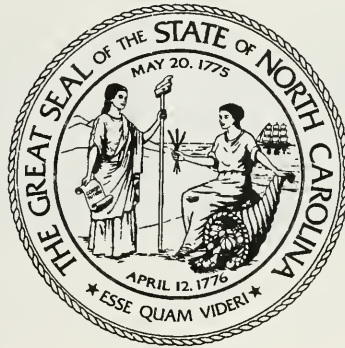


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GENERAL ASSEMBLY
of
NORTH CAROLINA
LEGISLATIVE MANUAL



Issued by
Legislative Services Office

First 1999 Edition - January, 1999

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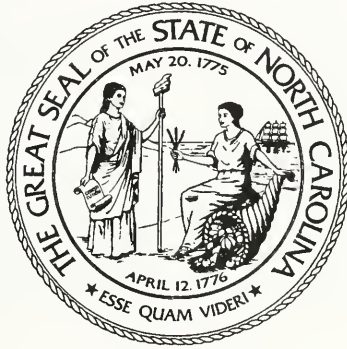
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GENERAL ASSEMBLY
of
NORTH CAROLINA
LEGISLATIVE MANUAL



Issued for the 1999 General Assembly

by

LEGISLATIVE SERVICES OFFICE,

Room 2129 State Legislative Building

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First 1999 Edition - January, 1999

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INTRODUCTION

This Manual provides information to the members of the General Assembly on arrangements which the Legislative Services Commission has made for various legislative services. The Manual was originally prepared for use during the 1973 General Assembly; it is completely revised each biennium and is supplemented as necessary for the legislative sessions within the biennium. The basic statutory authorization for the Legislative Services Commission is set out beginning on page 2 of this Manual.

The Legislative Services Commission was established by statute in 1969 to provide a continuing structure through which decisions concerning legislative services may be made and implemented. The Commission consists of the President Pro Tempore of the Senate, six Senators appointed by him, the Speaker of the House of Representatives, and six Representatives appointed by him. Upon the convening of each regular biennial legislative session, the newly elected President Pro Tempore and Speaker may appoint new members to the Commission at any time. The Legislative Services Officer serves as chief staff officer for the Commission.

If you have criticisms or suggestions as to the plans and procedures set out in this Manual, please communicate them to the President Pro Tempore (919-733-6854), the Speaker (919-733-3451), or to the Legislative Services Officer (919-733-7044) who will transmit them to the Commission.

[For purposes of this Manual, "session" means the period in which the General Assembly meets regularly upon day-to-day adjournment; it does not include the interim period between portions of the biennial session.]

GENERAL STATUTES OF NORTH CAROLINA

Chapter 120 - The General Assembly

ARTICLE 7.

Legislative Services Commission.

§ 120-31. Legislative Services Commission organization.

(a) The Legislative Services Commission shall consist of the President pro tempore of the Senate, six Senators appointed by the President pro tempore of the Senate, the Speaker of the House of Representatives, and six Representatives appointed by the Speaker of the House of Representatives. The President pro tempore of the Senate, and the Speaker of the House shall serve until the selection and qualification of their respective successors as officers of the General Assembly. The initial appointive members shall be appointed after the date of ratification of this Article and each shall serve for the remainder of his elective term of office and until his successor is appointed or until he ceases to be a member of the General Assembly, whichever occurs first. A vacancy in one of the appointive positions shall be filled in the same manner that the vacated position was originally filled, and the person so appointed shall serve for the remainder of the unexpired term of the person whom he succeeds. In the event the office of Speaker becomes vacated, the six Representatives shall elect one of themselves to perform the duties of the Speaker as required by this Article. In the event the office of President pro tempore becomes vacated, the six Senators shall elect one of themselves to perform the duties of President pro tempore as required by this Article. Members so elevated shall perform the duties required by this Article until a Speaker or a President pro tempore is duly elected by the appropriate house.

(b) The President pro tempore of the Senate shall be the chairman of the Commission in odd-numbered years and the Speaker of the House of Representatives shall be chairman of the Commission in even-numbered years.

(c) The Commission may elect from its membership such other officers as it deems appropriate, and may appoint other members of the General Assembly to serve on any committee of the Commission.

(d) The Commission may adopt rules governing its own organization and proceedings.

(e) Members of the Commission, when the General Assembly is not in session, shall be reimbursed for subsistence and travel allowance as provided for members of the General Assembly when in session for such days as they are engaged in the performance of their duties. (1969, c. 1184, s. 1; 1971, c. 1116, ss. 1-3.)

§ 120-32. Commission duties.

The Legislative Services Commission is hereby authorized to:

- (1) Determine the number, titles, classification, functions, compensation, and other conditions of employment of the joint legislative service employees of the General Assembly, including but not limited to the following departments:
 - a. Legislative Services Officer and personnel,
 - b. Electronic document writing system,
 - c. Proofreaders,
 - d. Legislative printing,
 - e. Enrolling clerk and personnel,
 - f. Library,
 - g. Research and bill drafting,
 - h. Printed bills,
 - i. Disbursing and supply;
- (2) Determine the classification and compensation of employees of the respective houses other than staff elected officers; however, the hiring of employees of each house and their duties shall be prescribed by the rules and administrative regulations of the respective house;
- (3) Acquire and dispose of furnishings, furniture, equipment, and supplies required by the General Assembly, its agencies and commissions and maintain custody of same between sessions. It shall be a Class 1 misdemeanor for any person(s) to remove any state-owned furniture, fixtures, or equipment from the State Legislative Building for any purpose whatsoever, except as approved by the Legislative Services Commission;

