



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 623

AMENDMENT NO. 3  
(to be filled in by  
Principal Clerk)

H623-ARO-14 [v.1]

Page 1 of 2

Comm. Sub. [NO]  
Amends Title [NO]  
Second Edition

Date 5/25, 2011

Representative McCormick

1 moves to amend the bill on page 3, lines 14 -15, by inserting the following new section  
2 between the lines:  
3

4 "SECTION 7.1. G.S. 150B-38(a) reads as rewritten:

5 (a) The provisions of this Article shall apply to:

- 6 (1) Occupational licensing agencies.
- 7 (2) The State Banking Commission, the Commissioner of Banks, and the Credit  
8 Union Division of the Department of Commerce.
- 9 (3) The Department of Insurance and the Commissioner of Insurance.
- 10 (4) The State Chief Information Officer in the administration of the provisions  
11 of Article 3D of Chapter 147 of the General Statutes.
- 12 (5) The North Carolina State Building Code Council.
- 13 (6) The State Board of Elections in the administration of any investigation or  
14 audit under the provisions of Article 22A of Chapter 163 of the General  
15 Statutes.
- 16 (7) The State Personnel Commission.";

17  
18 And on page 9, line 15, by rewriting the line to read:

19 "SECTION 28. G.S. 126-4.1 reads as rewritten:

20 (a) The State Personnel Commission ("Commission") may make a final agency  
21 decision in a contested case brought under ~~Article 3~~ Article 3A of Chapter 150B of the General  
22 Statutes upon the recommendation of a panel of its members appointed by the Chair.";

23  
24 And on page 9, lines 16 – 24, by rewriting the lines to read:

25 "SECTION 29. G.S. 126-14.4(c) reads as rewritten:

26 (c) Upon an initial determination that there is probable cause to believe there has been a  
27 violation of G.S. 126-14.2, the complainant may file within 15 days a petition for a contested  
28 case pursuant to ~~G.S. 126-34.1 and Article 3~~ Article 3A of Chapter 150B of the General  
29 Statutes.";

30 And on page 9, line 25, by rewriting the line to read:

31 "SECTION 30. G.S. 126-14.4(e) and (f) are repealed.

32  
33 And on page 9, lines 27- 39, by rewriting the lines to read:



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 623

AMENDMENT NO. 3  
(to be filled in by  
Principal Clerk)

H623-ARO-14 [v.1]

Page 2 of 2

1 "**§ 126-37. Personnel Commission to review ~~Administrative Law Judge's recommended~~**  
2 **~~decision and make final decision.~~**

3 (a) Appeals involving a disciplinary action, alleged discrimination or harassment, and  
4 any other contested case arising under this Chapter shall be conducted ~~in the Office of~~  
5 ~~Administrative Hearings~~ as provided in ~~Article 3~~ Article 3A of Chapter 150B; provided that no  
6 grievance may be appealed unless the employee has complied with G.S. 126-34. The State  
7 Personnel Commission shall make a final decision in these cases as provided in ~~G.S. 150B-36,~~  
8 G.S. 150B-42, except as provided in subsection (b1) of this section. The State Personnel  
9 Commission is hereby authorized to reinstate any employee to the position from which the  
10 employee has been removed, to order the employment, promotion, transfer, or salary  
11 adjustment of any individual to whom it has been wrongfully denied or to direct other suitable  
12 action to correct the abuse which may include the requirement of payment for any loss of salary  
13 which has resulted from the improperly discriminatory action of the appointing authority."  
14  
15  
16

SIGNED



Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_