

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 35\*

Short Title: Permanent Revenue Laws Study Committee.

(Public)

Sponsors: Senators Kerr, Cochrane, Cooper, Shaw of Cumberland, Soles; Foxx, Hoyle, and Warren.

Referred to: Rules and Operation of the Senate.

February 3, 1997

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE A STATUTORY REVENUE LAWS STUDY COMMITTEE.

3 Whereas, the Legislative Research Commission has been authorized by the  
4 1977, 1979, 1981, 1983, 1985, 1987, 1989, 1991, and 1993 General Assemblies to  
5 conduct a study of the revenue laws of North Carolina; and

6 Whereas, since 1977 the committee appointed by the Legislative Research  
7 Commission to study the revenue laws has recommended many changes in the revenue  
8 laws in the committee's attempt to improve these laws; and

9 Whereas, the Revenue Laws Study Committee has proved to be an excellent  
10 forum for both taxpayers and tax administrators to present their complaints about  
11 existing law and make suggestions to improve the law; Now, therefore,  
12 The General Assembly of North Carolina enacts:

13 Section 1. Chapter 120 of the General Statutes is amended by adding a new  
14 Article to read:

15 **"ARTICLE 12L.**

16 **"REVENUE LAWS STUDY COMMITTEE.**

17 **"§ 120-70.105. Creation and membership of the Revenue Laws Study Committee.**

18 The Revenue Laws Study Committee is established. The Committee consists of 16  
19 members as follows:

- 20 (1) Eight members appointed by the President Pro Tempore of the Senate;  
21 the persons appointed may be members of the Senate or public  
22 members.

1           (2) Eight members appointed by the Speaker of the House of  
2           Representatives; the persons appointed may be members of the House  
3           of Representatives or public members.

4           Terms on the Committee are for two years and begin on January 15 of each odd-  
5           numbered year, except the terms of the initial members, which begin on appointment.  
6           Legislative members may complete a term of service on the Committee even if they do  
7           not seek reelection or are not reelected to the General Assembly, but resignation or  
8           removal from service in the General Assembly constitutes resignation or removal from  
9           service on the Committee.

10          A member continues to serve until his successor is appointed. A vacancy shall be  
11          filled within 30 days by the officer who made the original appointment.

12          **"§ 120-70.106. Purpose and powers of Committee.**

13          (a) The Revenue Laws Study Committee may:

14               (1) Study the revenue laws of North Carolina and the administration of  
15               those laws.

16               (2) Review the State's revenue laws to determine which laws need  
17               clarification, technical amendment, repeal, or other change to make the  
18               laws concise, intelligible, easy to administer, and equitable.

19               (3) Call upon the Department of Revenue to cooperate with it in the study  
20               of the revenue laws.

21               (4) Report to the General Assembly at the beginning of each regular  
22               session concerning its determinations of needed changes in the State's  
23               revenue laws.

24          These powers, which are enumerated by way of illustration, shall be liberally  
25          construed to provide for the maximum review by the Committee of all revenue law  
26          matters in this State.

27          (b) The Committee may make interim reports to the General Assembly on  
28          matters for which it may report to a regular session of the General Assembly. A report  
29          to the General Assembly may contain any legislation needed to implement a  
30          recommendation of the Committee. When a recommendation of the Committee, if  
31          enacted, would result in an increase or decrease in State revenues, the report of the  
32          Committee must include an estimate of the amount of the increase or decrease.

33          **"§ 120-70.107. Organization of Committee.**

34          (a) The President Pro Tempore of the Senate and the Speaker of the House of  
35          Representatives shall each designate a cochair of the Revenue Laws Study Committee.  
36          The Committee shall meet upon the joint call of the cochairs.

37          (b) A quorum of the Committee is nine members. No action may be taken except  
38          by a majority vote at a meeting at which a quorum is present. While in the discharge of  
39          its official duties, the Committee has the powers of a joint committee under G.S. 120-19  
40          and G.S. 120-19.1 through 120-19.4.

41          (c) The Committee shall be funded by the Legislative Services Commission from  
42          appropriations made to the General Assembly for that purpose. Members of the  
43          Committee receive subsistence and travel expenses as provided in G.S. 120-3.1 and  
44          G.S. 138-5. The Committee may contract for consultants or hire employees in

1 accordance with G.S. 120-32.02. The Legislative Services Commission, through the  
2 Legislative Administrative Officer, shall assign professional staff to assist the  
3 Committee in its work. Upon the direction of the Legislative Services Commission, the  
4 Supervisors of Clerks of the Senate and of the House of Representatives shall assign  
5 clerical staff to the Committee. The expenses for clerical employees shall be borne by  
6 the Committee."

7 Section 2. This act is effective when it becomes law.