

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH50435-LB-30A (1/18)

Short Title: Citizens Efficiency Commission. (Public)

Sponsors: Representative Blust.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A PERMANENT CITIZENS EFFICIENCY COMMISSION
AND TO REQUIRE EACH HOUSE TO VOTE ON ITS RECOMMENDATIONS,
SO AS TO PROVIDE A COUNTERVAILING FORCE TO PRESSURES IN THE
POLITICAL SYSTEM THAT RESULT IN WASTEFUL SPENDING AND
LOOPHOLES.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 143 of the General Statutes is amended by adding a
new Article to read:

"Article 79.

"Citizens Efficiency Commission.

"§ 143-740. Establish Commission.

There is established a Citizens Efficiency Commission, to recommend to the
Governor efficiencies in government, with a procedure to ensure expedited
consideration by the General Assembly of its proposals.

"§ 143-741. Commission Membership.

The Commission shall consist of fifteen members appointed by the Governor.
Members shall be appointed for two-year terms commencing July 1, 2007, and
biennially thereafter. The Commission shall be an independent and bipartisan body of
citizens from the business and civic sector. A substantial number of the appointees
should possess prior governmental experience.

"§ 143-742. Commission Duties.

Each biennium, the Citizens Efficiency Commission may present separate
governmental efficiency proposals to the Governor. Any person may submit proposals
to the Commission. The Commission shall conduct public hearings on the
recommendations. The efficiency programs may include, but are not limited to, closing,

1 relocating, or merging State agencies and institutions, eliminating programs or
2 transferring them from one department to another.

3 **"§ 143-743. Consideration by Governor.**

4 (a) The Commission shall, by no later than July 1 of each even-numbered year,
5 transmit to the Governor a report containing the Commission's findings and conclusions
6 together with the Commission's recommendations for efficiency in government.

7 (b) The Governor shall, no later than November 30 of each year in which the
8 Commission makes recommendations, transmit to the Commission and to the General
9 Assembly a report containing the Governor's approval or disapproval of the
10 Commission's recommendations.

11 (c) If the Governor approves all the recommendations of the Commission, the
12 Governor shall transmit by December 15 of that year a copy of such recommendations
13 to the General Assembly, together with a certification of such approval. The
14 recommendations shall be separately numbered.

15 (d) If the Governor disapproves the recommendations of the Commission, in
16 whole or in part, the Governor shall transmit by December 15 to the Commission and
17 the General Assembly the reasons for that disapproval. The Commission shall then
18 transmit to the Governor, by no later than December 31 of the year concerned, a revised
19 list of recommendations for efficiency in government.

20 (e) If the Governor approves all of the revised recommendations of the
21 Commission transmitted to the Governor, the Governor shall transmit a copy of such
22 revised recommendations to the General Assembly by January 15, together with a
23 certification of such approval. The recommendations shall be separately numbered.

24 **"§ 143-744. Legislative disapproval.**

25 (a) The Governor may not carry out any efficiency program recommended by the
26 Commission in a report transmitted to the General Assembly as provided by this Article
27 if a bill is enacted, disapproving the recommendations of the Commission before the
28 earlier of:

29 (1) The end of the 90-day period beginning on the date on which the
30 Governor transmits such report; or

31 (2) The adjournment of General Assembly sine die for the session during
32 which such report is transmitted.

33 (b) For purposes of this section, the days on which either house of the General
34 Assembly is not in session because of adjournment of more than three days to a day
35 certain shall be excluded in the computation of a period.

36 (c) For purposes of subsection (a) of this section, the term "bill" means only a bill
37 which is introduced within the 10-day period beginning on the next day the General
38 Assembly is in session after the date on which the Governor transmits the report to the
39 General Assembly under this article; and which:

40 (1) Does not have a preamble.

41 (2) The matter after the enacting clause of which is as follows: "The
42 General Assembly disapproves the recommendations of the Citizens
43 Efficiency Commission as submitted by the Governor on ", the blank

1 space being filled in with the appropriate date; and the number (s) of
2 the recommendations disapproved.

3 (3) The title of which is as follows: "An act disapproving the
4 recommendations of the Citizens Efficiency Commission."

5 (d) A bill described in subsection (c) of this section that is introduced shall be
6 referred to the appropriate committee in accordance with the rules of that house.

7 (e) If the committee to which a bill described in subsection (c) of this section is
8 referred has not reported such a bill (or an identical bill) by the end of the 20-day period
9 beginning on the date the bill is introduced, such committee shall be, at the end of such
10 period, discharged from further consideration of such bill, and such bill shall be placed
11 on the appropriate calendar of the house involved.

12 (f) On or after the third legislative day after the date on which the committee
13 to which such a bill is referred has reported, (or has been discharged under subsection
14 (e) of this section from further consideration of such a bill) it is in order (even though a
15 previous motion to the same effect has been disagreed to) for any member of the
16 respective house to move to proceed to the consideration of the bill. A member may
17 make the motion only on the day after the calendar day on which the member
18 announces to the house concerned the member's intention to make the motion, except
19 that, in the case of the House of Representatives, the motion may be made without such
20 prior announcement if the motion is made by direction of the committee to which the
21 bill was referred. The motion is privileged in the House of Representatives and is
22 privileged in the Senate and is not debatable. The motion is not subject to amendment,
23 or to a motion to postpone, or to a motion to proceed to the consideration of other
24 business. A motion to reconsider the vote by which the motion is agreed to or disagreed
25 to shall not be in order. If a motion to proceed to the consideration of the bill is agreed
26 to, the respective house shall immediately proceed to consideration of the bill without
27 intervening motion, order, or other business, and the bill shall remain the unfinished
28 business of the respective house until disposed of.

29 (g) Upon passage on third reading, the bill shall be transmitted to the other house
30 by special message.

31 (h) If, before the passage by one house of a bill of that house described in
32 subsection (c) of this section, that house receives from the other house a bill described
33 in subsection (c) of this section, then the following procedures shall apply:

34 (1) The bill of the other house shall not be referred to a committee and
35 shall be placed on the calendar for second reading the next legislative
36 day after receipt. If the bill passes third reading, it shall be enrolled and
37 transmitted to the Governor.

38 (2) If a bill is received from the other house, no action shall be taken on
39 the bill of the house receiving the bill, the duty being discharged by
40 taking up the bill of the other house.

41 (i) This section is enacted by the General Assembly as an exercise of the
42 rulemaking power of the Senate and House of Representatives, respectively, and as such
43 it is deemed a part of the rules of each house, respectively, but applicable only with
44 respect to the procedure to be followed in that house in the case of a bill described in

1 subsection (a), and it supersedes other rules only to the extent that it is inconsistent with
2 such rules; and with full recognition of the constitutional right of either house to change
3 the rules (so far as relating to the procedure of that house) at any time, in the same
4 manner, and to the same extent as in the case of any other rule of that house."

5 **SECTION 2.** This act is effective when it becomes law.