

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 958

Short Title: Personnel Commission Expansion.

(Public)

Sponsors: Representatives Fitch; and H. Hunter.

Referred to: State Government.

April 19, 1991

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE NUMBER OF MEMBERS OF THE STATE PERSONNEL COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 126-2 reads as rewritten:

"§ 126-2. State Personnel Commission.

(a) There is hereby established the State Personnel Commission (hereinafter referred to as 'the Commission').

(b) The Commission shall consist of ~~seven members who shall be appointed by the Governor on July 1, 1965, or as soon thereafter as is practicable. eleven members, seven appointed by the Governor and four appointed by the General Assembly. Members of the Commission shall be appointed to serve for terms of six years. Two members of the Commission shall be chosen from employees of the State subject to the provisions of this Chapter; two members shall be appointed, of which one shall be an employee of local government subject to the provisions of this Chapter, from a list of individuals nominated by the North Carolina association of county commissioners; two members shall be individuals actively engaged in the management of a private business or industry; and one member shall be appointed from the public at large. Of the initial members of the Commission, two shall be appointed to serve for terms of two years, two shall be appointed to serve for terms of four years, and three shall be appointed to serve for terms of six years. Their successors shall be appointed by the Governor for terms of six years. Any vacancy occurring prior to the expiration of a term shall be filled by appointment for the unexpired term.~~

The Governor's appointments to the Commission shall be as follows: two members shall be employees of the State subject to the provisions of this Chapter; two members shall be appointed, of which one shall be an employee of local government subject to

1 the provisions of this Chapter, from a list of individuals nominated by the North  
2 Carolina Association of County Commissioners; two members shall be individuals  
3 actively engaged in the management of a private business or industry; and one member  
4 shall be appointed from the public at large.

5 The General Assembly shall appoint four members, two upon the recommendation  
6 of the Speaker of the House of Representatives and two upon the recommendation of  
7 the President Pro Tempore of the Senate, in accordance with G.S. 120-121. Vacancies  
8 in appointments made by the General Assembly shall be filled in accordance with G.S.  
9 120-122.

10 (c) Members of the Commission appointed by the Governor after February 1,  
11 1976, shall be appointed subject to confirmation by the General Assembly of North  
12 Carolina Assembly. If the General Assembly is not in session when an appointment a  
13 gubernatorial appointment is made, the appointee shall temporarily exercise all of the  
14 powers of a confirmed member until the convening of the next legislative session. If the  
15 General Assembly does not act on confirmation of a proposed member member proposed  
16 by the Governor within 30 legislative days of the submission of the name, the member  
17 shall be considered confirmed. If the Governor does not appoint a new member within  
18 60 calendar days of the occurrence of a vacancy or the rejection of an appointment by  
19 the General Assembly, the remaining members of the Commission shall have the  
20 authority to fill the vacancy.

21 (d) The Governor may at any time after notice and hearing remove any  
22 Commission member appointed by the Governor for gross inefficiency, neglect of duty,  
23 malfeasance, misfeasance, or nonfeasance in office. A member of the Commission  
24 appointed by the General Assembly may be removed by the General Assembly only.

25 (e) Members of the Commission who are employees of the State subject to the  
26 provisions of this Article shall be entitled to administrative leave without loss of pay for  
27 all periods of time required to conduct the business of the Commission.

28 (f) Four members Six members of the Commission shall constitute a quorum.

29 (g) The Governor shall designate one member of the Commission as chairman.

30 (h) The Commission shall meet quarterly, and at other times at the call of the  
31 chairman."

32 Sec. 2. This act does not affect the existing term of any member of the State  
33 Personnel Commission. Notwithstanding the provisions of G.S. 126-2(b), as set forth  
34 herein, the initial term of one member appointed by the General Assembly shall be for a  
35 term of two years, one member shall be appointed to serve for a term of four years, and  
36 two members shall be appointed to serve terms of six years. Their successors shall be  
37 appointed by the General Assembly to serve for terms of six years.

38 Sec. 3. This act is effective upon ratification.