- (4) Contract for services required for the operation of the General Assembly, its agencies, and commissions; however, any departure from established operating procedures, requiring a substantial expenditure of funds, shall be approved by appropriate resolution of the General Assembly;
- (5)
 - a. Provide for engrossing and enrolling of bills,
 - b. Appoint an enrolling clerk to act under its supervision in the enrollment and ratification of acts;
- (6)
 - a. Provide for the duplication and limited distribution of copies of ratified laws and joint resolutions of the General Assembly and forward such copies to the persons authorized to receive same,
 - b. Maintain such records of legislative activities and publish such documents as it may deem appropriate for the operation of the General Assembly;
- (7)
 - a. Provide for the indexing and printing of the session laws of each regular, extra or special session of the General Assembly and provide for the printing of the journal of each house of the General Assembly,
 - b. Provide and supply to the Secretary of State such bound volumes of the journals and session laws as may be required by him to be distributed under the provisions of G.S. 147-45, 147-46.1 and 147-48.
- (8) Repealed by Session Laws 1985 (Reg. Sess., 1986), c. 1014, s. 40.
- (9) To establish a bill drafting division to draft bills at the request of members or committees of the General Assembly.
- (10) To select the locations for buildings occupied by the General Assembly, and to name any building occupied by the General Assembly.
- (11) To specify the uses within the General Assembly budget of funds appropriated to the General Assembly which remain available for expenditure after the end of the biennial fiscal period, and to revert funds under G.S. 143-18.
- (12) Provide insurance to provide excess indemnity for any occurrence which results in a claim against any member of the General Assembly, as provided in G.S. 143-300.2 through G.S. 143-300.6. That insurance may not provide for any indemnity to be payable for any claim not covered by the above cited statutes, nor for any criminal act by a member, nor for any act committed by a member or former member prior to the inception of insurance.
- (13) Provide insurance to provide excess indemnity for any occurrence that results in a claim against any employee, officer, or committee, subcommittee, or commission member in the legislative branch other than a member of the General Assembly, as provided in G.S. 143-300.2 through G.S. 143-300.6. That insurance may not provide for any indemnity to be payable for any claim not covered by the above cited statutes, nor for any criminal act, nor for any act committed prior to the inception of insurance. (1969, c. 1184, s. 2; 1971, c. 685, s. 2; c. 1200, s. 8; 1977, c. 802, s. 50.60; 1981 (Reg. Sess., 1982), c. 1191, s. 67; 1983 (Reg. Sess., 1984), c. 1034, s. 182; 1985, c. 479, s. 176(a), (b); 1985 (Reg. Sess., 1986), c. 1014, s. 40(c); 1993, c. 539, s. 912; 1994, Ex. Sess., c. 24, s. 14(c).)

§ 120-32.01. Information to be supplied.

(a) Every State department, State agency, or State institution shall furnish the Legislative Services Office and the Research, Fiscal Research, and Bill Drafting Divisions any information or records requested by them. Except when accessibility is prohibited by a federal statute, federal regulation or State statute, every State department, State agency, or State institution shall give the Legislative Services Office and the Fiscal Research Division access to any data base or stored information maintained by computer, telecommunications, or other electronic data processing equipment, whether stored on tape, disk, or otherwise, and regardless of the medium for storage or transmission.

(b) Notwithstanding subsection (a) of this section, access to the State Personnel Management Information System by the Research and Bill Drafting Divisions shall only be through the Fiscal Research Division. (1983 (Reg. Sess., 1984), c. 1034, s. 177; 1996, 2nd Ex. Sess., c. 18, s. 8.2.)

§ 120-32.02. Legislative commissions' and committees' employees and consultants.

(a) In the construction of a statute creating, continuing, or modifying a commission or committee whose funds are appropriated or transferred to the General Assembly or to the Legislative Services Commission for disbursement, unless that construction would be inconsistent with the manifest intent of the General Assembly or repugnant to the context of the statute, the creation, continuation, or modification of the commission or committee shall not be construed as a grant of authority to the commission or committee to hire its own employees or to contract for consultant or other services.

(b) Notwithstanding any other provision of law, a commission or committee whose funds are appropriated or transferred to the General Assembly or to the Legislative Services Commission for disbursement and which has the power to contract for consultants or hire employees, or both, may contract for consultants, or hire employees, or both, only upon the prior approval of the Legislative Services Commission. A contract for employment or consultant services by such a commission or committee is void and unenforceable unless approved by the Legislative Services Commission prior to the contract being entered into.

(c) This section shall not apply to contracts of employment or for consultant services for standing or select committees of either house of the General Assembly, or subcommittees thereof, which shall be entered into by either the Speaker of the House or the President Pro Tempore of the Senate, as appropriate, and governed by the provisions of G.S. 120-35. (1987 (Reg. Sess., 1988), c. 1100, s. 9.1.)

§ 120-32.1. Use and maintenance of buildings and grounds.

(a) The Legislative Services Commission shall:

- (1) Establish policy for the use of the State legislative buildings and grounds;
- (2) Maintain and care for the State legislative buildings and grounds, but the Commission may delegate the actual work of the maintenance of those buildings and grounds to the Department of Administration, which shall perform the work as delegated;
- (3) Provide security for the State legislative buildings and grounds;
- (4) Allocate space within the State legislative buildings and grounds; and
- (5) Have the exclusive authority to assign parking space in the State legislative buildings and grounds.

(b) The Legislative Services Officer shall have posted the rules adopted by the Legislative Services Commission under the authority of this section in a conspicuous place in the State Legislative Building and the Legislative Office Building. The Legislative Services Officer shall have filed a copy of the rules, certified by the chairman of the Legislative Services Commission, in the office of the Secretary of State and in the office of the Clerk of the Superior Court of Wake County. When so posted and filed, these rules shall constitute notice to all persons of the existence and text of the rules. Any person, whether on his own behalf or for another, or acting as an agent or representative of any person, firm, corporation, partnership or association, who knowingly violates any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor. Any person, firm, corporation, partnership or association who combines, confederates, conspires, aids, abets, solicits, urges, instigates, counsels, advises, encourages or procures another or others to knowingly violate any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor.

(c) The Legislative Services Commission may cause to be removed at the owner's expense any vehicle parked in the State legislative buildings and grounds in violation of the rules of the Legislative Services Commission and may cause to be removed any vehicle parked in any State-owned parking space leased to an employee of the General Assembly where the vehicle is parked without the consent of the employee to whom the space is leased.

(d) For the purposes of this section, the term "State legislative buildings and grounds" means:

- (1) At all times:
 - a. The State Legislative Building;
 - a2. The areas between the outer walls of the State Legislative Building and the far curbline of that section of Lane Street which borders the land on which it is situated;

- b. The Legislative Office Building, its garden area and outer stairway, and the areas between its outer walls and the near curblines of those sections of Jones, Wilmington, Salisbury and Lane Streets that border the land on which it is situated;
- c. Any State-owned parking lot which is leased to the General Assembly;
- d. The bridge between the State Legislative Building and the State Governmental Mall; and
- e. A portion of the brick sidewalk surface area of the State Governmental Mall, described as follows: beginning at the northeast corner of the Legislative Office Building, thence east across the brick sidewalk to the inner edge of the sidewalk adjacent to the grassy area of the Mall, thence south along the inner edge of the sidewalk to the southwest outer corner of the Mall water fountain, thence east along the southern outer edge of the fountain to a point north of the northeast corner of the pedestrian surface of the Lane Street pedestrian bridge, thence south from that point to the northeast corner of the pedestrian surface of the bridge, thence west along the southern edge of the brick sidewalk area of the Mall to the southeast corner of the Legislative Office Building, thence north along the east wall of the Legislative Office Building, to the point of beginning. (1973, c. 99, s. 1; 1975, c. 145, s. 3; 1981, c. 772, ss. 3, 4; 1991 (Reg. Sess., 1992), c. 1044, s. 7(a); 1993, c. 539, s. 913; 1994, Ex. Sess., c. 24, s. 14(c); 1996, 2nd Ex. Sess., c. 18, ss. 8(c), 8.1; 1998-156, s.1.)

§ 120-32.1A. Evacuation of legislative buildings and grounds.

