

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 210

Short Title: Open Meetings/General Assembly.

(Public)

Sponsors: Representatives Pope; Wood and Stam.

Referred to: Rules.

February 14, 1989

A BILL TO BE ENTITLED

AN ACT TO END THE EXEMPTION OF THE GENERAL ASSEMBLY FROM THE
OPEN MEETINGS LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-318.11(b) reads as rewritten:

"(b) General Assembly Committees and Subcommittees. – Except as provided in
~~G.S. 143-318.17, subsection (a) of this section,~~ a committee or subcommittee of the
General Assembly ~~has the inherent right to hold an executive session when it determines that
it is absolutely necessary to have such a session in order to prevent personal embarrassment or
when it is in the best interest of the State.~~ may meet and take action only in an open
meeting. A committee or subcommittee may take final action only in an open meeting."

Sec. 2. G.S. 143-318.18 reads as rewritten:

"§ 143-318.18. Exceptions.

This Article does not apply to:

- (1) Grand and petit juries.
- (2) Any public body that is specifically authorized or directed by law to meet in executive or confidential session, to the extent of the authorization or direction.
- (3) The Judicial Standards Commission.
- (4) ~~The Legislative Services Commission.~~
- (5) Law enforcement agencies.
- (6) A public body authorized to investigate, examine, or determine the character and other qualifications of applicants for professional or occupational licenses or certificates or to take disciplinary actions

- 1 against persons holding such licenses or certificates, (i) while
2 preparing, approving, administering, or grading examinations or (ii)
3 while meeting with respect to an individual applicant for or holder of
4 such a license or certificate. This exception does not amend, repeal, or
5 supercede any other statute that requires a public hearing or other
6 practice and procedure in a proceeding before such a public body.
- 7 (7) Any public body subject to the Executive Budget Act (G.S. 143-1 et
8 seq.) and exercising quasi-judicial functions, during a meeting or
9 session held solely for the purpose of making a decision in an
10 adjudicatory action or proceeding.
- 11 (8) The boards of trustees of endowment funds authorized by G.S. 116-36
12 or G.S. 116-238.
- 13 (9) The Council of State.
- 14 (10) The Board of Awards.
- 15 (11) The General Court of Justice."
- 16 Sec. 3. This act is effective upon ratification.