

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 625  
SENATE BILL 197

1 AN ACT TO AMEND ARTICLE II OF CHAPTER 143 OF THE GENERAL STATUTES OF  
2 NORTH CAROLINA RELATING TO THE STATE PERSONNEL DEPARTMENT.

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4 The General Assembly of North Carolina do enact:

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6 **Section 1.** Section (b) of G.S. 143-35 is hereby rewritten to read as follows:

7 "(b) State Personnel Council. There is hereby created and established a State Personnel  
8 Council (hereinafter referred to as 'Council') for the purpose of advising and assisting the State  
9 Personnel Director in preparing, formulating and promulgating rules and regulations,  
10 determining and fixing job classifications and descriptions, job specifications and minimum  
11 employment standards, standards of salaries and wages, and any and all other matters  
12 pertaining to employment under this Article. The State Personnel Council shall consist of seven  
13 members to be appointed by the Governor of North Carolina on July 1, 1961. The Council shall  
14 have the power to designate the member of said Council who shall act as chairman thereof. At  
15 least two members of the Council shall be individuals of recognized standing in the field of  
16 personnel administration and who are not employees of the State subject to the provisions of  
17 this Article; at least two members of the Council shall be individuals actively engaged in the  
18 management of a private business or industry; at least two members of the State Personnel  
19 Council shall also serve as members of the Merit System Council; not more than two members  
20 of the Council shall be individuals chosen from the employees of the State subject to the  
21 provisions of this Article. The Council shall meet at least one time in each calendar quarter of  
22 the year, or upon call of the Governor, or of the Director, or a member of the Council, or at the  
23 request of the head of any department or agency when necessary to consider any appeal  
24 provided for hereunder. Five members of the Council shall constitute a quorum. Notice of  
25 meetings shall be given members of the Council by the Director who shall act as secretary to  
26 the Council. The members of the Council shall each receive seven dollars (\$7.00) per day  
27 including necessary time spent in traveling to and from their place of residence within the State  
28 to the place of meeting while engaged in the discharge of the duties imposed hereunder, and his  
29 subsistence and traveling expenses in same manner as other State employees. The members of  
30 the Council who are employees of the State, as provided hereunder, shall not receive any per  
31 diem for their services but such members shall receive traveling expenses and subsistence,  
32 while engaged in the discharge of their duties hereunder, at the same rate and in the same  
33 amount as provided for State employees without any deduction for loss of time from their  
34 employment.

35 "Two of the Council members shall be appointed by the Governor to serve for a term of two  
36 years. Two members shall be appointed to serve for a term of four years. Three members shall  
37 be appointed to serve for a term of six years. The successors of said members shall be  
38 appointed for a term of six years thereafter.

39 "Any member appointed to fill a vacancy occurring in any of the appointments made by the  
40 Governor prior to the expiration of the term for which his predecessor was appointed shall be  
41 appointed for the remainder of such term.

42 "A member of the State Personnel Council shall not be considered a public officer, or as  
43 holding office within the meaning of Article XIV, Section 7, of the Constitution of this State,

1 but such member shall be a commissioner for a special purpose. The Governor may, at any time  
2 after notice and hearing, remove any Council member for gross inefficiency, neglect of duty,  
3 malfeasance, misfeasance, or nonfeasance in office."

4 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

5 **Sec. 3.** This Act shall be in full force and effect from and after July 1, 1961.

6 In the General Assembly read three times and ratified, this the 6th day of June,  
7 1961.