The Chief of the General Assembly Police, or the Chief's designee, shall exercise at all times those means that, in the opinion of the Chief, or the Chief's designee, may be effective in protecting the State legislative buildings and grounds and the persons within those buildings and grounds from fire, bombs, bomb threats, or any other emergency or potentially hazardous conditions, including both the ordering and control of the evacuation of those buildings and grounds. The Chief, or the Chief's designee, may employ the assistance of other available law enforcement agencies and emergency agencies to aid and assist in evacuations of the legislative buildings and grounds (1997-112, s. 2.)

§ 120-32.2. State Legislative Building special police.

All members of the State Legislative Building security force employed by the Legislative Services Office are special policemen, and within the State legislative buildings and grounds, as defined in G.S. 120-32.1(d), they shall have all the powers of policemen of cities.

The Legislative Building security force has the exclusive authority and responsibility for enforcing the parking rules of the Legislative Services Commission. (1975, c. 145, s. 1; 1981, c. 772, s. 5; 1991 (Reg. Sess., 1992), c. 1044, s. 7(b).)

§ 120-32.3. Oath of State Legislative Building special police.

Before exercising the duties of a special policeman, each State Legislative Building security officer shall take an oath before some officer empowered to administer oaths, and the oaths shall be filed with the Clerk of Superior Court of Wake County. The oath of office shall be as follows:

"State of North Carolina, Wake County.

"I,, do solemnly swear (or affirm) that I will well and truly execute the duties of special policeman in the State Legislative Building and other buildings and grounds subject to the jurisdiction of the Legislative Services Commission, according to the best of my skill and ability and according to law; and that I will use my best endeavors to enforce all rules and regulations of the Legislative Services Commission concerning use of those buildings and grounds. So help me, God.

"Sworn and subscribed to before me, this the day of, A.D." (1975, c. 145, s. 2; 1981, c. 772, s. 6.)

§120-32.4. Subpoena and contempt powers.

The provisions of G.S. 120-19.1 through 120-19.4 shall apply to the proceedings of the Legislative Services Commission as if it were a joint committee of the General Assembly. (1977, c. 344, s. 5.)

§ 120-32.5. Leave for temporary employees.

Temporary part-time or full-time employees of the General Assembly who have four years of aggregate employment with the General Assembly (temporary or permanent) shall receive the same holidays, vacation leave, and sick leave as permanent part-time or full-time employees of the General Assembly respectively, or as may be determined by the Legislative Services Commission. (1983, c. 923, s. 217.)

§ 120-33. Duties of enrolling clerk.

(a) All bills passed by the General Assembly shall be enrolled for ratification under the supervision of the enrolling clerk.

(b) Prior to enrolling any bill, the enrolling clerk shall substitute the corresponding Arabic numeral(s) for any date or section number of the General Statutes or of any act of the General Assembly which is written in words. The enrolled bill shall have the word "RATIFIED" following the bill number.

(c) All bills shall be typewritten and carefully proofread before enrollment.

(d) Upon ratification of an act or joint resolution, the enrolling clerk shall present one true ratified copy:

- (1) To the Governor of any act except acts not required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina; and
- (2) To the Secretary of State of:
 - a. Acts not required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina; and
 - b. Joint resolutions.

In the case of any bill presented to the Governor, the enrolling clerk shall write upon the bill the time and date presented to the Governor.

(d1) The enrolling clerk shall present to the Secretary of State one true ratified copy of:

- (1) Any bill which has become law with the approval of the Governor as provided by G.S. 120-29.2(a);
- (2) Any bill which has become law without the approval of the Governor as provided by G.S. 120-29.2(b); and
- (3) Any bill which has become law notwithstanding the objections of the Governor, as provided by G.S. 120-29.2(c).

(d2) No bill required to be presented to the Governor under Article II, Section 22 of the Constitution of North Carolina shall be so presented until the next business day after the bill was ratified, unless expressly ordered by that house where such bill was ordered enrolled.

(e) Repealed by Session Laws 1995, c. 20, s. 1, effective January 1, 1997, contingent on approval of constitutional amendments.

(f) The enrolling clerk upon completion of duties after each session shall deposit the original bills and resolutions enrolled for ratification with the Secretary of State. (1969, c. 1184, s. 3; 1995, c. 20, s. 1; 1997-1, s.1.)

§ 120-34. Printing of session laws.

(a) The Legislative Services Commission shall publish all laws and joint resolutions passed at each session of the General Assembly. The laws and joint resolutions shall be kept separate and indexed separately. Each volume shall contain a certificate from the Secretary of State stating that the volume was printed under the direction of the Legislative Services Commission from ratified acts and resolutions on file in the Office of the Secretary of State. The Commission may publish the Session Laws and House and Senate Journals of extra and special sessions of the General Assembly in the same volume or volumes as those of regular sessions of the General Assembly. In printing, the signatures of the presiding officers and the Governor shall be omitted.

The enrolling clerk or the Legislative Services Office shall assign to each bill that becomes law a number in the order the bill became law, and the laws shall be printed in the Session Laws in that order. The number shall be preceded by the phrase "Session Law" or the letters "S.L." followed by the calendar year it was ordered

enrolled, followed by a hyphen and the sequential law number. Laws of Extra Sessions shall so indicate. In the case of any bill required to be presented to the Governor, and which became law, the Session Laws shall carry, below the date of ratification, editorial notes as to what time and what date the bill became law. In any case where the Governor has returned a bill to the General Assembly with objections, those objections shall be printed verbatim in the Session Laws, regardless of whether or not the bill became law notwithstanding the objections.

(b) All index references with respect to the session laws shall refer to the Chapter numbers of such laws in lieu of page numbers, and all index references to resolutions shall refer to the resolution numbers of the resolutions in lieu of page numbers, to the end that the indexes shall thereby be made consistent with the index to the General Statutes which refers to the section numbers and not to page numbers.

(c) There shall be printed not more than 2,500 volumes of the session laws and 600 volumes of the journals of each house of each session of the General Assembly, all of which shall be bound, and delivered to the Secretary of State for distribution by him under the provisions of G.S. 147-45, G.S. 147-46.1, G.S. 147-48 and other applicable statutes. (1969, c. 1184, s. 4; 1971, c. 685, s. 1; 1983 (Reg. Sess., 1984), c. 1034, s. 179; 1995, c. 20, s. 12; 1997-456, s.45.)

§120-35. Payment for expenses.

Actual expenses for the joint operation of the General Assembly shall be paid by the State Treasurer upon authorization of the President pro tempore of the Senate and the Speaker of the House of Representatives. Expenses for the operation of the Senate shall be paid upon authorization of the President pro tempore of the Senate. Expenses for the operation of the House shall be paid upon authorization of the Speaker of the House. (1969, c. 1184, s. 5; 1971, c. 1200, s. 6.)

