

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 702
HOUSE BILL 1046

AN ACT TO MAKE CERTAIN EDITORIAL AND TECHNICAL CHANGES IN CHAPTER
114 OF THE GENERAL STATUTES, THE DEPARTMENT OF JUSTICE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 114-1 is amended by striking the word "eighteen" appearing in line 3, and substituting in lieu thereof the word "seven".

Sec. 2. G.S. 114-2 is amended (a) by rewriting subsection (1), as follows:

"(1) To defend all actions in the appellate division in which the State shall be interested, or a party, and to appear for the State in any other court or tribunal in any cause or matter, civil or criminal, in which the State may be a party or interested." and (b) by striking subsections (2) and (3) and substituting in lieu thereof the following:

"(2) To represent all State departments, agencies, institutions, commissions, bureaus or other organized activities of the State which receive support in whole or in part from the State."

and (c) by renumbering subsections 4, 5, 6, 7 and 8, respectively as subsections 3, 4, 5, 6 and 7.

Sec. 3. The first sentence of G.S. 114-4, which now reads: "The Attorney General shall be allowed to appoint five assistant attorneys general and each of such attorneys general shall be subject to all the provisions of Chapter 126 of the General Statutes relating to the State Personnel System.", is rewritten to read:

"The Attorney General shall be allowed to appoint from among his staff such number of assistant attorneys general as he shall deem advisable, and each of such assistant attorneys general shall be subject to all of the provisions of Chapter 126 of the General Statutes relating to the State Personnel System."

Sec. 4. G.S. 114-4.1 is repealed.

Sec. 5. G.S. 114-4.2 is rewritten to read:

"The Attorney General is authorized to appoint from among his staff such assistant attorneys general and such other staff attorneys as he shall deem advisable to provide all legal assistance for the State highway functions of the Department of Transportation and Highway Safety, and such assistant attorneys general and other attorneys shall also perform such additional duties as may be assigned to them by the Attorney General, and shall otherwise be subject to all provisions of the statutes relating to assistant attorneys general and other staff attorneys. There shall be appropriated from the State Highway Fund such sum as may be necessary to pay the salaries of said assistant attorneys general and other attorneys and necessary secretaries. The Department of Transportation and Highway Safety shall provide adequate office space, equipment and supplies."

Sec. 6. G.S. 114-4.2(a) is rewritten to read:

"Such assistant attorneys general as are assigned to the Commissioner of Insurance and the State Insurance Department by the Attorney General shall perform such additional duties as may be assigned to them by the Attorney General, and shall otherwise be subject to all provisions of the statutes relating to assistant attorneys general."

Sec. 7. G.S. 114-4.3 is repealed.

Sec. 8. G.S. 114-4.4 is rewritten to read:

"The Attorney General is hereby authorized to designate from among his staff such deputy attorneys general as he shall deem advisable to perform such duties and undertake such responsibilities as he may direct."

Sec. 9. It is not the intention of this act to amend G.S. 62-21, or any other provision of Chapter 62 of the General Statutes relating to representation of the Utilities Commission.

Sec. 10. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 23rd day of May, 1973.