

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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1

HOUSE BILL 734

Short Title: Publications Division Changes.

(Public)

Sponsors: Representatives Kennedy; Locks, H. Hunter, and S. Thompson.

Referred to: Government.

March 20, 1989

1 A BILL TO BE ENTITLED
2 AN ACT AMENDING THE LAW CONCERNING THE DIVISION OF
3 PUBLICATIONS WITHIN THE DEPARTMENT OF THE SECRETARY OF
4 STATE.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 143-47.7(b) reads as rewritten:

7 "(b) The notice required by this Article shall state the name and office of the
8 appointing authority, the public office to which the appointment is made, the name of
9 the individual the appointee is replacing, the name and address of the appointee, a
10 citation of the law pursuant to which the appointment is made, the date of the
11 appointment, and the term of the appointment."

12 Sec. 2. G.S. 147-36 reads as rewritten:

13 "**§ 147-36. Duties of Secretary of State.**

14 It is the duty of the Secretary of State:

- 15 (1) To attend at every session of the legislature for the purpose of
16 receiving bills which shall have become laws, and to perform such
17 other duties as may then be devolved upon him by resolution of the
18 two Houses, or either of them;
19 (2) To attend the Governor, whenever required by him, for the purpose of
20 receiving documents which have passed the great seal;
21 (3) To receive and keep all conveyances and mortgages
22 belonging to the State;
23 (4) To distribute annually the statutes and the legislative journals;

- 1 (5) To distribute the acts of Congress received at his office in the manner
- 2 prescribed for the statutes of the State;
- 3 (6) To keep a receipt book, in which he shall take from every person to
- 4 whom a grant shall be delivered, a receipt for the same; but he may
- 5 inclose grants by mail in a registered letter at the expense of the
- 6 grantee, unless otherwise directed, first entering the same upon the
- 7 receipt book;
- 8 (7) To issue charters and all necessary certificates for the incorporation,
- 9 domestication, suspension, reinstatement, cancellation and dissolution
- 10 of corporations as may be required by the corporation laws of the State
- 11 and maintain a record thereof;
- 12 (8) To issue certificates of registration of trademarks, labels and designs as
- 13 may be required by law and maintain a record thereof;
- 14 (9) To maintain a Division of ~~Publications~~ Information Services to compile
- 15 data on the State's several governmental agencies and for legislative
- 16 reference;
- 17 (10) To receive, enroll and safely preserve the Constitution of the State and
- 18 all amendments thereto;
- 19 (11) To serve as a member of such boards and commissions as the
- 20 Constitution and laws of the State may designate;
- 21 (12) To administer the Securities Law of the State, regulating the issuance
- 22 and sale of securities, as is now or may be directed;
- 23 (13) To receive and keep all oaths of public officials required by law to be
- 24 filed in his office, and as Secretary of State, he is fully empowered to
- 25 administer official oaths to any public official of whom an oath is
- 26 required; and
- 27 (14) To receive and maintain a journal of all appointments made to any
- 28 State board, agency, commission, council or authority which is filed in
- 29 the office of the Secretary of State."

30 Sec. 3. G.S. 147-45 reads as rewritten:

31 **"§ 147-45. Distribution of copies of State publications.**

32 The Secretary of State shall, at the State's expense, as soon as possible after
 33 publication, provide such number of copies of the Session Laws and Senate and House
 34 Journals to federal, State, and local governmental officials, departments and agencies,
 35 and to educational institutions of instruction and exchange use, as is set out in the table
 36 below:

		Session	Assembly
37			
38	Agency or Institution Laws Journals		
39	Governor, Office of the	3	2
40	Lieutenant Governor, Office of the	1	1
41	Secretary of State, Department of the.....	3	3
42	Auditor, Department of the State.....	3	1
43	Treasurer, Department of the State	3	1
44	Local Government Commission.....	2	0