§120-36. Legislative Services Officer of the General Assembly.

(a) The Legislative Services Officer of the General Assembly shall be appointed by and serve at the pleasure of the Legislative Services Commission, and his compensation shall be fixed by the Legislative Services Commission.

(b) The Legislative Services Officer of the General Assembly shall perform such duties as are assigned to him by the Legislative Services Commission and shall be available to the Legislative Research Commission to provide such clerical, printing, drafting, and research duties as are necessary to the proper functions of the Legislative Research Commission. (1969, c. 1184, s. 6.)

LEGISLATIVE PAY AND ALLOWANCES

All salary, expense allowance, travel allowance, and subsistence amounts referred to in this section are effective January 1, 1999 and are set forth in NC General Statutes 120-3 and 120-3.1.

Salary: The Speaker of the House of Representatives and the President Pro Tempore of the Senate receive a salary of \$38,151 per year. The Speaker Pro Tempore of the House and the Deputy President Pro Tempore of the Senate receive a salary of \$21,739 per year. The majority and the minority leaders of both houses each receive a salary of \$17,048 per year. All other members of the General Assembly receive an annual salary of \$13,951. The salaries are payable monthly. Because the salary of a legislator is set by Statute our Disbursing Office cannot honor a request by a member to withhold a portion of his/her salary.

When the General Assembly is in session, the salary checks/automatic deposit advices are placed in the legislators' mailboxes in the Mail Rooms (Room 2 in the basement of the State Legislative Building or in Room 102 of the Legislative Office Building) on the last workday of each month. When the General Assembly is not in session, the salary checks/automatic deposit advices are mailed on the next to the last working day of each month to the legislator's home district mailing address.

Terms of newly elected legislators begin on January 1 of odd-numbered years, and salaries begin as of that same date.

State and federal income taxes, social security, and retirement are deducted from the monthly salary checks. Payments to legislators cannot commence until the necessary withholding forms are completed.

Expense Allowance: The Speaker of the House of Representatives and the President Pro Tempore of the Senate receive a \$1,413 per month expense allowance. The Speaker Pro Tempore of the House and the Deputy President Pro Tempore of the Senate receive a \$836.00 per month expense allowance. The majority and minority leaders of both houses each receive a \$666.00 per month expense allowance. All other legislators receive an expense allowance of \$559.00 per month.

This allowance is paid both during sessions and between sessions, without the legislators having to file any record of expenses. The allowance is provided to cover legislative expenses the legislator may have that are not paid for by the General Assembly.

The expense allowance is paid at the same time and in the same manner as is the legislative salary. The two payments -- salary and expense allowance -- are combined in a single check each month. The expense allowance is subject to State and federal income tax, social security, and retirement.

In-Session Subsistence Allowance: During the time the General Assembly is actually in session, each legislator receives a subsistence allowance of \$104.00 per day. This amount is paid for each calendar day of the session (seven days per week, or a total of \$728.00 per week for each full week of the session). Subsistence paid to legislators who reside 50 or fewer miles from the State Capitol is taxable for federal, state, and social security taxes.

It is not necessary that the legislator file a claim or submit any record of expenses in order to receive this allowance during the session. If a legislator wishes not to be paid for a particular day or days of the session, the Disbursing Office must be notified in writing of this fact.

The subsistence and travel allowance is paid by check placed in the legislator's mailbox every Thursday. The period covered by this check will be the previous week's subsistence through the Thursday on which it is paid.

In-Session Travel Allowance: During sessions of the General Assembly, each legislator receives a weekly travel allowance amounting to 29 cents per mile for one round trip from home to the Legislative Building in Raleigh and return. This allowance is paid each week regardless of the number of actual trips made. The travel allowance is paid each Thursday and is included with the weekly in-session subsistence allowance. All travel allowance paid to legislators who reside 50 or fewer miles from the State Capitol is taxable for federal, state, and social security taxes. If a legislator chooses not to be paid for travel for a particular period, the Disbursing Office must be notified in writing of this fact.

Interim Travel and Subsistence Allowance: Between sessions a legislator may travel as a representative of the General Assembly or its committees or commissions. Such travel may be to a meeting in Raleigh or in some other in-State city, or it may be to attend an out-of-state meeting. If the legislator expects to receive any subsistence or travel allowance for such travel, he must obtain the prior approval of the Legislative Services Commission. The chairman of a committee that wishes to meet in North Carolina may obtain the approval for the entire committee. If granted, individual committee members need not then obtain individual approval for that meeting.

In the absence of this kind of group approval, or if a meeting is to be held out of state, prior approval must be obtained by each legislator who wishes to attend. Requests for approval are made directly to the President Pro Tempore (for Senate members) or Speaker (for House members) and those offices will transmit an approved copy of Form GA-2, travel authorization, to the legislator. When the travel is performed, the legislator should deliver this form, together with the statement as to travel performed, hotel receipts, parking receipts, toll receipts, common-carrier ticket receipts, taxicab receipts, and personal automobile mileage to the office of the President Pro Tempore (for Senate members) or the Speaker's office (for House members). A subsistence allowance of a flat \$104.00 per day, regardless of actual expenses, is authorized by statute for in-State travel. A member who is authorized to travel to a high-rate geographical area outside of North Carolina may elect to receive in lieu of the \$104.00 subsistence allowance, a subsistence allowance for meals of \$26.00 per day and a subsistence allowance for lodging of actual lodging expenses not to exceed that allowed for high-rate geographical areas as designated by the Federal General Services Administrator and published at 58 Federal Register, 67950-67964 (Dec. 22, 1993) and at 59 Federal Register 23702-23709 (May 6, 1994), a copy of which is in the Legislative Services Office.

When the appropriate office receives the necessary documents and information, it will prepare the appropriate travel reimbursement form and forward it to the Disbursing Office for payment.

Interim Standing Committee Meetings: Legislators receive no additional salary for attending interim committee meetings. Members of a committee who attend an officially scheduled committee or subcommittee meeting are entitled to receive \$104.00 per day subsistence plus 29 cents per mile for miles actually traveled.

The committee assistant submits to the Disbursing Office a committee reimbursement form signed by the legislator indicating the appropriate number of days for which payment is requested plus the number of miles traveled. The Disbursing Office combines all of the entries for each legislator and issues the appropriate check. It

is not necessary that the legislator file a detailed expense accounting, as a flat subsistence allowance of \$104.00 per day will be paid regardless of actual expenses.

