

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 286  
Manufacturing and Labor Committee Substitute Adopted 5/9/91  
House Committee Substitute Favorable 6/4/91

Short Title: Industrial Comm'n. Chair Duties.

(Public)

Sponsors:

Referred to:

March 26, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO SPECIFY CERTAIN DUTIES OF THE CHAIRMAN OF THE  
3 INDUSTRIAL COMMISSION.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 97-77 reads as rewritten:

6 "**§ 97-77. North Carolina Industrial Commission created; members appointed by**  
7 **Governor; terms of office; chairman.**

8 (a) There is hereby created a commission to be known as the North Carolina  
9 Industrial Commission, consisting of three commissioners who shall devote their entire  
10 time to the duties of the Commission. The Governor shall appoint the members of the  
11 Commission, one for a term of two years, one for a term of four years, and one for a  
12 term of six years. Upon the expiration of each term as above mentioned, the Governor  
13 shall appoint a successor for a term of six years, and thereafter the term of office of each  
14 commissioner shall be six years. Not more than one appointee shall be a person who, on  
15 account of his previous vocation, employment or affiliations, can be classed as a  
16 representative of employers, and not more than one appointee shall be a person who, on  
17 account of his previous vocation, employment or affiliations, can be classed as a  
18 representative of employees.

19 (b) One member, to be designated by the Governor, shall act as chairman. The  
20 chairman shall be the chief judicial officer and the chief executive officer of the  
21 Industrial Commission; such authority shall be exercised pursuant to the provisions of  
22 Chapter 126 of the General Statutes and the rules and policies of the State Personnel

1 Commission. Notwithstanding the provisions of this Chapter, the chairman shall have  
2 such authority as is necessary to direct and oversee the Commission. The chairman may  
3 delegate any duties and responsibilities as may be necessary to ensure the proper  
4 management of the Industrial Commission. Notwithstanding the provisions of this  
5 Chapter, Chapter 143A, and Chapter 143B of the General Statutes, the chairman, with  
6 the approval of at least one of the other commissioners, shall have the authority to hire  
7 or fire personnel and to transfer personnel within the Industrial Commission.

8 The Governor may designate one vice-chairman from the remaining two  
9 commissioners. The vice-chairman shall assume the powers of the chairman upon  
10 request of the chairman or when the chairman is absent for 24 hours or more. The  
11 authority delegated to the vice-chairman shall be relinquished immediately upon the  
12 return of the chairman or at the request of the chairman."

13           Sec. 2. This act is effective upon ratification.