

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 132

Short Title: Executive Review/Amendment Proc.

(Public)

Sponsors: Representative Gamble.

Referred to: Constitutional Amendments and Referenda.

February 11, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A REVIEW BY THE GOVERNOR OF ANY BILLS ORDERED ENROLLED, AND TO PERMIT THE GOVERNOR TO SUGGEST AMENDMENTS, BEFORE THE BILLS ARE PRESENTED FOR RATIFICATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-33 reads as rewritten:

"§ 120-33. Duties of enrolling clerk.

(a) All bills passed by the General Assembly shall be enrolled for ratification under the supervision of the enrolling clerk.

(b) Prior to enrolling any bill, the enrolling clerk shall substitute the corresponding Arabic numeral(s) for any date or section number of the General Statutes or of any act of the General Assembly which is written in words.

(c) All bills shall be typewritten and carefully proofread before enrollment.

(c1) As soon as the bill has been enrolled, the enrolling clerk shall present to the Governor a copy for review. The enrolling clerk shall note on the bill jacket the time the copy was presented to the Governor. Upon the expiration of 48 hours (excluding any day when neither house is in session) from that time, the enrolling clerk shall present the bill for ratification as if this subsection had not been enacted unless the Governor shall have filed with the enrolling clerk a message asking that the enrolling clerk delay presenting the bill for ratification for another 24 hours as the Governor is preparing to ask for reconsideration. If the enrolling clerk does not receive from the Governor within 24 hours of the expiration of the 48-hour period a message asking for reconsideration, the enrolling clerk shall present the bill for ratification as if this

1 subsection had not been enacted. The message from the Governor shall justify why the
2 bill should not become law, except if he offers an amendment under subsection (c2) of
3 this section.

4 (c2) Upon receipt of a message from the Governor asking for reconsideration, the
5 enrolling clerk shall return the bill jacket to the house that ordered the bill enrolled, with
6 a copy of the message from the Governor asking for reconsideration. The message shall
7 be placed in the bill jacket. If that bill is ordered enrolled again without amendment, or
8 is ordered enrolled with only an amendment attached by the Governor to the message
9 asking for reconsideration, the enrolling clerk shall present the bill for ratification
10 without again presenting it to the Governor. If the Governor attaches an amendment to
11 the message, the amendment must be accompanied by a message explaining and
12 justifying the amendment, which message and amendment shall be placed in the bill
13 jacket.

14 (c3) In the case of any bill which was returned by the enrolling clerk to the house
15 which had ordered it enrolled, the enrolling clerk shall not present such bill for
16 ratification unless, subsequent to the return, a conference report has been adopted in
17 each house or the bill has passed at least third reading again in each house. It shall not
18 be necessary to have second reading again unless the rules of the house so provide.

19 (c4) Subsection (c1) of this act does not apply in any case where the Governor has
20 filed with the enrolling clerk a message waiving the right to review the bill. The intent
21 of this subsection is to allow ratification without a waiting period of urgent matters that
22 the Governor does not feel require a period of review.

23 (c5) In order that subsections (c1) through (c3) of this section not prevent the
24 ratification of acts because of adjournment of the General Assembly **sine die** or for a
25 lengthy period, the General Assembly in its resolution of adjournment may provide for a
26 reconvening of the session to ratify any bills that the Governor did not request
27 reconsideration of, or to reconsider any bills where the Governor did request
28 reconsideration.

29 (d) Upon ratification of an act or joint resolution, the enrolling clerk shall assign
30 in Arabic numerals a Chapter number to each session law and deposit the ratified laws
31 and joint resolutions with one true copy of each with the Secretary of State.

32 (e) The enrolling clerk shall furnish each member of the General Assembly with
33 a legible conformed copy of all laws and joint resolutions of the General Assembly,
34 which shall show the Chapter number of any law or the number of any joint resolution,
35 in conformity with the number assigned to the enactment.

36 (f) The enrolling clerk upon completion of his duties after each session shall
37 deposit the original bills and resolutions enrolled for ratification by him with the
38 Secretary of State."

39 Sec. 2. This act applies with respect to any bill ordered enrolled after the date
40 of ratification of this act.