PAYROLL FORMS

Before any payments can be made, the legislator must execute certain payroll forms. After the general election and upon certification of election by the Secretary of State, all General Assembly members should have received from the Legislative Services Office a packet that contained the following forms:

1. Combined form for mileage, Federal Internal Revenue Service Form W-4, and North Carolina Department of Revenue Form NC-4 (Employee's Withholding Exemption Certificates). The member should fill out each of the forms and sign each (a total of three signatures being required on the single-sheet document).
2. Employee Payroll Data Form--contains vital information necessary for payroll as well as vital emergency information.
3. Automatic Deposit Form--for automatic deposit of the member's monthly pay check. A preprinted checking or savings account deposit slip or a voided check must be attached to the form if the member chooses to participate in direct deposit.
4. Legislative Retirement Enrollment Form--for enrollment in the Legislative Retirement System. All members of the General Assembly automatically become members of the Legislative Retirement Plan (unless the member is contributing to another State-administered retirement system) and the contribution to the retirement plan is deducted from the monthly salary check. The deduction is 7% of the member's salary. Members should complete the form designating beneficiaries in parts I and II. (For further information on the Legislative Retirement System, see section under Benefits).
5. Health Insurance Enrollment Form--for enrollment in one of the available health insurance plans. (For further detail on the health insurance benefits, see section under Benefits). If a member chooses not to participate in any of the available plans, a denial form must be submitted.
6. Dental Insurance Enrollment Form--for enrollment in the available dental insurance plan. (For further detail on the dental insurance plan, see section under Benefits). If a member chooses not to participate in the dental plan, a denial form must be submitted.
7. A Flex packet for newly elected legislators.

BENEFITS

Legislative Retirement System: The Legislative Retirement System is part of the package of benefits available to members of the General Assembly. A contribution of 7% of the monthly salary is deducted from the monthly salary check and expense allowance check is tax deferred until the member retires with the General Assembly. In addition, the State contributes 24.58% of the monthly salary and expense allowance. All members of the General Assembly are eligible for membership provided they are not contributing to any other State-

administered retirement system. Those members participating in another State-administered retirement system or are State retired *must* advise the Disbursing Office of this fact.

Benefits of the Legislative Retirement System are explained in the booklet entitled "Your Retirement System" which is provided. Further details of all retirement benefits such as service retirement, early retirement, disability retirement, and the death benefit are provided in the handbook. The death benefit protects a beneficiary if the member dies while a contributing member of the General Assembly and before the member is eligible for retirement. The death benefit payment equals the member's highest annual salary as a member of the General Assembly, not to exceed \$15,000, after completion of one year of creditable service. A copy of the handbook should be kept with other important records as it contains important information concerning this benefit.

Health Insurance: Members of the General Assembly are eligible to enroll in one of the health insurance plans offered by the State. At the present time, the available plans are (1) the State Health Plan administered by Blue Cross-Blue Shield, (2) Kaiser HMO, (3) Prudential Healthcare HMO, (4) The Wellness Plan of NC, (5) Maxicare, (6) United Health Care, (7) Blue Cross and Blue Shield of NC Personal Care Plan (PCP), (8) Doctors' Health Plan, (9) Optimum Choice, (10) Qualchoice; and (11) Wellpath. All members are eligible for the State Health Plan and any member residing/working in the areas for which service is offered for either of the ten HMOs are eligible for an HMO plan.

The State will pay the total individual premium cost for the State Health Plan (\$144.60) or that same amount (\$144.60) toward the cost of an individual premium if an HMO is chosen. Enrollment in either health insurance plan will be through completion of an enrollment application. Other family members may be covered under either plan with the additional cost being payroll deducted from the monthly salary check. Unless the member notifies the Disbursing Office to do otherwise, the deduction made from the salary check for family coverage will be tax deferred.

Coverage under either plan will begin on February 1, 1999, if the necessary enrollment form was completed by the due date. Payroll deduction for additional family members will be made from the January salary check for coverage beginning February 1, 1999. Members or any eligible dependents who enroll after January 31, 1999, may be subject to a 12-month waiting period for preexisting conditions.

General Assembly members who are State retired must be enrolled in the active legislators' group while serving as a member of the General Assembly. If you are State retired, please notify the Disbursing Office so that your health insurance can be properly coordinated.

The health insurance coverage will continue as long as the member remains a member of the General Assembly. If for some reason (other than retirement) membership in the General Assembly does not continue, continuation of the health insurance is offered on a group basis through the Former Legislators' Group. There is no State contribution in that group; however, current rates and benefits at the time of continuation will be in effect.

Dental Insurance: Members of the General Assembly are eligible to enroll themselves and family members in the dental insurance plan offered through Blue Cross/Blue Shield with the member paying the full cost of the premium by payroll deduction. Coverage will begin on February 1, 1999, if the necessary enrollment form was

completed by the due date. Because there is a 60-day enrollment period for the dental plan, if the enrollment form is not received in time for February 1 coverage, the member may still enroll in the dental plan with an effective date of March 1 as long as the enrollment is within the 60-day enrollment period. If the member or eligible dependents do not enroll during the time specified, there is no provision to enroll at a later date unless an open enrollment period is offered.. At the present time, there is no continuation plan available for the dental insurance except through COBRA continuation.

401K: The Supplemental Retirement Income Plan of North Carolina (State 401K) is a tax-deferred investment program sponsored by the State of North Carolina and administered by Branch Banking and Trust Company. Unless the member is State retired, a deduction can be made from a member's monthly salary check for participation in this plan. Information on the plan and contact telephone numbers may be obtained from the Disbursing Office. If further information on the plan is required or if a member wishes to enroll in the plan, please contact Branch Banking and Trust Company, State 401K Section, directly at the telephone number listed in the brochure.

Deferred Compensation: The North Carolina Public Employee Deferred Compensation Plan is a means of deferring pretax dollars. The plan, created by State statute, is overseen by a Board of Trustees who has contracted with Great-West Life to administer the plan. Deduction can be made from a member's salary check for participation in this plan. Information on the plan and contact telephone numbers may be obtained from the Disbursing Office. If further information on the plan is required or if a member wishes to enroll in the plan, please contact Great-West Life directly at 1-800-201-1854.

Excess Liability Insurance: Each member of the General Assembly is provided with \$1,000,000 of liability insurance at no cost to the member.

NC Flex Benefit Plan: Included in the Flex Benefit Plan is a dependent day care program, a health care spending account program, a pre-tax dental plan, a discount vision care plan, and an accidental death and dismemberment plan. The dependent care plan is a means of establishing an account to reimburse for eligible dependent care expenses on a pre-tax basis. Through the convenience of payroll deduction, the Health Care Spending Account allows you or an eligible dependent that incurs expenses not covered by insurance, an HMO, or a health care plan to file a claim and be reimbursed from your account. The pre-tax dental plans, administered by American Dental Plan of NC and Doug Sutton, CLU, gives you the advantage of comprehensive dental coverage on a pretax basis. With each of the plans, contributions can be deducted from a member's salary check before federal, state and social security taxes are computed. Effective January 1, 1999, there is a new vision plan which allows significant discounts on eyeglasses, contact lenses, and eye examinations. The plan is administered by Superior Vision Services and is available to you and your dependents. Accidental Death and Dismemberment (AD&D) is administered by UNUM and is available to you and your dependents at nominal rates. Enrollment in any of the plans must be completed by January 31, 1999 to be effective February 1, 1999. Contact the Disbursing Office (733-7500) for more information and applications.

