

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 355

Short Title: GPAC/Clarif./LSC, LSO, and LAO Duties.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to: Government Performance Audit.

February 24, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT PERFORMANCE AUDIT COMMITTEE TO DIRECT THE LEGISLATIVE SERVICES COMMISSION TO FILL THE POSITION OF LEGISLATIVE SERVICES OFFICER AND TO CLARIFY THE ROLES AND RESPONSIBILITIES OF THE LEGISLATIVE SERVICES COMMISSION, THE LEGISLATIVE SERVICES OFFICER, AND THE LEGISLATIVE ADMINISTRATIVE OFFICER.

The General Assembly of North Carolina enacts:

Section 1. (a) The Legislative Services Commission shall fill the current vacant position of Legislative Services Officer.

(b) The Legislative Services Commission shall also clarify the roles and responsibilities of the Legislative Services Commission, the Legislative Services Officer, and the Legislative Administrative Officer.

Sec. 2. G.S. 20-79.5(a) reads as rewritten:

"(a) Plates. – The State government officials listed in this section are eligible for a special registration plate under G.S. 20-79.4. The plate shall bear the number designated in the following table for the position held by the official.

Position	Number on Plate
Governor	1
Lieutenant Governor	2
Speaker of the House of Representatives	3
President Pro Tempore of the Senate	4
Secretary of State	5

1	State Auditor	6	
2	State Treasurer	7	
3	Superintendent of Public Instruction	8	
4	Attorney General	9	
5	Commissioner of Agriculture		10
6	Commissioner of Labor	11	
7	Commissioner of Insurance	12	
8	Speaker Pro Tempore of the House	13	
9	Legislative Administrative <u>Services</u> Officer	14	
10	Secretary of Administration		15
11	Secretary of Environment, Health, and Natural Resources		16
12	Secretary of Revenue	17	
13	Secretary of Human Resources		18
14	Secretary of Commerce	19	
15	Secretary of Correction	20	
16	Secretary of Cultural Resources		21
17	Secretary of Crime Control and Public Safety	22	
18	Governor's Staff	23-29	
19	State Budget Officer	30	
20	State Personnel Director	31	
21	Advisory Budget Commission Nonlegislative Member		32-41
22	Chair of the State Board of Education	42	
23	President of the U.N.C. System		43
24	Alcoholic Beverage Control Commission	44-46	
25	Assistant Commissioners of Agriculture	47-48	
26	Deputy Secretary of State	49	
27	Deputy State Treasurer	50	
28	Assistant State Treasurer	51	
29	Deputy Commissioner for the Department of Labor	52	
30	Chief Deputy for the Department of Insurance	53	
31	Assistant Commissioner of Insurance	54	
32	Deputies and Assistant to the Attorney General	55-65	
33	Board of Economic Development Nonlegislative Member		66-88
34	State Ports Authority Nonlegislative Member	89-96	
35	Utilities Commission Member		97-104
36	Parole Commission Member	105-109	
37	State Board Member, Commission Member, or State		
38	Employee Not Named in List		110-200".
39	Sec. 3. G.S. 120-32.01 reads as rewritten:		

40 **"§ 120-32.01. Information to be supplied.**
 41 (a) Every State department, State agency, or State institution shall furnish the
 42 Legislative ~~Administrative~~ Services Office and the Research, Fiscal Research, and Bill
 43 Drafting Divisions any information or records requested by them. Except when
 44 accessibility is prohibited by a federal statute, federal regulation or State statute, every

1 State department, State agency, or State institution shall give the Fiscal Research
2 Division access to any data base or stored information maintained by computer,
3 telecommunications, or other electronic data processing equipment, whether stored on
4 tape, disk, or otherwise, and regardless of the medium for storage or transmission.

5 (b) Notwithstanding subsection (a) of this section, access to the State Personnel
6 Management Information System by the Legislative ~~Administrative Services~~ Office and
7 by the Research and Bill Drafting Divisions shall only be through the Fiscal Research
8 Division."

9 Sec. 4. G.S. 120-32.1 reads as rewritten:

10 "**§ 120-32.1. Use and maintenance of buildings and grounds.**

11 (a) The Legislative Services Commission shall:

- 12 (1) Establish policy for the use of the State legislative buildings and
13 grounds;
- 14 (2) Maintain and care for the State legislative buildings and grounds, but
15 the Commission may delegate the actual work of the maintenance of
16 those buildings and grounds to the Department of Administration,
17 which shall perform the work as delegated;
- 18 (3) Provide security for the State legislative buildings and grounds;
- 19 (4) Allocate space within the State legislative buildings and grounds; and
- 20 (5) Have the exclusive authority to assign parking space in the State
21 legislative buildings and grounds.

