

GENERAL ASSEMBLY OF NORTH CAROLINA

SECOND EXTRA SESSION 1996

S

1

SENATE RESOLUTION 1

Sponsors: Senators Rand; and Gulley.

Referred to:

July 8, 1996

1 A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE
2 SENATE FOR THE SECOND EXTRA SESSION 1996 OF THE GENERAL
3 ASSEMBLY.

4 Be it resolved by the Senate:

5 Section 1. The permanent rules of the 1995 Regular Session, with the
6 following amendments, are the rules governing the Second Extra Session of the General
7 Assembly:

8 **Rule 40. Introduction of bills.**

9 Every bill filed for introduction shall contain on the outside cover the title of the
10 document and the name of the Senator or Senators presenting it. Bills shall be delivered
11 by the primary sponsor of the document or with the prescribed authorization form signed
12 by the primary sponsor to the Office of the Senate Principal Clerk who shall receive them
13 according to the following schedule:

14 Monday until 8:30 o'clock p.m.;

15 Tuesday, Wednesday, and Thursday until

16 3:00 o'clock p.m.;

17 Friday until 2:00 o'clock p.m.

18 All bills shall be numbered by the Office of the Senate Principal Clerk when filed and
19 shall be considered introduced when presented to the Senate for the first reading.

20 **Rule 40.1. Limitation on resolutions and bills.**

1 The only resolutions that may be introduced or considered in the Senate are
2 resolutions adjourning the Extra Session sine die. All bills shall be excluded from
3 introduction or consideration in the Senate, other than any of the following:

4 (1) The Current Operations Appropriations Act of 1996, a bill making general
5 revisions in the State budget for fiscal year 1996-97.

6 (2) A bill to reform the existing provisions in the State's tax laws that violate
7 the interstate commerce clause of the United States Constitution.

8 (3) Tax legislation as follows:

9 a. Reduce the corporate income tax rate.

10 b. Reduce the soft drink tax rate.

11 c. Reduce the rate of sales and use tax that applies to food.

12 d. Provide income tax credits and refunds to federal retirees for
13 income taxes paid on their retirement benefits for tax years 1985
14 through 1988.

15 e. Allow income and franchise tax credits that give businesses an
16 incentive to locate, expand, or invest in this State, and make
17 related changes to the Industrial Development Fund and
18 Community Development Block Grants.

19 f. Repeal privilege license taxes.

20 g. Clarify sales and use tax treatment of free items and bundled
21 transactions.

22 h. Reduce the rate of sales and use tax that applies to gas and
23 electricity used in farming and industry.

24 i. Allow tax incentives for charitable giving.

25 j. Reduce and simplify inheritance and gift taxes.

26 k. Expand the property tax homestead exemption.

27 l. Extend the State Ports Tax Credit to forest products.

28 (4) Local bills that passed one house during 1996, were placed on the calender
29 for second reading or passed second reading in the second house, and were required to be
30 read on separate days under Article II, Section 23 of the Constitution of North Carolina.

31 (5) Legislation required to be considered and enacted before 1997 pursuant to
32 a court order, and legislation affecting pending litigation.

33 (6) Bills making appointments to office by the General Assembly.

34 (7) Bills authorizing legislative study commissions.

35 **Rule 41.** (Reserved)

36 **Rule 43. First reading; reference to committee.**

37 All bills filed for introduction and all House bills received upon a message from the
38 House of Representatives, upon presentation to the Senate, shall be read in the regular
39 order of business by their number and title which shall constitute the first reading of the
40 bill. The Chairman of the Rules and Operation of the Senate Committee or, in his
41 absence, the Vice-Chairman of the Committee shall refer to a Senate committee all bills
42 introduced in the Senate. Upon the referral being made, the Chairman of the Committee
43 on Rules and Operation of the Senate shall notify the Principal Clerk of the Senate of the

1 referral, and the Reading Clerk shall announce the referral of the bill. The Principal
2 Clerk shall inform the Presiding Officer of the referral. The title and referral shall be
3 entered upon the Journal.

4 **Rule 43.1. Second reading.**

5 All bills reported by committee shall be placed before the Senate for second reading
6 and immediate consideration upon passage, unless prohibited by Article II, Section 23 of
7 the Constitution.

8 **Rule 50. Third reading requirements.**

9 When a bill or resolution has passed its second reading, it shall be placed on the
10 calendar for immediate consideration on its third reading, unless prohibited by Article II,
11 Section 23 of the Constitution.

12 **Rule 56.1. Amendments and committee substitutes adopted by the House to bills
13 originating in the Senate.**

14 (a) Whenever the House has adopted an amendment or a committee substitute for
15 a bill originating in the Senate, and has returned the bill to the Senate for concurrence in
16 that amendment or committee substitute, the Senate may concur in that amendment or
17 committee substitute on the same legislative day, unless concurrence on three days is
18 required by Article II, Section 23 of the Constitution.

19 (b) through (f) [Not amended].

20 **Rule 59. (Reserved).**

21 Sec. 2. This resolution is effective upon adoption.