

**THE NORTH CAROLINA BAR ASSOCIATION
LEGISLATIVE PROCEDURES**

B. LEGISLATION SPONSORED BY GROUPS OTHER THAN THE ASSOCIATION

The decision to support, amend or oppose any item of legislation sponsored by groups other than the Association shall be made in accordance with the following procedures:

1. Bill Section and Review

The Director shall have initial responsibility for reviewing all bills pending before the General Assembly and identifying those bills in which a section or committee may have an interest. A summary of the substance of all identified bills shall be sent by the Director to the Chair of the appropriate section or committee and to the Chair of that section or committee's legislative committee or subcommittee for their further review and recommendation.

2. Review and Recommendation by Sections and Committees

The legislative committee or subcommittee appointed by each section or committee having an interest in legislation shall have the responsibility of reviewing and commenting upon legislation which falls within its particular area of expertise. The legislative committee or subcommittee shall handle such review and comment in the most expeditious manner possible including telephone polls and conference calls when necessary. The Chair of each legislative committee or subcommittee, to whom the Director has forwarded an identified bill of interest, shall report the committee or subcommittee's recommendation with regard to that bill to the Director with due diligence.

The nature of the committee or subcommittee's recommendation shall be to track, support, oppose, or amend the identified piece of legislation. All recommendations to support, oppose or amend a bill shall be accompanied by reasons therefore. If the section or committee does not respond to an identified bill within a reasonable time, then the Director shall assume that the section or committee has no further interest in that bill.

3. Action on Section and Committee Recommendations

If a section or committee's recommendation is to support, oppose or amend a particular piece of legislation, then the Director shall forward a copy of

the legislation in question, the recommendation of the section or committee with regard to that legislation and the reasons therefore to the President who shall determine the most efficient manner in which to handle the recommendation given the time constraints imposed upon a response by the legislative process. If it is at all timely and possible, the recommendation regarding a particular piece of legislation shall go to the Board and be handled in the same manner and following the same procedure as Association-sponsored legislation (see Section II.A.1. of this policy).

During legislative sessions or if the President determines that the Board will not meet again in time to deal appropriately with the recommendation, then the President shall convene the Executive Committee who will act in the place of the Board on the recommendation. The Executive Committee shall follow the same procedure that the Board would follow with regard to the recommended legislative position (see applicable portions of Section II.A.1. of this policy). Failure to receive the necessary majority vote to support, oppose or amend a particular piece of legislation as recommended by a section or committee shall not be considered the adoption of a position to oppose that legislation. Any action so taken by the Executive Committee shall be reported to the Board at its next meeting and, upon motion of any member thereof, the Board may reconsider such action as to any particular piece of legislation of interest or concern.

4. Emergency Positions

In extreme situations where an immediate response is required regarding a particular piece of legislation and it is realistically feasible to do so, an emergency position can be taken on a legislative proposal upon the concurrence of a majority of the following: (1) the President, (2) one additional member of the Executive Committee, (3) the Chairs or, in their absence, the Vice-Chairs of the section councils or committees concerned with the legislation, and (4) the Chairs or, in their absence, a member of the sections or committees' legislative committee or subcommittee. Any action so taken shall be reported to the Board at its next meeting and, upon motion of any member thereof, the Board may reconsider such action as to any particular legislation of interest.