

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 27
Judiciary Committee Substitute Adopted 2/6/97

Short Title: Veto Procedural Changes.

(Public)

Sponsors:

Referred to:

February 3, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE PROCEDURAL CHANGES IN THE CONFORMING
3 LEGISLATION CONCERNING GUBERNATORIAL VETO.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 120-33(d2) reads as rewritten:

6 "(d2) No bill required to be presented to the Governor under Article II, Section 22 of
7 the Constitution of North Carolina shall be so presented until ~~the time for moving a~~
8 ~~reconsideration shall have expired,~~ the next business day after the bill was ratified, unless
9 expressly ordered by that house where such bill was ordered enrolled. For the purpose of
10 this section, a business day is a weekday other than one on which there is both a State
11 employee holiday and neither house is in session. No bill required to be presented to the
12 Governor under Article II, Section 22 of the North Carolina Constitution shall be recalled
13 from the Enrolling Clerk or Governor after it has been ratified but before it has been
14 acted upon by the Governor except by joint resolution."

15 Section 2. G.S. 120-6.1(a) reads as rewritten:

16 "(a) As provided by Section 22(7) of Article II of the Constitution of North
17 Carolina, if within 30 days after adjournment, a bill is returned by the Governor with
18 objections and veto message to that house in which it shall have originated, the Governor
19 shall reconvene that session as provided by Section 5(11) of Article III of the
20 Constitution for reconsideration of the bill, unless the Governor prior to reconvening the

1 session receives written requests dated no earlier than 30 days after such adjournment,
2 signed by a majority of the members of each house that a reconvened session to
3 reconsider vetoed legislation is unnecessary. If sufficient requests are received such that
4 the session will not be reconvened, the Governor shall immediately issue a proclamation
5 to that effect and so notify the President Pro Tempore of the Senate and the principal
6 clerks and presiding officers of both houses."

7 Section 3. G.S. 120-29.1 reads as rewritten:

8 **"§ 120-29.1. Approval of bills.**

9 (a) If the Governor approves a bill, the Governor shall write upon the same, ~~to the~~
10 ~~left of and~~ below the signatures of the presiding officers of the two houses, the fact, date,
11 and time of approval, as follows: 'Approved ____ .m. this ____ day of ____, ____' and
12 shall sign the same as follows: '____ Governor'. The Governor shall then return the
13 approved bill to the enrolling clerk.

14 (b) If any bill becomes law because of the failure of the Governor to take any
15 action, it shall be the duty of the Governor to return the measure to the enrolling clerk,
16 who shall sign the following certificate on the measure and deposit it with the Secretary
17 of State: 'This bill having been presented to the Governor for his signature on the
18 ____ day of ____, ____ and the Governor having failed to approve it within the
19 time prescribed by law, the same is hereby declared to have become a law.

20 This ____ day of ____, ____, ____ Enrolling Clerk'.

21 (c) If the Governor returns any bill to the house of origin with his objections, the
22 Governor shall write such objections on the measure or cause the objections to be
23 attached to the measure. When any such bill becomes law after reconsideration of the
24 two houses, the ~~presiding officers principal clerk of the second house to act shall~~, below
25 the objections of the Governor, sign the following certificate: 'Became law
26 notwithstanding the objections of the Governor, ____ .m. this ____ day of ____, ____'.
27 ~~The second of them to sign principal clerk of the second house to act shall fill in the time.~~
28 The enrolling clerk shall deposit the measure with the Secretary of State.

29 (d) In calculating the period under Section 22(7) of Article II of the North Carolina
30 Constitution, the day on which the bill is presented to the Governor shall be excluded and
31 the entire last day of the period is included."

32 Section 4. This act is effective when it becomes law.