22 (b) The Legislative ~~Administrative Services~~ Officer shall have posted the rules
23 adopted by the Legislative Services Commission under the authority of this section in a
24 conspicuous place in the State Legislative Building and the Legislative Office Building.
25 The Legislative ~~Administrative Services~~ Officer shall have filed a copy of the rules,
26 certified by the chairman of the Legislative Services Commission, in the office of the
27 Secretary of State and in the office of the Clerk of the Superior Court of Wake County.
28 When so posted and filed, these rules shall constitute notice to all persons of the
29 existence and text of the rules. Any person, whether on his own behalf or for another, or
30 acting as an agent or representative of any person, firm, corporation, partnership or
31 association, who knowingly violates any of the rules adopted, posted and filed under the
32 authority of this section is guilty of a misdemeanor and upon conviction shall be
33 punished by a fine or imprisonment in the discretion of the court, or by both such fine
34 and imprisonment. Any person, firm, corporation, partnership or association who
35 combines, confederates, conspires, aids, abets, solicits, urges, instigates, counsels,
36 advises, encourages or procures another or others to knowingly violate any of the rules
37 adopted, posted and filed under the authority of this section is guilty of a misdemeanor
38 and upon conviction shall be punished by a fine or imprisonment in the discretion of the
39 court, or by both such fine and imprisonment.

40 (c) The Legislative Services Commission may cause to be removed at the
41 owner's expense any vehicle parked in the State legislative buildings and grounds in
42 violation of the rules of the Legislative Services Commission and may cause to be
43 removed any vehicle parked in any State-owned parking space leased to an employee of

1 the General Assembly where the vehicle is parked without the consent of the employee
2 to whom the space is leased.

3 (d) For the purposes of this section, the term 'State legislative buildings and
4 grounds' means:

5 (1) At all times:

6 a. The State Legislative Building and the area between outer walls
7 of the State Legislative Building and the near curblineline of those
8 sections of Jones, Wilmington, Lane, and Salisbury Streets
9 which border land on which the State Legislative Building is
10 situated;

11 b. The Legislative Office Building and the areas between its outer
12 walls and the near curblineline of those sections of Lane and
13 Salisbury Streets that border the land on which it is situated;

14 c. Any State-owned parking lot which is leased to the General
15 Assembly; and

16 d. The bridge between the State Legislative Building and the State
17 Governmental Mall.

18 (2) In addition, the surface area to the far curblineline of those sections of
19 Jones, Wilmington, Lane, and Salisbury Streets which border the land
20 on which the State Legislative Building is situated:

21 a. When the General Assembly is in regular or extra session; and

22 b. On other days on which one or more standing committees of
23 either or both houses of the General Assembly are meeting and
24 the Legislative ~~Administrative~~ Services Officer determines that
25 additional parking is needed for the functioning of the General
26 Assembly and files notice of the committee's or committees'
27 meetings and his finding that additional parking is needed in the
28 office of the Secretary of State and that of Clerk of the Superior
29 Court of Wake County."

30 Sec. 5. G.S. 120-36.6 reads as rewritten:

31 **"§ 120-36.6. Legislative Fiscal Research staff participation.**

32 Legislative fiscal research staff members may attend all meetings of the Advisory
33 Budget Commission and all hearings conducted by or for the Commission, and may
34 accompany the Commission to inspect the facilities of the State. The Legislative
35 ~~Administrative~~ Services Officer shall designate a member of the Fiscal Research staff,
36 and a member of the General Research or Bill Drafting staff who may attend all
37 meetings of the Board of Awards and Council of State, unless the Board or Council has
38 voted to exclude them from the specific meeting, provided that no final action may be
39 taken while they are so excluded. The Legislative Services Officer and the Director of
40 Fiscal Research shall be notified of all such meetings, hearings and trips in the same
41 manner and at the same time as notice is given to members of the Board, Commission
42 or Council. The Legislative Services Officer and the Director of Fiscal Research shall
43 be provided with a copy of all reports, memoranda, and other informational material
44 which are distributed to the members of the Board, Commission, or Council; these

1 reports, memoranda and materials shall be delivered to the Legislative Services Officer
2 and the Director of Fiscal Research at the same time that they are distributed to the
3 members of the Board, Commission, or Council."

