

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 305

Short Title: ARRC Property & Computer Access.

(Public)

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Sponsors: Senator Sherron.

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Referred to: Judiciary III.

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February 27, 1989

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THE OWNERSHIP OF PROPERTY USED BY THE  
2 ADMINISTRATIVE RULES REVIEW COMMISSION AND TO GIVE THE  
3 COMMISSION COMPUTER ACCESS TO THE ADMINISTRATIVE CODE.  
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5 The General Assembly of North Carolina enacts:

6 Section 1. Section 1 of Chapter 1111 of the 1987 Session Laws reads as  
7 rewritten:

8 "Section 1. (a) The persons employed by the Office of Administrative Hearings on  
9 July 9, 1988, who were performing functions for the Administrative Rules Review  
10 Commission shall be employed by the Administrative Rules Review Commission at the  
11 same salary as they were earning on July 9, 1988, and their salary shall remain the same  
12 through June 30, 1989. Ownership of the assets used by or allocated to the  
13 Administrative Rules Review Commission and its staff as of July 9, 1988, is transferred  
14 from the Office of Administrative Hearings to the Commission.

15 (b) The Administrative Rules Review Commission shall submit to the Office of  
16 State Budget and Management a proposed budget in line-item format for the 1989-91  
17 biennium."

18 Sec. 2. G.S. 143B-30.1 reads as rewritten:

19 "**§ 143B-30.1. Administrative Rules Review Commission created.**

20 The Administrative Rules Review Commission is created. The Commission shall  
21 consist of eight members to be appointed by the General Assembly, four upon the  
22 recommendation of the President of the Senate, and four upon the recommendation of  
23 the Speaker of the House of Representatives. These appointments shall be made in  
24 accordance with G.S. 120-121, and vacancies in these appointments shall be filled in

1 accordance with G.S. 120-122. All appointees shall serve two-year terms. Any  
2 appointment to fill a vacancy on the Commission created by the resignation, dismissal,  
3 ineligibility, death, or disability of any member shall be for the balance of the unexpired  
4 term. The chairman shall be elected by the Commission, and he shall designate the  
5 times and places at which the Commission shall meet. The Commission shall meet at  
6 least once a month. A quorum of the Commission shall consist of five members of the  
7 Commission. The Commission is an independent agency under Article III, Section 11 of  
8 the Constitution.

9 Members of the Commission who are not officers or employees of the State shall  
10 receive compensation of two hundred dollars (\$200.00) for each day or part of a day of  
11 service plus reimbursement for travel and subsistence expenses at the rates specified in  
12 G.S. 138-5. Members of the Commission who are officers or employees of the State  
13 shall receive reimbursement for travel and subsistence at the rate set out in G.S. 138-6.

14 Any other provision of the General Statutes notwithstanding, the appointment of  
15 employees of the Commission shall be made by the Commission. Nothing in this Article  
16 shall be construed to exempt employees of the Commission from the State Personnel  
17 Act.

18 The Commission shall prescribe procedures and forms to be used in submitting rules  
19 to the Commission for review. The Commission may have computer access to the  
20 North Carolina Administrative Code to enable the Commission and its staff to view and  
21 copy rules in the Code."

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