1	Public Education, Department of.....	1	0
2	Superintendent of Public		
3	Instruction.....	3	1
4	Controller.....	1	0
5	Division of Community Colleges.....	3	1
6	Regional Service Centers.....	1 ea.	0
7	Justice, Department of		
8	Office of the Attorney General.....	25	3
9	Budget Bureau (Administration).....	1	0
10	Property Control (Administration).....	1	1
11	State Bureau of Investigation.....	1	0
12	Agriculture, Department of.....	3	1
13	Labor, Department of.....	5	1
14	Insurance, Department of.....	5	1
15	Administration, Department of.....	1	1
16	Budget Bureau.....	2	1
17	Controller.....	1	0
18	Property Control.....	1	0
19	Purchase and Contract.....	2	0
20	Policy and Development.....	1	0
21	Veterans Affairs Commission.....	1	0
22	Natural Resources and Community		
23	Development, Department of.....	1	0
24	Division of Environmental Management....	2	0
25	Board of Natural Resources and		
26	Community Development.....	1	0
27	Soil and Water Conservation		
28	Commission.....	1	0
29	Wildlife Resources Commission.....	2	0
30	Revenue, Department of.....	5	1
31	Human Resources, Department of.....	3	0
32	Board of Human Resources.....	1	0
33	Health Services, Division of.....	3	0
34	Mental Health, Mental Retardation,		
35	and Substance Abuse Services,		
36	Division of.....	1	0
37	Social Services, Division of.....	3	0
38	Facilities Services, Division of.....	1	0
39	Youth Services, Division of.....	1	0
40	Hospitals and Institutions.....	1 ea.	0
41	Transportation, Department of.....	1	0
42	Board of Transportation.....	3	0
43	Motor Vehicles, Division of.....	1	0
44	Commerce, Department of.....	1	0

1	Economic Development, Division of.....	2	0
2	State Ports Authority.....	1	0
3	Alcoholic Beverage Control		
4	Commission, North Carolina.....	2	0
5	Banking Commission.....	2	0
6	<u>Savings and Loan Division.....</u>	<u>1</u>	<u>0</u>
7	Utilities Commission.....	8	1
8	Industrial Commission.....	7	0
9	Labor Force Development Council.....	1	0
10	Milk Commission.....	5	0
11	Employment Security Commission.....	1	1
12	Correction, Department of.....	4 <u>3</u>	0
13	Department of Correction.....	2	0
14	Parole Commission.....	2	0
15	State Prison.....	1	0
16	Correctional Institutions.....	1 ea.	0
17	Cultural Resources, Department of.....	1	0
18	Archives and History, Division of.....	5	1
19	State Library.....	5	5
20	Publications Division.....	1	1
21	Crime Control and Public Safety,		
22	Department of.....	2	1
23	North Carolina Crime Commission.....	1	0
24	Adjutant General.....	2	0
25	<u>Community Colleges, Department of.....</u>	<u>3</u>	<u>1</u>
26	Elections, State Board of.....	2	0
27	Office of Administrative Hearings.....	2	0
28	<u>Controller, Office of.....</u>	<u>2</u>	<u>0</u>
29	Legislative Branch		
30	State Senators.....	1 ea.	1 ea.
31	State Representatives.....	1 ea.	1 ea.
32	Principal Clerk – Senate.....	1	1
33	Principal Clerk – House.....	1	1
34	Reading Clerk – Senate.....	1	1
35	Reading Clerk – House.....	1	1
36	Sergeant at Arms – House.....	1	1
37	Sergeant at Arms – Senate.....	1	1
38	Enrolling Clerk.....	1	0
39	Engrossing Clerk.....	1	0
40	Indexer of the Laws.....	1	0
41	Legislative Building Library.....	35	<u>15 AS MANY AS</u>
42			<u>REQUESTED</u>
43	Judicial System		
44	Justices of the Supreme Court.....	1 ea.	1 ea.

1	Judges of the Court of Appeals.....	1 ea.	1 ea.
2	Judges of the Superior Court.....	1 ea.	0
3	Emergency and Special Judges of		
4	the Superior Court.....	1 ea.	0
5	District Court Judges.....	1 ea.	0
6	District Attorneys.....	1 ea.	0
7	Clerk of the Supreme Court.....	1	1
8	Clerk of the Court of Appeals.....	1	1
9	Administrative Office of the Courts.....	4	1
10	Supreme Court Library	AS MANY AS REQUESTED	
11	Colleges and Universities		
12	The University North Carolina System		
13	Administrative Offices.....	3	0
14	University of North Carolina,		
15	Chapel Hill.....	65	25
16	University of North Carolina,		
17	Charlotte.....	3	1
18	University of North Carolina,		
19	Greensboro.....	3	1
20	University of North Carolina,		
21	Asheville.....	2	1
22	University of North Carolina,		
23	Wilmington.....	2	1
24	North Carolina State University,		
25	Raleigh.....	5	3
26	Appalachian State University.....	2	1
27	East Carolina University.....	3	2
28	Elizabeth City State University.....	2	1
29	Fayetteville State University.....	2	1
30	North Carolina Agricultural and		
31	Technical University.....	2	1
32	North Carolina Central University.....	5	5
33	Western Carolina University.....	2	1
34	Pembroke State University.....	2	1
35	Winston-Salem State University.....	2	1
36	North Carolina School of the Arts.....	1	1
37	Private Institutions		
38	Duke University.....	6	6
39	Davidson College.....	3	2
40	Wake Forest University.....	5	5
41	Lenoir Rhyne College.....	1	1
42	Elon College.....	1	1
43	Guilford College.....	1	1
44	Campbell College.....	5	5

