

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 21

Short Title: Constitutional Revision.

(Public)

Sponsors: Senators Lee; and Perdue.

Referred to: Constitution and Election Laws.

January 28, 1993

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE CONSTITUTIONAL REVIEW COMMISSION TO
STUDY PROPOSALS TO MAKE CHANGES IN THE STRUCTURE OF STATE
GOVERNMENT IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. The Constitutional Revision Study Commission is created. The
Commission shall consist of 30 members, to be appointed as follows:

- (1) Six appointed by the Governor;
- (2) Four appointed by the Lieutenant Governor;
- (3) Four appointed by the President Pro Tempore of the Senate, no more than two of whom may, at the time of their appointment, be members of the General Assembly;
- (4) Four appointed by the Speaker of the House of Representatives, no more than two of whom may, at the time of their appointment, be members of the General Assembly;
- (5) Four appointed by the Chief Justice of the Supreme Court; and
- (6) Each member of the Council of State other than the Governor and Lieutenant Governor; provided that any person serving ex officio under this section may designate a person to serve in that officer's place, but such designation may be changed or revoked.

Sec. 2. The Commission shall study issues related to the structure of North Carolina State Government and offices elected by the people, including but not limited to the following:

- (1) Gubernatorial succession;

- 1 (2) Length of terms of office for the Governor and Lieutenant Governor;
- 2 (3) Legislative confirmation of gubernatorial appointments;
- 3 (4) Term limitations for members of the General Assembly and members
- 4 of Congress;
- 5 (5) Length of terms of office of members of the General Assembly;
- 6 (6) Election of the Governor and Lieutenant Governor as a team either in
- 7 the general election or both the general election and the nomination
- 8 process;
- 9 (7) The role of the Lieutenant Governor, including:
 - 10 a. Status as presiding officer of the Senate;
 - 11 b. Role in appointing other officers; and
 - 12 c. The need for the office itself;
- 13 (8) The continued election of members of the Council of State other than
- 14 the Governor and Lieutenant Governor;
- 15 (9) Whether the Governor and other members of the Council of State
- 16 should be elected in the same year as the President or on an off-year
- 17 cycle;
- 18 (10) The division of power among Council of State members; and
- 19 (11) The manner of choosing the judiciary, including both the appellate and
- 20 trial benches.

21 Sec. 3. The President Pro Tempore of the Senate shall designate a cochair of
22 the Commission and the Speaker of the House of Representatives shall designate a
23 cochair of the Commission.

24 Sec. 4. The Commission may provide for the selection of subcommittees to
25 study the various areas it has been charged with reviewing.

26 Sec. 5. The Commission shall submit a final report of its findings and
27 recommendations to the General Assembly no later than 30 days after convening of the
28 1995 Session of the General Assembly by filing the report with the President Pro
29 Tempore of the Senate and the Speaker of the House of Representatives. Upon filing its
30 final report, the Commission shall terminate.

31 Sec. 6. The Commission, while in the discharge of official duties, may
32 exercise all the powers provided for under the provisions of G.S. 120-19, and G.S. 120-
33 19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call
34 of the cochairmen. The Commission may meet in the Legislative Building or the
35 Legislative Office Building.

36 Sec. 7. Members of the Commission shall receive per diem, subsistence, and
37 travel expenses at the rates provided by law.

38 Sec. 8. The Commission may contract for professional, clerical, or consultant
39 services as provided by G.S. 120-32.02. The Commission may employ or contract for
40 the services of an executive director. The Legislative Services Commission, through the
41 Legislative Administrative Officer, may assign professional staff to assist in the work of
42 the Commission. The House of Representatives' and the Senate's Supervisors of Clerks
43 may assign clerical staff to the Commission or committee, upon the direction of the

1 Legislative Services Commission. The expenses relating to clerical employees and staff
2 of the Commission shall be borne by the Commission.

3 Sec. 9. When a vacancy occurs in the membership of the Commission, the
4 vacancy shall be filled by the same appointing officer who made the initial appointment.

5 Sec. 10. All State departments and agencies and local governments and their
6 subdivisions shall furnish the Commission with any information in their possession or
7 available to them.

8 Sec. 11. This act is effective upon ratification.