

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 801

Short Title: President Pro Tempore Appointments.

(Public)

Sponsors: Senators Walker; and Johnson.

Referred to: Rules and Operation of the Senate.

April 24, 1991

A BILL TO BE ENTITLED

1 AN ACT TO FURTHER PROVIDE FOR THE SEPARATION OF POWERS
2 BETWEEN THE LEGISLATIVE AND EXECUTIVE BRANCHES OF
3 GOVERNMENT BY PROVIDING THAT THE PRESIDENT PRO TEMPORE OF
4 THE SENATE RATHER THAN THE LIEUTENANT GOVERNOR SHALL
5 MAKE APPOINTMENTS TO CERTAIN LEGISLATIVE COMMISSIONS AND
6 COMMITTEES RELATING TO THE ENVIRONMENT AND PUBLIC
7 UTILITIES.
8

9 The General Assembly of North Carolina enacts:

10 Section 1. G.S. 120-70.2 reads as rewritten:

11 "**§ 120-70.2. Appointment of members and organization.**

12 The Joint Committee shall consist of six sitting members of the General Assembly.
13 Three shall be appointed by the President Pro Tempore of the Senate from the
14 membership of the Senate and three shall be appointed by the Speaker of the House of
15 Representatives from the membership of the House. Members will serve at the pleasure
16 of their appointing officer and any vacancies occurring on the Joint Committee shall be
17 filled by the presiding officer of the appropriate house. ~~The initial membership of the Joint~~
18 ~~Committee shall consist of the membership of the Utility Review Committee on June 28, 1985.~~
19 ~~A Senate cochairman and a House cochairman shall be elected by the Joint Committee from~~
20 ~~among its members.—~~The President Pro Tempore of the Senate shall designate one
21 Senator to serve as cochairman and the Speaker of the House of Representatives shall
22 designate one Representative to serve as cochairman. A quorum shall consist of four
23 members."Sec. 2. G.S. 120-70.3(8) reads as rewritten:

1 "(8) To undertake such additional studies or evaluations as may, from time
2 to time, be requested by the President Pro Tempore of the Senate, the
3 Speaker of the House of Representatives, the Legislative Research
4 Commission, or either House of the General Assembly."

5 Sec. 3. G.S. 120-70.32 reads as rewritten:

6 **"§ 120-70.32. Membership; cochairmen; vacancies; quorum.**

7 The Joint Select Committee shall consist of six Senators appointed by the President
8 Pro Tempore of the Senate and six Representatives appointed by the Speaker of the
9 House of Representatives who shall serve at the pleasure of their appointing officer.
10 The President Pro Tempore of the Senate shall designate one Senator to serve as
11 cochairman and the Speaker of the House of Representatives shall designate one
12 Representative to serve as cochairman. Any vacancy which occurs on the Joint Select
13 Committee shall be filled in the same manner as the original appointment. A quorum of
14 the Joint Select Committee shall consist of seven members."

15 Sec. 4. G.S. 120-70.33(8) reads as rewritten:

16 "(8) To undertake such additional studies as it deems appropriate or as may
17 from time to time be requested by ~~the President of the Senate,~~ the
18 President Pro Tempore of the Senate, the Speaker of the House of
19 Representatives, either house of the General Assembly, the Legislative
20 Research Commission, the Joint Legislative Commission on
21 Governmental Operations, the Environmental Review Commission, or
22 the Joint Legislative Utility Review Committee, and to make such
23 reports and recommendations to the General Assembly regarding such
24 studies as it deems appropriate."

25 Sec. 5. G.S. 120-70.42 reads as rewritten:

26 **"§ 120-70.42. Membership; cochairmen; vacancies; quorum.**

27 The Environmental Review Commission shall consist of five Senators appointed by
28 the President Pro Tempore of the Senate, ~~the Chairman of the Senate Committee on~~
29 ~~Environment and Natural Resources,~~ five Representatives appointed by the Speaker of the
30 House of Representatives, ~~and the Chair of the House of Representatives Committee on~~
31 ~~Basic Resources~~ who shall serve at the pleasure of their appointing ~~officer.~~ officer, the
32 Chairman of the Senate Committee on Environment and Natural Resources, and the
33 Chairman of the House of Representatives Committee on the Environment. The
34 President Pro Tempore of the Senate shall designate one Senator to serve as cochairman
35 and the Speaker of the House of Representatives shall designate one Representative to
36 serve as cochairman. Any vacancy which occurs on the Environmental Review
37 Commission shall be filled in the same manner as the original appointment. A quorum
38 of the Environmental Review Commission shall consist of seven members."

39 Sec. 6. G.S. 120-70.43(7) reads as rewritten:

40 "(7) To undertake such additional studies as it deems appropriate or as may
41 from time to time be requested by ~~the President of the Senate,~~ the
42 President Pro Tempore of the Senate, the Speaker of the House of
43 Representatives, either house of the General Assembly, the Legislative
44 Research Commission, the Joint Legislative Commission on

1 Governmental Operations, the Joint Legislative Utility Review
2 Committee, or the Joint Select Committee on Low-Level Radioactive
3 Waste and to make such reports and recommendations to the General
4 Assembly regarding such studies as it deems appropriate; provided that
5 the Environmental Review Commission shall not undertake any study
6 which the General Assembly has assigned to another legislative
7 commission or committee."

8 Sec. 7. This act shall not be construed to affect the validity or term of any
9 appointment made prior to the effective date of this act. This act is effective on and
10 after 30 January 1991.