Workers' Compensation: As a member of the General Assembly, a compensable injury sustained at work would be covered under the Workers' Compensation Act. An injury should be reported immediately to the General Assembly Security Office. All questions pertaining to procedures in filing a Workers' Compensation claim should be directed to the Disbursing Office.

ETHICAL CONSIDERATIONS FOR USE OF LEGISLATIVE OFFICES, MATERIALS, EQUIPMENT AND PERSONNEL

To help guide legislators in the proper use of the benefits and privileges arising from their legislative position, the Legislative Ethics Committee has issued the following **ETHICAL PRINCIPLES AND GUIDELINES** and **ETHICS OPINIONS**, and the cochairs of the Legislative Ethics Committee have issued the following advisory memo:

ETHICAL PRINCIPLES AND GUIDELINES

- (1) It is inappropriate to use excessively the State Telephone Network, the legislative computer system, and other State equipment for personal and business reasons. These services and this equipment shall be used primarily for legislative purposes rather than personal and business purposes.
- (2) A legislator shall not use his mailing privileges to mail personal or nonlegislative business related correspondence.
- (3) A legislator shall not copy or have copied nonlegislative materials using State equipment in the Legislative Printing Office; provided that a legislator may copy nonlegislative materials on the duplicating machines if he or she reimburses the Legislative Disbursing Office for the cost of that duplication.
- (4) A legislator mentioning or permitting another to mention the legislative office he or she holds in commercial advertising would improperly take advantage of the confidence and respect accorded that office and that action would therefore be unethical.
- (5) It is inappropriate for any legislator to use or allow another to use his official legislative stationery paid for by the State for soliciting campaign contributions to or thanking contributors to the legislator's political campaign. A legislator may use a facsimile of the legislator's official legislative stationery in soliciting campaign contributions or thanking contributors to the legislator's political campaign as permitted under paragraph (6) of these Ethical Principles and Guidelines.
- (6) When a legislator uses a facsimile of his or her stationery for non-legislative purposes not prohibited under these Principles and Guidelines, the facsimile shall bear a clear disclaimer indicating that the stationery was not printed or mailed at State expense.

ETHICS OPINIONS

Use of Legislative Stationery and Postage

(Also see Ethical Principles and Guidelines (2), (3), (5), and (6) above.)

OPINION 010

Question: May a legislator use official legislative stationery to request advice of others in the same profession on legislation affecting that profession and to urge the professionals to join a PAC?

Opinion: A legislator may use official legislative stationery to request the advice of others in the same profession on legislation. A legislator may not use official legislative stationery to urge anyone to join a PAC but may use a facsimile of the stationery if the stationery bears a clear disclaimer that indicates that the stationery was not printed or mailed at State expense.

OPINION 011

Question: May a legislator use official legislative stationery to solicit support from lobbyists for a social event for the members and staff of the General Assembly?

Opinion: A legislator's stationery may not be used for this purpose. A legislator may use a facsimile of the legislator's official stationery for this purpose if the facsimile bears a clear disclaimer that it was not printed or mailed at State expense

OPINION 012

Question: May a legislator reproduce a letter soliciting support for an environmental organization on legislative stationery if the costs of reproducing and mailing are paid by the organization?

Opinion: The Ethical Principles and Guidelines [set forth above] limit the mentioning of legislative status *only* in commercial advertising.

OPINION 013

Question: May a legislator use legislative stationery and postage to (1) send letters of sympathy to constituents who have a death in the family; (2) send letters to constituents who do something outstanding or achieve a great accomplishment; and (3) send letters of appreciation to individuals and groups of constituents who have invited the legislator to speak?

Opinion: It is appropriate to use legislative stationery and postage to send letters of sympathy and letters of congratulations to constituents.

There is no problem with using legislative stationery and postage to send letters to individuals and groups in appreciation for invitations as long as the correspondence neither solicits nor thanks campaign contributors for their contributions.

Use of State Telephones and Mailing Privileges

(Also see Ethical Principles and Guidelines (1) above.)

OPINION 016

- Question:
- (1) May a legislator use the State telephone for personal and business calls as long as reimbursement is made for those calls?
 - (2) May a legislator mail personal and business mail through the legislative post office as long as postage is supplied by the legislator?

Opinion: The Committee promulgated the Ethical Principles and Guidelines [set forth above] mindful of the part-time service of citizen/legislators.

- (1) The guideline regarding use of the State telephone network leaves to the individual legislator's discretion and sense of propriety the determination of excessive use of the telephone for personal and business-related communications.
- (2) Anyone may use the legislative post office through which they may deposit stamped personal or non-legislative, business-related mail. The guideline speaks to use of legislators' mailing privilege of sending official correspondence using postage supplied by the State only.

OPINION 017

Question: May a legislator use the State telephone to make calls to the legislator's personal home and business telephones and answering machines to retrieve messages and concerns from constituents?

Opinion: This use of the State telephone system constitutes conducting appropriate legislative business.

ETHICS COMMITTEE COCHAIRS ADVISORY MEMORANDUM

October 1, 1998

TO: Members of the General Assembly

FROM: Representative Julia C. Howard
Senator Howard N. Lee,
Legislative Ethics Committee, Co-chairs

RE: **The Use of Legislative Office, Materials, Equipment and Personnel in Campaigns for Elective Office.**

We, as cochaurs of the Legislative Ethics Committee, have been asked for guidance about the appropriateness of the use of legislative office equipment, facilities, and personnel in campaigns for public office. No request for a formal opinion has been made of the Legislative Ethics Committee. We put forth below our personal thoughts for your reflection and appropriate action regarding individual campaigns of elective office.

We believe that a legislator's campaign activities should not be conducted in the legislator's State supplied office or using State equipment, facilities, materials, or personnel. For purposes of this discussion "campaign activities" would include, but not be limited to, soliciting or receiving campaign contributions, preparing campaign literature, arranging or inviting individuals to campaign events, and urging people to vote for a particular candidate.

The Legislative Ethics Committee has issued the following guideline regarding the use of State equipment:

It is inappropriate to excessively use the State Telephone Network, the legislative computer system and any other State equipment for personal and business reasons. These services and this equipment shall be used for legislative purposes rather than for personal and business purposes.

The North Carolina Constitution (Article V, § 2(1)) requires that State taxes and State expenditures be for a public purpose. The State Personnel Act prohibits political activity by most State employees while on duty and those employees from using State funds or equipment in political campaigns (GS 126-13). Legislative officers and employees, among others, are exempt from that provision (GS 126-5(c1)(3)).