1	Wingate College.....	1	1
2	Pfeiffer College.....	1	1
3	Barber Scotia College.....	1	1
4	Atlantic Christian College.....	1	1
5	Shaw University.....	1	1
6	St. Augustine's College.....	1	1
7	J.C. Smith University.....	1	1
8	Belmont Abbey College.....	1	1
9	Bennett College.....	1	1
10	Catawba College.....	1	1
11	Gardner-Webb College.....	1	1
12	Greensboro College.....	1	1
13	High Point College.....	1	1
14	Livingstone College.....	1	1
15	Mars Hill College.....	1	1
16	Meredith College.....	1	1
17	Methodist College.....	1	1
18	North Carolina Wesleyan College.....	1	1
19	Queens College.....	1	1
20	Sacred Heart College.....	1	1
21	St. Andrews Presbyterian College.....	1	1
22	Salem College.....	1	1
23	Warren Wilson College.....	1	1
24	County and Local Officials		
25	Clerks of the Superior Court.....	1 ea.	1 ea.
26	Register of Deeds.....	1 ea.	1 ea. <u>0</u>
27	<u>County Attorneys.....</u>	<u>1</u>	<u>0</u>
28	Federal, Out-of-State and Foreign		
29	Secretary to the President.....	1	0
30	Secretary of State.....	1	1
31	Secretary of Defense.....	1	0
32	Secretary of Agriculture.....	1	0
33	Secretary of the Interior.....	1	0
34	Secretary of Labor.....	1	1
35	Secretary of Commerce.....	1	1
36	Secretary of the Treasury.....	1	0
37	Secretary of Health, Education and		
38	Welfare.....	1	0
39	Secretary of Housing and Urban		
40	Development.....	1	0
41	Secretary of Transportation.....	1	0
42	Attorney General.....	1	0
43	Postmaster General.....	1	0
44	Bureau of Census.....	1	0

1	Bureau of Public Roads.....	1	0
2	Department of Justice.....	1	0
3	Department of Internal Revenue.....	1	0
4	Veterans' Administration.....	1	0
5	Farm Credit Administration.....	1	0
6	Securities and Exchange Commission.....	1	0
7	Social Security Board.....	1	0
8	Environmental Protection Agency.....	1	0
9	Library of Congress.....	8	2
10	Federal Judges resident in North		
11	Carolina.....	1 ea.	0
12	Federal District Attorneys		
13	resident in North Carolina.....	1 ea.	0
14	Marshal of the United States		
15	Supreme Court.....	1	0
16	Federal Clerks of Court resident		
17	in North Carolina.....	1 ea.	0
18	Supreme Court Library exchange list.....	1 ea.	0

19 One copy of the Session Laws shall be furnished the head of any department of State
 20 government created in the future.

21 State agencies, institutions, etc., not found in or covered by this list may, upon
 22 written request from their respective department head to the Secretary of State, and
 23 upon the discretion of the Secretary of State as to need, be issued copies of the Session
 24 Laws on a permanent loan basis with the understanding that should said copies be
 25 needed they will be recalled."

26 Sec. 4. G.S. 147-54 reads as rewritten:

27 **"§ 147-54. Printing, distribution and sale of the North Carolina Manual.**

28 The Secretary of State shall have printed biennially for distribution and sale, ~~five up~~
 29 ~~to ten thousand (5,000) (10,000) copies of the North Carolina Manual, and shall make~~
 30 ~~distribution to the State agencies, individuals, institutions and others as herein set forth.~~
 31 Manual. The number of books for complimentary distribution as set out below are
 32 minimum figures and may be adjusted to reflect increases in quantity published:

33 NORTH CAROLINA STATE GOVERNMENT:

34	Members of the General Assembly	2 ea.
35	Officers of the General Assembly	1 ea.
36	Offices of the Clerk of each House of the General	
37	Assembly	1 ea.
38	Legislative Services Officer.....	1
39	Legislative Library.....	6
40	Members of the Council of State	2 ea.
41	Appointed Secretaries of Executive Departments	2 ea.
42	Personnel of the Department of the Secretary of	
43	State	1 ea.
44	State Board of Elections	2

