

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1080

Short Title: Expand Personnel Commission.

(Public)

Sponsors: Representative Stamey.

Referred to: Public Employees.

April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE NUMBER OF MEMBERS OF THE STATE PERSONNEL COMMISSION AND TO PROVIDE THAT PANELS OF MEMBERS OF THE STATE PERSONNEL COMMISSION MAY EXERCISE CERTAIN COMMISSION POWERS.

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.~~ 12 members who shall be appointed by the Governor. ~~Two~~ Three members of the Commission shall be chosen from employees of the State subject to the provisions of this Chapter; ~~two~~ three 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~~ three members shall be individuals actively engaged in the management of a private business or industry; and ~~one member~~ three members 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.~~ Members of the Commission shall be appointed to serve for terms of six years. Any

1 vacancy occurring prior to the expiration of a term shall be filled by appointment for the
2 unexpired term.

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

13 (d) The Governor may at any time after notice and hearing remove any
14 Commission member for gross inefficiency, neglect of duty, malfeasance, misfeasance,
15 or nonfeasance in office.

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

19 (f) ~~Four~~ Seven members of the Commission shall constitute a quorum.

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

21 (h) The Commission shall meet quarterly, and at other times at the call of the
22 chairman.

23 (i) In exercising its powers and duties pursuant to G.S. 126-4(9), the
24 Commission may convene panels of not less than four members."

25 Sec. 2. This act does not affect the existing term of any of the current seven
26 members of the State Personnel Commission.

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