

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE RESOLUTION 1263

Sponsors: Senator Winner.

Referred to: Rules and Operation of the Senate.

May 10, 1989

1 A SENATE RESOLUTION AMENDING THE PERMANENT RULES OF THE
2 SENATE FOR THE 1989 SESSION OF THE GENERAL ASSEMBLY OF
3 NORTH CAROLINA TO REQUIRE THAT, BEFORE AN APPROPRIATION OR
4 FINANCE BILL MAY BE CONSIDERED ON SECOND OR THIRD READING
5 OF THE BILL, IT MUST BE REFERRED EITHER TO THE APPROPRIATION
6 OR FINANCE COMMITTEE, AS APPROPRIATE; AND TO CLARIFY THAT, IF
7 REQUESTED, A FISCAL NOTE MUST BE ATTACHED TO THE BILL
8 BEFORE ITS CONSIDERATION ON SECOND OR THIRD READING.

9 Be it resolved by the Senate:

10 Section 1. Rule 42 of the Permanent Senate Rules for the 1989 Session, as
11 contained in Senate Resolution 143 adopted on March 20, 1989, reads as rewritten:

12 "RULE 42. **References of appropriations and finance bills.**-(a) All bills
13 introduced in the Senate providing for appropriations from the State, or any subdivision
14 thereof, shall, before being considered on second or third readings by the Senate, be
15 referred to the Committee on Appropriations, and bills referred to other committees
16 carrying any such provisions shall be reported to the Senate as being bills to be referred
17 to the Appropriations Committee before ~~proper action may be taken~~ being considered on
18 second or third readings by the Senate. All bills introduced in the Senate providing for
19 bond issues, imposing fees or civil penalties, levying taxes, or in any manner affecting
20 the taxing power of the State or any subdivision thereof, shall, before being considered
21 on second or third readings by the Senate, be referred to the Committee on Finance, and
22 bills referred to other committees carrying any such provisions shall be reported to the
23 Senate as being bills to be referred to the Finance Committee before ~~proper action may be~~
24 ~~taken~~ being considered on second or third readings by the Senate.

25 (b) This rule shall not apply to bills imposing criminal fines, forfeitures, or
26 penalties for infractions."

1 Sec. 2. Rule 42.1 of the Permanent Senate Rules for the 1989 Session, as
2 contained in Senate Resolution 143 adopted on March 20, 1989, reads as rewritten:

3 "RULE 42.1. **Fiscal notes.**—(a) The chairman or cochairmen or vice-chairman
4 of the Appropriations Committee, of the Finance Committee or of the Rules Committee,
5 or of the Ways and Means Committee, upon the floor of the Senate, may request that a
6 fiscal analysis be made of a bill, resolution or an amendment to a bill or resolution
7 which is in the possession of the Senate and that a fiscal note be attached to the
8 measure, when in the opinion of that chairman or vice-chairman the fiscal effects of that
9 measure are not apparent from the language of the measure. No bill for which a fiscal
10 note has been requested may be considered on second or third readings prior to the
11 fiscal note being attached to the bill.

12 (b) The fiscal note shall be filed and attached to the bill or amendment within two
13 legislative days of the request. If it is impossible to prepare a fiscal note within two
14 legislative days, the Director of Fiscal Research shall, in writing, so advise the Presiding
15 Officer, the Principal Clerk, and the member introducing or proposing the measure and
16 shall indicate the time when the fiscal note will be ready.

17 (c) The fiscal note shall be prepared by the Fiscal Research Division on a form
18 approved by the Rules Committee as to content and form and signed by the staff
19 member or members preparing it. If no estimate in dollars is possible, the fiscal note
20 shall indicate the reasons that no estimate is provided. The fiscal note shall not
21 comment on the merit but may identify technical problems. The Fiscal Research
22 Division shall make the fiscal note available to the membership of the Senate.

23 (d) A sponsor of a bill or amendment may deliver a copy of his bill or
24 amendment to the Fiscal Research Division for the preparation of a fiscal note. The
25 sponsor shall attach the fiscal note to the bill when he files the bill or to the amendment
26 when he moves its adoption.

27 (e) The sponsor of a bill or amendment to which a fiscal note is attached who
28 objects to the estimates and information provided may reduce to writing his objections.
29 These objections shall be appended to the fiscal note attached to the bill or amendment
30 and to the copies of the fiscal note available to the membership.

31 (f) Subsection (a) of this rule shall not apply to the current operations appropriations
32 bill or the capital improvements appropriations bill. This rule shall not apply to a bill or
33 amendment requiring an actuarial note under these rules."

34 Sec. 3. This resolution is effective upon adoption.