1	Divisions of Archives and History, Director.....	1
2	Search Room	3
3	Publications Section	2
4	State Library.....	10 <u>11</u>
5	Libraries within State Agencies	1 ea.
6	Justices of the North Carolina Supreme Court	1 ea.
7	Judges of the North Carolina Court of Appeals	1 ea.
8	Judges of the North Carolina Superior Court	1 ea.
9	Supreme Court Library	12
10	Court of Appeals Library.....	2
11	Clerk of the Supreme Court	1
12	Clerk of the Court of Appeals	1
13	Reporter of the Supreme Court and Court of Appeals ...	1
14	Administrative Office of the Courts	5
15	NORTH CAROLINA EDUCATIONAL INSTITUTIONS:	
16	University of North Carolina System	
17	General Administration Offices	12
18	Chancellors of the Constituent Institutions	1 ea.
19	University of North Carolina – Chapel Hill Library ..	15
20	North Carolina State University Library	5
21	East Carolina University Library	5
22	North Carolina Central University Library	5
23	Appalachian State University Library.....	4
24	University of North Carolina – Charlotte Library	4
25	University of North Carolina – Greensboro Library ...	4
26	Western Carolina University Library	4
27	Other Constituent Institutions Libraries	3 ea.
28	North Carolina School of the Arts	2
29	Institute of Government	2
30	Community Colleges and Technical Institutes	2 ea.
31	Private Colleges and Universities	
32	Duke University Library	6
33	Wake Forest University	6
34	Campbell College Library	5
35	Davidson College Library	4
36	All other Libraries of Senior and Junior Colleges	2 ea.
37	Public and Private Schools containing grades 8-12	1 ea.
38	COUNTY GOVERNMENT:	
39	Clerks of Court	1 ea.
40	Registers of Deeds	1 ea.
41	Public Libraries of North Carolina	1 ea.
42	FEDERAL GOVERNMENT:	
43	President of the United States	1
44	North Carolina Members of the Presidential Cabinet ...	1 ea.

1	North Carolina Members of the United States Congress .	2 ea.
2	Library of Congress	3 <u>2</u>
3	Resident Judges of the Federal Judiciary	
4	and United States Attorneys in North Carolina	1 ea.
5	Secretaries of State of the United States	
6	and Territories	1 ea.

7 After making the above distribution, ~~the remainder shall~~ any remaining books may be
 8 sold at the cost of publication plus tax and a reasonable cost, to include postage and
 9 handling and any applicable taxes. ~~the~~ The proceeds from such any sales shall be
 10 deposited with the State Treasurer for use by the ~~Publications Division~~ publications
 11 section of the Department of the Secretary of State's Office State to defray the expense of
 12 publishing the North Carolina Manual. Libraries and cost of publication. Libraries,
 13 educational institutions personnel and institutions, and other governmental units not
 14 covered provided for in the above distribution list shall be entitled to a twenty percent
 15 (20%) discount on the cost of any purchase(s) the North Carolina Manual."

16 Sec. 5. G.S. 147-54.1 reads as rewritten:

17 **"§ 147-54.1. Division of Publications; duties.**

18 The Secretary of State is authorized to set up a division to be designated as the
 19 Division of ~~Publications~~ Information Services and to appoint a director thereof who shall
 20 be known as the Director of Publications. This ~~Division~~ Information Services. The
 21 Division of Information Services shall have a Publications Section, an Information
 22 Management Section, and such other sections as may be deemed necessary by the
 23 Secretary of State.

24 The Publications Section shall publish the North Carolina Manual, ~~Directory, Index of~~
 25 Local Legislation the Directory of State and County Officials of North Carolina, and such
 26 other publications as may be useful to the ~~members and committees of the General~~
 27 Assembly and other officials of the State and of the various counties and cities. ~~Assembly, the~~
 28 department, and the citizens of North Carolina. The Secretary of State may sell these
 29 publications any publication at such prices as a price he deems reasonable; the proceeds of
 30 sale shall be paid into the State treasury. treasury unless other provisions are established
 31 by law.

32 The ~~Division~~ Information Management Section shall also perform all such other duties
 33 as may be assigned maintain any records received by the Secretary of State. State as
 34 prescribed by statute and provide information and copies of records and files upon
 35 request and for a fee as set by the Secretary of State or by law."

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