

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 953
Second Edition Engrossed 5/9/91
Senate Human Resources Committee Substitute Adopted 6/20/91

Short Title: Area Mental Health Exemption.

(Public)

Sponsors:

Referred to:

April 19, 1991

A BILL TO BE ENTITLED

AN ACT TO EXEMPT AREA MENTAL HEALTH AUTHORITIES FROM
CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 126-11 reads as rewritten:

**"§ 126-11. Local personnel system may be established; approval and monitoring;
rules and regulations.**

(a) The board of county commissioners of any county may establish and maintain a personnel system for all employees of the county subject to its jurisdiction, which system and any substantial changes to the system, shall be approved by the State Personnel Commission as substantially equivalent to the standards established under this Chapter for employees of local departments of social services, local health departments, and area mental health programs, local emergency management programs. If approved by the State Personnel Commission, the employees covered by the county system shall be exempt from all provisions of this Chapter except Article 6.

(a1) With approval of each of the boards of commissioners of the county or counties which comprise the area mental health authority, the area mental health authority may establish and maintain a personnel system for all employees of the area mental health authority, which system and any substantial changes to the system, shall be equivalent to the standards established under this Chapter for employees of area mental health authorities. If approved by the State Personnel Commission, the

1 employees covered by the area mental health authority system shall be exempt from all
2 provisions of this Chapter except Article 6.

3 (b) A board of county commissioners may petition the State Personnel
4 Commission to determine whether any portion of its total personnel system meets the
5 requirements in (a) above. Upon such determination, county employees shall be exempt
6 from the provisions of this Chapter relating to the approved portions of the county
7 personnel system.

8 (b1) The board of an area mental health authority, with the approval of each of the
9 boards of commissioners of the county or counties which comprise the area mental
10 health authority, may petition the State Personnel Commission to determine whether
11 any portion of its total personnel system meets the requirements in subsection (a1)
12 above. Upon such determination, area mental health authority employees shall be
13 exempt from the provisions of this Chapter relating to the approved portions of the area
14 mental health authority personnel system except as provided in G.S. 122C-121.

15 (c) The Office of State Personnel shall monitor at least annually county personnel
16 ~~systems or area mental health authority personnel systems~~ approved under this section in
17 order to ensure compliance.

18 (d) In order to define 'substantially equivalent,' the State Personnel Commission
19 is authorized to promulgate rules and regulations to implement the federal merit system
20 standards and these regulations at a minimum shall include: recruitment and selection of
21 employees; position classification; pay administration; training; employee relations; and
22 records and reports."

23 Sec. 2. This act becomes effective October 1, 1991.