4 Sec. 6. G.S. 120-70.36 reads as rewritten:

5 **"§ 120-70.36. Staffing.**

6 The Legislative ~~Administrative~~-Services Officer shall assign as staff to the Joint
7 Select Committee professional employees of the General Assembly, as approved by the
8 Legislative Services Commission. Clerical staff shall be assigned to the Joint Select
9 Committee through the offices of the Supervisor of Clerks of the Senate and Supervisor
10 of Clerks of the House of Representatives. The expenses of employment of clerical
11 staff shall be borne by the Joint Select Committee."

12 Sec. 7. G.S. 120-70.46 reads as rewritten:

13 **"§ 120-70.46. Staffing.**

14 The Legislative ~~Administrative~~-Services Officer shall assign as staff to the
15 Environmental Review Commission professional employees of the General Assembly,
16 as approved by the Legislative Services Commission. Clerical staff shall be assigned to
17 the Environmental Review Commission through the offices of the Supervisor of Clerks
18 of the Senate and Supervisor of Clerks of the House of Representatives. The expenses
19 of employment of clerical staff shall be borne by the Environmental Review
20 Commission."

21 Sec. 8. G.S. 120-70.52(c) reads as rewritten:

22 "(c) The Committee shall be funded by appropriations made to the Highway Trust
23 Fund and allocated to the Intrastate System projects. Members of the Committee
24 receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee
25 may contract for consultants or hire employees in accordance with G.S. 120-32.02. The
26 Legislative Services Commission, through the Legislative ~~Administrative~~-Services
27 Officer, shall assign professional staff to assist the Committee in its work. Upon the
28 direction of the Legislative Services Commission, the Supervisors of Clerks of the
29 Senate and of the House of Representatives shall assign clerical staff to the Committee.
30 The expenses for clerical employees shall be borne by the Committee."

31 Sec. 9. G.S. 120-70.65 reads as rewritten:

32 **"§ 120-70.65. Staffing.**

33 The Legislative ~~Administrative~~-Services Officer shall assign as staff to the
34 Commission professional employees of the General Assembly, as approved by the
35 Legislative Services Commission. Clerical staff shall be assigned to the Commission
36 through the Offices of the Supervisor of Clerks of the Senate and Supervisor of Clerks
37 of the House of Representatives. The expenses of employment of clerical staff shall be
38 borne by the Commission."

39 Sec. 10. G.S. 120-70.82(c) reads as rewritten:

40 "(c) Members of the Committee receive subsistence and travel expenses as
41 provided in G.S. 120-3.1. The Committee may contract for consultants or hire
42 employees in accordance with G.S. 120-32.02. The Legislative Services Commission,
43 through the Legislative ~~Administrative~~-Services Officer, shall assign professional staff to
44 assist the Committee in its work. Upon the direction of the Legislative Services

1 Commission, the Supervisors of Clerks of the Senate and of the House of
2 Representatives shall assign clerical staff to the Committee. The expenses for clerical
3 employees shall be borne by the Committee."

4 Sec. 11. G.S. 143-8 reads as rewritten:

5 "**§ 143-8. Reporting of legislative and judicial expenditures and financial needs.**

6 On or before the first day of September, biennially, in the even-numbered years, the
7 Legislative ~~Administrative~~ Services Officer shall furnish the Director a detailed
8 statement of expenditures of the General Assembly for the current fiscal biennium, and
9 an estimate of its financial needs, itemized in accordance with the budget classification
10 adopted by the Director and approved and certified by the President pro tempore of the
11 Senate and the Speaker of the House for each year of the ensuing biennium, beginning
12 with the first day of July thereafter. The Administrative Officer of the Courts shall
13 furnish the Director a detailed statement of expenditures of the judiciary, and for each
14 year of the current fiscal biennium an estimate of its financial needs as provided by law,
15 itemized in accordance with the budget classification adopted by the Director and
16 approved and certified by the Chief Justice for each year of the ensuing biennium,
17 beginning with the first day of July thereafter. The Director shall include these
18 estimates and accompanying explanations in the budget submitted with such
19 recommendations as the Director may desire to make in reference thereto."

20 Sec. 12. This act is effective upon ratification.