, 2012,
7 which election shall be conducted under the laws then governing elections in the State. Ballots,
8 voting systems, or both may be used in accordance with Chapter 163 of the General Statutes.
9 The question to be used in the voting systems and ballots shall be:

10 "[] FOR [] AGAINST

11 Term Limits: Constitutional amendments providing that neither the Speaker of the
12 House of Representatives nor the President Pro Tempore of the Senate may serve more than
13 three consecutive terms."

14 **SECTION 4.** If a majority of the votes cast on the question are in favor of the
15 amendments set out in Sections 1 and 2 of this act, the State Board of Elections shall certify the
16 amendments to the Secretary of State, and the amendment becomes effective upon certification.
17 The Secretary of State shall enroll the amendments so certified among the permanent records of
18 that office.

19 **SECTION 5.** Section 2 of Article III of the North Carolina Constitution is
20 amended by adding a new subsection to read:

21 "(3) Team election. In the general election, each candidate for the office of Governor
22 shall form a joint candidacy with a candidate for Lieutenant Governor so that each voter shall
23 cast a single vote for a candidate for Governor and a candidate for Lieutenant Governor
24 running together."

25 **SECTION 6.** The amendment set out in Section 5 of this act shall be submitted to
26 the qualified voters of the State at the general election on November 6, 2012, which election
27 shall be conducted under the laws then governing elections in the State. Ballots, voting
28 systems, or both may be used in accordance with Chapter 163 of the General Statutes. The
29 question to be used in the voting systems and ballots shall be:

30 "[] FOR [] AGAINST

31 Constitutional amendment providing that candidates for Governor and Lieutenant
32 Governor shall be listed on the general election ballot as a team."

33 **SECTION 7.** If a majority of the votes cast on the question are in favor of the
34 amendment set out in Section 5 of this act, the State Board of Elections shall certify the
35 amendment to the Secretary of State and shall enroll the amendment so certified among the
36 permanent records of that office. If approved, the amendment set out in Section 5 of this act
37 becomes effective on January 1, 2013, and applies beginning with the 2016 election cycle.

38 **SECTION 8.** This act is effective when it becomes law.