



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 897

AMENDMENT NO. 14  
(to be filled in by  
Principal Clerk)

Page 1 of 2

S897-ALH-78 [v.5]

Comm. Sub. [YES]  
Amends Title [NO]  
Fifth Edition

Date 6/3, 2010

Representative Blackwell

**ADOPTED**

1 moves to amend the bill on page 137, lines 50-51,  
2 by inserting between those lines a new provision to read:

3 **"LIMIT TRANSITION PACKAGES OR GOLDEN PARACHUTES FOR STATE**  
4 **EMPLOYEES**

5 **SECTION 29.5A.(a)** Effective for the 2010-2011 fiscal year only, the amount of  
6 any transition salary package payable to certain State employees employed by State agencies,  
7 departments, institutions, and The University of North Carolina shall be limited by the  
8 provisions of this section as follows:

9 (1) Notwithstanding any other provision of law, no State employee who leaves  
10 the position that the employee most recently held shall continue to be paid  
11 the salary for that position when the employee is no longer carrying out the  
12 responsibilities for that position. This includes periods of transition.

13 (2) Notwithstanding subdivision (1) of this subsection, a State employee who  
14 leaves the position that the employee most recently held may continue to be  
15 paid the salary for a position that he or she no longer holds in the following  
16 circumstances only:

17 a. The payment is required as a term of the contract that was entered  
18 into at the time the person was hired for, or promoted to, the position  
19 most recently held; and

20 b. The contract is signed by the appropriate finance officer or a properly  
21 designated deputy finance officer for the agency hiring the person,  
22 approved by the agency head, and approved by the Office of State  
23 Budget and Management. If the State agency is The University of  
24 North Carolina or a constituent institution of The University of North  
25 Carolina, then the contract must be signed by the appropriate finance  
26 officer or a properly designated deputy finance officer for The  
27 University of North Carolina or the constituent institution, approved  
28 by the appropriate chancellor, and approved by the UNC Board of  
29 Governors or by the Board of Trustees of the constituent institution  
30 as appropriate.

31 (3) This section does not affect or impair a State employee's rights to severance  
32 wages or a discontinued service retirement allowance as provided by G.S.



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Page 2 of 2

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126-8.5, or terminal leave payments for vacation leave, bonus leave, and longevity, if applicable.

(4) The following definitions apply in this section:

a. State employee who leaves the position that the employee most recently held. – Includes those circumstances in which a person retires, resigns, or voluntarily or involuntarily terminates employment. The phrase also includes those circumstances in which a person continues to work for the State but accepts a lesser position with the State.

b. Transition. – When a State employee moves from the position that the employee most recently held to a lesser position of employment. The term includes a 'golden parachute' or a sabbatical.'

**SECTION 29.5A.(b)** This section, applies retroactively and also applies to payments that have not yet been made unless there is a legally enforceable contract to pay."

SIGNED

*Hyun A. Bladsuen*  
Amendment Sponsor

SIGNED

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Committee Chair if Senate Committee Amendment

ADOPTED

115-0  ~~EV~~

FAILED

TABLED

JUN 3 2010

*Denise Weeks*

**ADOPTED**