

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1718*

Short Title: Extend Sentencing Comm'n.

(Public)

Sponsors: Representatives Redwine, Barnes, Michaux; and Hensley.

Referred to: Judiciary III.

May 26, 1994

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE LIFE OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION AND TO CONTINUE THE TERMS OF THE EXISTING MEMBERS.

The General Assembly of North Carolina enacts:

Section 1. Section 8 of Chapter 1076 of the 1989 Session Laws, as amended by Chapters 812 and 816 of the 1991 Session Laws and Chapters 253 and 321 of the 1993 Session Laws, reads as rewritten:

"Sec. 8. This act is effective upon ratification, and shall expire July 1, 1994-1995."

Sec. 2. G.S. 164-38 reads as rewritten:

§ 164-38. Terms of members; compensation; expenses.

The terms of existing members shall expire on June 30, 1993. ~~New members shall be appointed or the existing members reappointed by the appointing authorities to serve until July 1, 1994, 1995,~~ unless they resign or are removed. Members serving by virtue of elective or appointive office or as designees of such officeholders may serve only so long as the officeholders hold those respective offices. Members appointed by the Speaker of the House and the President Pro Tempore of the Senate may be removed by the appointing authority without cause. Vacancies occurring before the expiration of a term shall be filled in the manner provided for the members first appointed. A member of the Commission may be removed only for disability, neglect of duty, incompetence, or malfeasance in office. Before removal, the member is entitled to a hearing. Effective with respect to members designated on or after July 1, 1992, a person making a designation pursuant to G.S. 164-37 may not make another designation,

1 except that the person's successor in elective or appointive office may make a new
2 designation.

3 The Commission members shall receive no salary for serving. All Commission
4 members shall receive necessary subsistence and travel expenses in accordance with the
5 provisions of G.S. 120-3.1, 138-5, and 138-6 as applicable."

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