

# TABLED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 402

AMENDMENT NO. A4  
(to be filled in by  
Principal Clerk)

S402-ALR-17 [v.4]

Page 1 of 2

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

Date \_\_\_\_\_, 2013

Senator Woodard

1 moves to amend the bill on page 328, by inserting the following between lines 22 and 23:

2 **"PROHIBIT LOBBYIST REGISTRATION/SPOUSE OF COVERED PERSON**

3 **SECTION 27.3.(a)** G.S. 120C-304 is amended by adding a new subsection to read:  
4 "(e1) No individual may register as a lobbyist if the individual's spouse is a public servant  
5 as defined in G.S. 138A-3(30)a. – g. who is required file a statement of economic interest  
6 pursuant to G.S. 138A-22."

7 **SECTION 27.3.(b)** G.S. 120C-200(b) reads as rewritten:  
8 "(b) The form of the registration shall be prescribed by the Secretary of State and shall  
9 include the registrant's full name, firm, complete address, and telephone number; the  
10 registrant's place of business; the full name, complete address, and telephone number of each  
11 principal the lobbyist represents; the name and position of the registrant's spouse if the spouse  
12 is a public servant as defined in G.S. 138A-3(30)a. – g. who is required to file a statement of  
13 economic interest pursuant to G.S. 138A-22; and a general description of the matters on which  
14 the registrant expects to act as a lobbyist.";  
15

16 and on page 332, by inserting between lines 14 and 15 the following:

17 **"NO USE OF PUBLIC SERVANT'S NAME IN FIRM TITLE**

18 **SECTION 30.6A.** G.S. 138A-31 is amended by adding a new subsection to read:  
19 "(b1) No public servant as defined in G.S. 138A-3(30)a., c., and d. shall authorize another  
20 person to use the public servant's name in the title of any business. For purposes of this  
21 subsection, the definition of a public servant under G.S. 138A-3(30)d. is limited to a chief  
22 deputy or deputy secretary.";  
23

24 and further Moves to amend the bill on page 382, line 18, by rewriting the line to read:

25 **"PROHIBITION ON SECONDARY EMPLOYMENT-COS/DPT HEAD/DEPUTY SEC**

26 **SECTION 35.1.(c)** Effective July 1, 2013, G.S. 143B-9 reads as rewritten:  
27 **"§ 143B-9. Appointment of officers and ~~employees~~employees; limit on other**  
28 **employment.**

29 (a) The head of each principal State department, except those departments headed by  
30 popularly elected officers, shall be appointed by the Governor and serve at his pleasure.

31 The salary of the head of each of the principal State departments shall be set by the  
32 Governor, and the salary of elected officials shall be as provided by law.



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- 1        (b) Each member of the Council of State, nonelected department head, and deputy
- 2 secretary shall devote full time to his or her duties and shall not hold any other employment
- 3 that requires active participation. Income derived from passive investments and rental income
- 4 is permitted provided it is properly disclosed on the individual's statement of economic interest.
- 5        (c) The head of a principal State department shall appoint a chief deputy or chief
- 6 assistant, and such chief deputy or chief assistant shall not be subject to the State Personnel
- 7 Act. The salary of such chief deputy or chief assistant shall be set by the Governor. Unless
- 8 otherwise provided for in the Executive Organization Act of 1973, and subject to the provisions
- 9 of the Personnel Act, the head of each principal State department shall designate the
- 10 administrative head of each transferred agency and all employees of each division, section, or
- 11 other unit of the principal State department."".
- 12
- 13
- 14
- 15

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_