

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 509

Short Title: State Personnel Liability Study.

(Public)

Sponsors: Representative Flaherty.

Referred to: Rules, Appointments and Calendar.

April 1, 1991

A BILL TO BE ENTITLED

AN ACT TO CREATE THE STATE PERSONNEL LIABILITY STUDY
COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. The State Personnel Liability Study Commission is created. The Commission shall consist of six members. Three Senators appointed by the President Pro Tempore of the Senate, and three Representatives appointed by the Speaker of the House of Representatives.

Sec. 2. The President Pro Tempore of the Senate shall designate one Senator as cochairman and the Speaker of the House of Representatives shall designate one Representative as cochairman.

Sec. 3. The Commission shall study:

- (1) The limit of individual, personal liability of State employees;
- (2) Providing liability insurance coverage for State personnel; and
- (3) Other issues involving personal liability of State personnel for official acts.

Sec. 4. The Commission shall submit a final report of its findings and recommendations to the General Assembly on or before the first day of the 1993 Session of the General Assembly by filing the report with the President Pro Tempore of the Senate and the Speaker of the House of Representatives. Upon filing its final report, the Commission shall terminate.

Sec. 5. The Commission, while in the discharge of official duties, may exercise all the powers provided for under the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call

1 of the cochairmen. The Commission may meet in the Legislative Building or the
2 Legislative Office Building.

3 Sec. 6. Members of the Commission shall receive subsistence and travel
4 expenses at the rates set forth in G.S. 120-3.1.

5 Sec. 7. The Commission may contract for professional, clerical, or consultant
6 services as provided by G.S. 120-32.02. The Legislative Services Commission, through
7 the Legislative Administrative Officer, shall assign professional staff to assist in the
8 work of the Commission. The House of Representatives' and the Senate's Supervisor of
9 Clerks shall assign clerical staff to the Commission, upon the direction of the
10 Legislative Services Commission. The expenses relating to clerical employees shall be
11 borne by the Commission.

12 Sec. 8. When a vacancy occurs in the membership of the Commission, the
13 vacancy shall be filled by the same appointing officer who made the initial appointment.

14 Sec. 9. All State departments and agencies and all local governments and
15 their subdivisions shall furnish the Commission with any information required by the
16 Commission that is in their possession or available to them.

17 Sec. 10. There is appropriated from the General Fund to the General
18 Assembly the sum of \$50,000 for the 1991-92 fiscal year and the sum of \$50,000 for the
19 1992-93 fiscal year for the expenses of the Commission.

20 Sec. 11. This act becomes effective July 1, 1991.