

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 35*
Corrected Copy 2/4/97

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 Operations of the Senate.

February 3, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A STATUTORY REVENUE LAWS STUDY COMMITTEE.
Whereas, the Legislative Research Commission has been authorized by the 1977, 1979, 1981, 1983, 1985, 1987, 1989, 1991, and 1993 General Assemblies to conduct a study of the revenue laws of North Carolina; and
Whereas, since 1977 the committee appointed by the Legislative Research Commission to study the revenue laws has recommended many changes in the revenue laws in the committee's attempt to improve these laws; and
Whereas, the Revenue Laws Study Committee has proved to be an excellent forum for both taxpayers and tax administrators to present their complaints about existing law and make suggestions to improve the law; Now, therefore,
3 The General Assembly of North Carolina enacts:
4 Section 1. Chapter 120 of the General Statutes is amended by adding a new
5 Article to read:
6 **"ARTICLE 12L.**
7 **"REVENUE LAWS STUDY COMMITTEE.**
8 **"§ 120-70.105. Creation and membership of the Revenue Laws Study Committee.**

1 The Revenue Laws Study Committee is established. The Committee consists of 16
2 members as follows:

3 (1) Eight members appointed by the President Pro Tempore of the Senate;
4 the persons appointed may be members of the Senate or public
5 members.

6 (2) Eight members appointed by the Speaker of the House of
7 Representatives; the persons appointed may be members of the House
8 of Representatives or public members.

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

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

17 **"§ 120-70.106. Purpose and powers of Committee.**

18 (a) The Revenue Laws Study Committee may:

19 (1) Study the revenue laws of North Carolina and the administration of
20 those laws.

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

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

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

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

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

38 **"§ 120-70.107. Organization of Committee.**

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

42 (b) A quorum of the Committee is nine members. No action may be taken except
43 by a majority vote at a meeting at which a quorum is present. While in the discharge of

1 its official duties, the Committee has the powers of a joint committee under G.S. 120-19
2 and G.S. 120-19.1 through 120-19.4.

3 (c) The Committee shall be funded by the Legislative Services Commission from
4 appropriations made to the General Assembly for that purpose. Members of the
5 Committee receive subsistence and travel expenses as provided in G.S. 120-3.1 and G.S.
6 138-5. The Committee may contract for consultants or hire employees in accordance
7 with G.S. 120-32.02. The Legislative Services Commission, through the Legislative
8 Administrative Officer, shall assign professional staff to assist the Committee in its work.
9 Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of
10 the Senate and of the House of Representatives shall assign clerical staff to the
11 Committee. The expenses for clerical employees shall be borne by the Committee."

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