

March 31, 2009

H 917. APPROPRIATIONS ACT OF 2009 (=S 1093). Filed 3/26/09. *TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Identical to S 1093, filed 3/26/09.

Intro. by Michaux, Adams, M. Alexander, Crawford.

GS 7A, 7B, 20, 93B, 105, 108A, 110, 115C, 115D, 116, 130A, 131D, 131E, 136, 143, 143B, 143C, 147, 150B

May 6, 2009

H 917. IMPLEMENT EXEC. ORDER #11/PROTECT EMPLOYEES (NEW). Filed 3/31/09. House committee substitute makes the following changes to 1st edition. Deletes provisions of first edition and replaces it with *AN ACT TO MAKE THE EFFECT OF EXECUTIVE ORDER NUMBER ELEVEN APPLICABLE TO THE LEGISLATIVE AND JUDICIAL BRANCHES AND TO PROTECT STATE EMPLOYEES UNDER THAT ORDER.* Provides that a public officer or person employed by a state agency, department, or institution, by The University of North Carolina, by the North Carolina Community College System, or by a local school administrative unit who is subject to a temporary reduction in compensation that is made under Governor Perdue's Executive Order #11 and not in connection with a demotion or any other disciplinary action will not suffer any diminution of retirement average final compensation, which will continue to be calculated based on the undiminished compensation and that public agencies who employ such persons will pay both the employee and employer contributions to the Retirement Systems Division or to the appropriate Optional Retirement Plan carrier as to the amount that compensation was reduced. Requires the Office of State Personnel, the State Board of Education, the State Board of Community Colleges, and the UNC Board of Governors to adopt rules to be applied in designating the times that public employees will be subject to order's provisions regarding flexible leave with pay taken before December 31, 2009. Provides that the order's provisions regarding temporary reduction in compensation do not apply to public officers or employees who are judges, justices, or officers whose salaries are protected from reduction under Article III, Section 9, or Article IV, Section 21, of the NC Constitution, but encourages those officers, justices, and judges to participate in the pay reduction. Provides that employees of the legislative and judicial branches, members and officers of the General Assembly, and officers of the judicial branch whose salaries are not protected from reduction under Article IV, Section 21, of the NC Constitution are subject to the reductions in pay to the same extent as public officers or employees covered by the order. Directs the Legislative Services Commission to adopt a flexible leave program for members and employees of the General Assembly that is substantially equivalent to that established by the State Personnel Commission. Authorizes the Chief Justice to implement a flexible leave program for employees of the judicial branch that is substantially equivalent to that established by the State Personnel Commission if the Chief Justice determines that doing so is necessary to implement the executive order. Requires the Office of State Budget and Management, the State Personnel Commission, the State Board of Community Colleges, the State Board of Education, and the UNC Board of Governors to adopt emergency rules, as soon as practicable and no more than 10 calendar days from the date this act becomes law, to implement the executive order; this act and provides that those rules may remain in effect until January 1, 2010. Provides that the temporary reduction in pay under the executive order does not constitute a demotion under Part 3 of Article 22 of GS Chapter 115C or any other personnel law or policy. The act is effective when it becomes law and expires January 1, 2010.

May 7, 2009

H 917. IMPLEMENT EXEC. ORDER #11/PROTECT EMPLOYEES. Filed 3/31/09. House amendment makes the following changes to 2nd edition. Amendment # 1 makes a technical change. Amendment # 2 adds a new Section 8, which provides that employees of local boards of education who are not paid out of state funds shall receive the same reduction in pay applicable

to state-paid employees in the event of a reduction in compensation of state-paid employees that is enacted by the General Assembly or ordered by the Governor pursuant to the Governor's constitutional duty to balance the state budget. Amendment # 2 also makes a technical change.

May 13, 2009

H 917. IMPLEMENT EXECUTIVE ORDER #11/PROTECT EMPLOYEES. Filed 3/31/09. Senate amendment makes the following changes to 3rd edition. Adds to General Assembly findings that many legislators and judges have voluntarily waived a portion of their pay in advance of the passage of legislation implementing Executive Order No. 11. Amends Section 9 to provide that Section 5(a) does not apply to legislators who have voluntarily waived the same proportion of their pay as would be reduced under the act in order to prevent legislators from being subject to a double reduction in pay provided the voluntary waiver remains in effect through June 30, 2009. Makes a technical change.

May 19, 2009

SL 2009-26 (H 917). IMPLEMENT EXECUTIVE ORDER #11/PROTECT EMPLOYEES. AN ACT TO MAKE THE EFFECT OF EXECUTIVE ORDER NUMBER ELEVEN APPLICABLE TO THE LEGISLATIVE AND JUDICIAL BRANCHES AND TO PROTECT STATE EMPLOYEES UNDER THAT ORDER. Summarized in *Daily Bulletin* 5/6/09, 5/7/09, and 5/13/09. Enacted May 18, 2009. Effective May 18, 2009.