



ADOPTED  
NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 781\*

AMENDMENT NO. 2  
(to be filled in by  
Principal Clerk)

S781-ARO-30 [v.4]

Page 1 of 2

Comm. Sub. [YES]  
Amends Title [NO]  
S781-PCS55316-RO-26

Date 6/14, 2011

Representative McCormick

1 moves to amend the bill on page 11, lines 17-18, by inserting the following between the lines:  
2

- 3       **"SECTION 21.1.** G.S. 150B-38(a) reads as rewritten:  
4       '(a) The provisions of this Article shall apply to:  
5           (1) Occupational licensing agencies.  
6           (2) The State Banking Commission, the Commissioner of Banks, and the Credit  
7           Union Division of the Department of Commerce.  
8           (3) The Department of Insurance and the Commissioner of Insurance.  
9           (4) The State Chief Information Officer in the administration of the provisions  
10          of Article 3D of Chapter 147 of the General Statutes.  
11          (5) The North Carolina State Building Code Council.  
12          (6) The State Board of Elections in the administration of any investigation or  
13          audit under the provisions of Article 22A of Chapter 163 of the General  
14          Statutes.  
15          (7) The State Personnel Commission.";  
16

17 and on page 16, line 47 through page 17, line 7, by rewriting the lines to read:

18       **"SECTION 41.** G.S. 126-4.1 reads as rewritten:  
19       '(a) The State Personnel Commission ("Commission") may make a final agency  
20       decision in a contested case brought under ~~Article 3~~ Article 3A of Chapter 150B of the General  
21       Statutes upon the recommendation of a panel of its members appointed by the Chair.'

22       **"SECTION 42.** G.S. 126-14.4(c) reads as rewritten:  
23       '(c) Upon an initial determination that there is probable cause to believe there has been a  
24       violation of G.S. 126-14.2, the complainant may file within 15 days a petition for a contested  
25       case pursuant to ~~G.S. 126-34.1 and Article 3~~ Article 3A of Chapter 150B of the General  
26       Statutes.'

27       **"SECTION 43.** G.S. 126-14.4(e) and (f) are repealed."  
28

29 and on page 17, lines 9-21, by rewriting the lines to read:

30 **"§ 126-37. Personnel Commission to review ~~Administrative Law Judge's recommended~~**  
31 **~~decision and make final decision.~~**  
32 (a) Appeals involving a disciplinary action, alleged discrimination or harassment, and any  
33 other contested case arising under this Chapter shall be conducted ~~in the Office of~~



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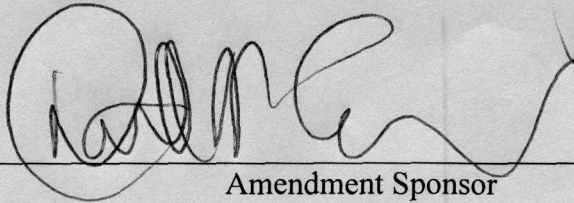
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1 ~~Administrative Hearings~~ as provided in ~~Article 3~~ Article 3A of Chapter 150B; provided that no  
2 grievance may be appealed unless the employee has complied with G.S. 126-34. The State  
3 Personnel Commission shall make a final decision in these cases as provided in ~~G.S. 150B-36,~~  
4 G.S. 150B-42, except as provided in subsection (b1) of this section. The State Personnel  
5 Commission is hereby authorized to reinstate any employee to the position from which the  
6 employee has been removed, to order the employment, promotion, transfer, or salary  
7 adjustment of any individual to whom it has been wrongfully denied or to direct other suitable  
8 action to correct the abuse which may include the requirement of payment for any loss of salary  
9 which has resulted from the improperly discriminatory action of the appointing authority."  
10  
11

SIGNED



Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

114-1 EV

FAILED

TABLED

*Kimie White*  
*6/14/11*

**ADOPTED**