

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 428

Short Title: Creating Agency/Effect on DOJ.

(Public)

Sponsors: Senator Sands.

Referred to: State Personnel and State Government.

April 1, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A REVIEW OF THE EFFECT OF THE CREATION OR
EXPANSION OF A STATE DEPARTMENT ON THE DEPARTMENT OF
JUSTICE.

The General Assembly of North Carolina enacts:

Section 1. Article 1 of Chapter 143 is amended by adding a new section to
read:

"§ 143-15.1. Creating State department; effect on Department of Justice.

No bill which would either create a State department or expand the enforcement or
regulatory duties of an existing State department shall hereafter be enacted by the
General Assembly, unless a review is first obtained from the Attorney General as to the
effect such bill would have on the ability of attorneys in the North Carolina Department
of Justice to provide legal services to the department referred to in the bill. If the
General Assembly, based upon the review of the Attorney General, finds that additional
staff members are necessary to provide proper representation to the department, the bill
shall provide an adequate appropriation for the Attorney General to:

- (1) Hire additional staff members as may be needed including, but not
limited to, attorneys and secretaries who shall be subject to all the
provisions of Chapter 126 of the General Statutes relating to the State
Personnel System;
- (2) Purchase appropriate reference materials; and
- (3) Obtain office space, equipment, supplies, and furniture as may be
necessary to carry out his duties under Chapter 114.

1 However, in lieu of appropriating funds allowing the Attorney General to obtain office
2 space, equipment, supplies, and furniture, the State department represented by the
3 Attorney General shall be responsible for providing the same.

4 As used in this section, the words 'State department' include all agencies,
5 institutions, boards, commissions, bureaus, or other organized activities of the State
6 which receive support in whole or in part from the State."

7 Sec. 2. This act is effective upon ratification.