We do not believe that the furthering of any individual's candidacy for political office is a public purpose for which State funds may be constitutionally expended. That legislative employees are exempt from the provisions of the general law restricting their political activity during duty hours, does not make such activity either constitutional or ethical. The legislative assistant and secretary are directly responsible to a legislator. They are State employees paid from public funds. Although the individual member is responsible for insuring the hours the legislator's assistant works, the assistant is paid by the State for a 40-hour work week. As such, a member's assistant or secretary should not engage in campaign activities during office hours.

We could not and would not seek to restrain the voluntary political activity of legislative employees after office hours and outside of the legislative office. We believe that the Legislative Ethics Committee would be similarly reluctant to do so.

We understand that a legislative office may be the site of occasional and non-substantive campaign activities. These activities may involve the incidental use of State equipment, facilities, or materials, or the incidental participation by an assistant or secretary. An example might be answering the inquiry of an incoming caller about the time and place of a campaign event for the member. In our opinion, these occurrences are not unethical as long as the action taken:

1. responds to, rather than initiates, the outside inquiry;
2. is an incidental, rather than a regular or substantial, part of the functioning of the legislator's office; and
3. does not result, other than to a trivial or unascertainable extent, in additional costs to the State.

So as to guard against the possibility that campaign material might initiate the conducting of a campaign from a legislative office, we think that a member's legislative office address and phone number should not be advertised as connected with or associated with the campaign. The distribution of campaign material, that is already printed for the 1998 campaign and that contains the member's legislative office address and phone number, is permissible.

We do not extend our analysis to campaigns for referenda or constitutional amendments. We hope that our thoughts help you in administering your legislative office.

LEGISLATORS' OFFICES

Legislators' Offices: Each member of the General Assembly is assigned a private office and is free to use the office as he or she chooses (subject to the limitations discussed in "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" section of this Manual (pages 14-18)). Office assignments are made for Senate members by the President Pro Tempore of the Senate and for House members by the Chairman of the Rules Committee. If the members wish to have furniture removed or added, they should so inform the Director of the Administrative Division (733-7500). The Legislative Services Commission has ruled that office furnishings and equipment may not be removed from the Legislative Building or the Legislative Office Building. The North Carolina General Assembly is not responsible for the loss or damage of personal items members place in their offices.

1. **Hanging pictures.** The walls of the individual offices in the Legislative Building are constructed of marble blocks. Nails driven carelessly into these walls cause large holes which cannot be properly repaired and result in defacing the office. Legislators who wish to hang a picture or other object on the wall of their offices should call Building Maintenance (733-3321) who will see that the necessary hangers are properly installed.
2. **Floor covering.** Rugs are not provided by the General Assembly for legislators' offices in the Legislative Building. Members of the General Assembly who wish to provide their own rugs may do so if the rug is of the area type and does not have to be fastened to the floor with adhesive or nails. Carpet padding should be omitted in the arc of the door swing to decrease the amount of the door to be cut off. If it is necessary to cut doors off for carpet clearance, please notify Building Maintenance at 733-3321.
3. **Doors.** Signs identifying legislators and their county of residence are provided for each office door. No other signs, maps, or other materials may be affixed to the outer side of an office door.

Office Keys: Legislators obtain office keys from the Security Office. If the legislator desires a key for his or her secretary, the secretary should go to the Security Office, State Legislative Building, to sign for the key. The secretary should return the key to the Security Office at the end of the session. A legislator who is not reelected for the next term should return his or her own key prior to January 1 next following the general election in November.

Each key to an office in the State Legislative Building will unlock the extreme right-hand door at the front of that building. Each key to an office in the Legislative Office Building will unlock the fire door (the extreme left-hand door) of that building's Lane Street entrance. Thus, members may have access to their offices at any day and hour. Each member's key also unlocks the far right-hand door of the Lane Street (bridge level) entrance of the Legislative Building and the middle door on the mall entrance (third floor) entrance of the Legislative Office Building thereby allowing members using the pedestrian bridge to have access to both the Legislative Building and the Legislative Office Building.

Use of Offices: The legislative office is for the use of the legislator and staff persons authorized by the legislator.

In order to avoid unpleasant incidents and to improve building security, when the legislative buildings are closed, building security personnel are instructed to evict from the legislator's office anyone (except for the legislator and his or her regular assistant) who does not have written authorization from the legislator to use the office after hours. Keys will be taken from unauthorized persons and returned to the legislator by security personnel.

PARKING

Members of the General Assembly are authorized to park in the following areas **during sessions** of the General Assembly:

1. Parking area under the Legislative Building.
2. Both sides of the portions of Lane Street, Jones Street, Wilmington Street, and Salisbury Street that surround the State Legislative Building.
3. Designated area in Lot 65 (in the lower level of the parking deck immediately behind the State Legislative Building).

During interim periods, General Assembly members are authorized to park in the parking area under the State Legislative Building, in the designated area in Lot 65 as indicated above, or on either side of Lane Street.

All parking is on a first come, first serve basis. There are no reserved parking spaces for General Assembly members except for the following: Speaker of the House, Speaker Pro Tempore of the House, President Pro Tempore of the Senate, Senate Deputy Pro Tempore, and Senate and House Majority and Minority Leaders.

For questions or assistance regarding parking, contact Howard Morris or any security officer at 733-2159.

ACCESSIBILITY OF STATE LEGISLATIVE COMPLEX

The State Legislative Building and Legislative Office Building are accessible to legislators as well as lobbyists, constituents, and visitors who may be disabled. Parking facilities, entrances to the buildings, elevators, and restrooms are designed to accommodate persons with disabilities. In addition, the Legislative Building Library has a TTY (919-715-6755). Auxiliary aids and services (interpreters, electric cart, assistive listening devices, etc.) can be provided if requested 72 hrs. in advance by calling Beverly Adams in the Legislative Services Office at 733-7044.

SECRETARIAL ASSISTANCE

Each committee chairman is entitled to a committee assistant, and each individual legislator is entitled to a legislative assistant.. This committee assistant or legislative assistant is situated in the committee chairman's suite or in the legislator's office. (In the interest of brevity, both committee assistants and legislative assistants are sometimes referred to as "assistants" in this Manual, and the feminine pronoun is used.)

Selection of House Assistants: Employment of House Assistants is handled by the House Director of Legislative Assistants under the supervision of the House Principal Clerk. Each committee chairman may choose his own assistant, and each individual Representative may choose his legislative assistant. Assistants are subject to discharge at any time by the Representative whom they serve. If the Representative desires, he may employ the assistant and simply notify the House Director of Legislative Assistants who will request the Legislative Services Officer to enter the employee on the payroll. Or, the Representative may notify the House Director of Legislative Assistants as to whom he desires to have as an assistant, and the Legislative Services Officer will employ that person if she is available. Or, the Representative may request the House Director of Legislative Assistants to employ a qualified person as an assistant, and the House Director of Legislative Assistants will employ and assign the best qualified person available. Assistants generally are employed as of the opening day of the session; assistants to major standing committees may be allowed to begin work at an earlier date, if prior approval is granted by the Speaker.

