

March 14, 2007

H 671. REPLACING OFFICIALS CALLED TO ACTIVE DUTY. Filed 3/14/07. *TO CHANGE THE PROCEDURE BY WHICH A MEMBER OF THE GENERAL ASSEMBLY OR ANY OTHER STATE, COUNTY, OR MUNICIPAL OFFICIAL MAY OBTAIN A LEAVE OF ABSENCE WHEN THE MEMBER OR OFFICIAL IS CALLED TO ACTIVE DUTY IN THE ARMED FORCES OR NATIONAL GUARD; AND CHANGING THE PROCEDURES BY WHICH TEMPORARY OFFICIALS ARE APPOINTED TO REPLACE MEMBERS OF THE GENERAL ASSEMBLY CALLED TO ACTIVE DUTY IN THE ARMED FORCES OR NATIONAL GUARD.*

Amends GS 128-39 regarding leaves of absence for state officials to limit it to absences due to protracted illness. Creates GS 128-39A to establish process for leaves of absence for military or naval service. Provides that any elective or appointive state official may obtain a leave of absence upon entering active duty in the armed forces, with the official receiving no salary during the period of active service and no vacancy being created in the office during the period of service. If the period of active service is at least 30 days, a temporary replacement for the official may be selected and the procedure for doing so is specified. No temporary replacement is to be appointed if the period of active duty for the official is less than 30 days. Specifies the timing for initiation and termination of services of temporary replacements. Amends GS 128-40, 128-41, and 128-42 to make comparable amendments to provisions for leaves of absence and temporary replacements for elective and appointive county and municipal officials.

Intro. by Martin, Killian.

GS 128

April 2, 2007

H 671. REPLACING OFFICIALS CALLED TO ACTIVE DUTY. Filed 3/14/07. House committee substitute makes the following changes to 1st edition. Removes the requirement in proposed GS 128-39A that the Governor's selection of a person to serve as a temporary replacement legislator be subject to approval by a majority of those in the appropriate house of the General Assembly. Adds to GS 128-40, GS 128-41, and GS 128-42 the requirement that the appointee must possess all of the legally required qualifications for holding the office for which the temporary replacement is appointed. Makes technical changes.

July 25, 2007

H 671. REPLACING OFFICIALS CALLED TO ACTIVE DUTY. Filed 3/14/07. Senate committee substitute makes the following changes to 2nd edition. Modifies proposed new GS 128-39A to amend the requirements for the temporary replacement of a member of the General Assembly who was called to duty in the armed forces or the national guard to require that the Governor select a replacement under the same procedure provided for in GS 163-11 (was, the replacement must be a resident of the legislative district represented by the legislator being replaced and be a member of the same political party as the legislator being replaced). Changes the effective date from July 1, 2007, to when the act becomes law.

August 1, 2007

H 671. REPLACING OFFICIALS CALLED TO ACTIVE DUTY. Filed 3/14/07. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Modifies proposed GS 128-39A(b)(2) to provide an alternate method for the Governor to appoint a temporary replacement of a member of the General Assembly in situations when the appropriate committee executive party fails to recommend an eligible person within 14 days.

August 27, 2007

SL 2007-432 (H 671). REPLACING OFFICIALS CALLED TO ACTIVE DUTY. AN ACT TO CHANGE THE PROCEDURE BY WHICH A MEMBER OF THE GENERAL ASSEMBLY OR ANY OTHER STATE, COUNTY, OR MUNICIPAL OFFICIAL MAY OBTAIN A LEAVE OF ABSENCE WHEN THE MEMBER OR OFFICIAL IS CALLED TO ACTIVE DUTY IN THE ARMED FORCES OR NATIONAL GUARD; AND TO CHANGE THE PROCEDURES BY WHICH TEMPORARY OFFICIALS ARE APPOINTED TO REPLACE MEMBERS OF THE GENERAL ASSEMBLY

CALLED TO ACTIVE DUTY IN THE ARMED FORCES OR NATIONAL GUARD. Summarized in *Daily Bulletin* 3/14/07, 4/2/07, 7/25/07, and 8/1/07. Enacted August 23, 2007. Effective August 23, 2007.