Two Representatives may agree to share an assistant; if they agree upon the desired person, these Representatives have available the same alternatives as do chairmen and individual Representatives. Otherwise, the House Director of Legislative Assistants will employ and assign the best qualified person available. Where two Representatives agree to share an assistant, they may then employ a Joint Research Assistant or Administrative Aide at the same pay rate which an assistant receives.

Selection of Senate Assistants: Employment of Senate Assistants is handled by the Senate Director of Legislative Assistants under the supervision of the Senate President Pro Tempore. Each committee chairman may choose his own committee assistant, and each individual Senator may choose his legislative assistant. Assistants are subject to discharge at any time by the Senator whom they serve. If the Senator desires, he may employ the assistant and simply notify the Senate Director of Legislative Assistants who will request the Legislative Services Officer to enter the employee on the payroll. Or, the Senator may notify the Senate Director of Legislative Assistants as to whom he desires to have as assistant, and the Legislative Services Officer will employ that person if she is available. Or, the Senator may request the Senate Director of Legislative Assistants to employ a qualified person as assistant, and the Senate Supervisor of Assistants will employ and assign the best qualified person available. Assistants generally are employed as of the opening day of the session; committee assistants to major standing committees may be allowed to begin work at an earlier date, if prior approval is granted by the President Pro Tempore.

Two Senators may agree to share an assistant; if they agree upon the desired person, these Senators have available the same alternatives as do chairmen and individual Senators. Otherwise, the Senate Director of

Legislative Assistants will employ and assign the best qualified person available. Where two Senators agree to share an assistant, they may then employ a Joint Research Assistant or Administrative Aide at the same pay rate which an assistant receives.

Qualification of Assistants: When an assistant is hired by or at the request of a legislator, that legislator vouches for the employee's competence. When an assistant is hired and assigned by the appropriate Supervisor of Legislative Assistants, the employee's competence will be checked by the supervisor.

Pay of Assistants: Employees of the General Assembly are paid according to classifications and schedules adopted by the Legislative Services Commission based on a 40-hour work week. Each assistant, no matter how she is hired, will be classified by the Legislative Services Office and paid according to the appropriate schedule.

Working Hours: The normal working day for committee assistants and members' legislative assistants is determined by the member based on his/her needs and the 40-hour work schedule. Because the General Assembly does not usually observe holidays during legislative sessions, employees are expected to work on those days also. If the General Assembly does observe holidays, temporary employees are not expected to work and are paid for the holiday if they work more than one half of the working days in the month the holiday occurs..

Each legislator is responsible for seeing that his/her assistant works the proper number of hours. Each legislator may adjust his/her assistant's work schedule to meet his/her own special needs. The Legislator should realize that if he/she grants special privileges to his/her assistant, others who are not granted such privileges will complain, and a major morale problem will result. If a legislator allows his/her assistant to come in later on Monday, or leave early on Friday, he/she should not call on other staff assistance in the assistant's absence. Any absences should be reported to the Director of Legislative Assistants so that proper adjustments of pay can be made.

Control and Supervision of Assistants: Each legislator has control over the selection, supervision and retention of his/her legislative assistant. No assistant will be assigned any work or duty by any person without the approval of the legislator for whom she works.

The House and Senate Directors of Legislative Assistants assist in the hiring, assigning, and training of assistants. These supervisors are available to advise assistants as to proper procedures and techniques for handling legislative business.

If an assistant is absent, the legislator concerned should notify the appropriate supervisor and substitute services will be provided. An assistant who knows that she will be absent during scheduled hours should notify the appropriate Director of Assistants in advance. Whenever substitute service is necessary because of the absence of an assistant, the Legislative Services Office is instructed to deduct an appropriate amount from the absentee's salary. Assistants who are eligible to earn sick leave and have accumulated sick leave while employed by the General Assembly may use this leave when absent due to illness. Any substantial deviation from these general rules is subject to approval by the President Pro Tempore of the Senate or the Speaker of the House of Representatives.

General Policies Governing Assistants: In order to minimize morale problems among the assistants and other temporary employees of the General Assembly, the Legislative Services Commission requests that all legislators enforce certain general rules. These rules are discussed with assistants in each house at the beginning of

the session by the Director of Legislative Assistants, and the Director is required to call violations to the attention of the assistant concerned; this function is designed to assist, and not to interfere with the legislator's control over his own assistant.

The general rules follow:

1. Working hours are determined by the member with one hour off for lunch. This schedule is subject to variation by the individual legislator, but the total time devoted to legislative service by the employee should be based on 40 hours per week.
2. One of the primary duties of an assistant is to act as receptionist for the legislator served. Assistants should stay in their own office except when moving about in performing their duties.
3. Except at the express direction of the legislator served, assistants should not occupy balcony seats in the legislative chambers during the daily sessions.
4. With the approval of the legislators concerned, assistants may assist each other at times when the workload of one is great, and the workload of another is slight. As there is no longer any secretarial pool to come to the aid of an overburdened assistant, the willingness to assist is encouraged, but only with the approval of all legislators concerned. From time to time the Director of Legislative Assistants may seek a legislator's permission to channel work from another source to that legislator's assistant.

Interim Clerical Services: Members needing clerical assistance while in their legislative office during the interim should contact either the House or Senate Director of Legislative Assistants unless clerical assistance has been provided otherwise.

Limitation on Use of Assistants: See "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 14-18).

MAIL SERVICE AND POSTAGE

The Legislative Mail Rooms are located in Room 2 in the basement of the State Legislative Building and Room 102 in the Legislative Office Building. The service windows in the Mail Rooms are manned from 8:00 a.m. to 5:00 p.m. daily during sessions.

Incoming Mail: The Mail Rooms are equipped with post office type mailboxes, one of which is assigned to each legislator. Incoming mail is not delivered to individual offices but is placed in the legislator's box. Once permanent office assignments have been made, legislators will be given the number and combination of their mailbox by the Mail Room Supervisor.

Outgoing Mail: Outgoing mail must be bundled with the Legislator's Postage Authorization slip. This Authorization slip bears the name of the legislator, assistant or secretary, date, number of pieces of mail, and the legislator's assigned postage account number. Outgoing mail may be deposited in the Mail Rooms or in collection centers maintained in Room 2125 and in Room 2225 on the second floor of the State Legislative Building. Outgoing mail must be in the Mail Rooms no later than 4:00 p.m. in order to be posted the same day. Large mailings should be in the Mail Room earlier. Mailings received later than 4:00 p.m. will be processed the next workday.

Legislators and State Agencies may have printed materials placed in legislators' mailboxes; however, each piece of the material must either be in an envelope with the sender's name on it, or the individual material must identify the sending source.

Postage: Postage on outgoing official mail is paid from General Assembly funds. A postage meter interfaced to an electronic accounting system is used. Each legislator is allowed a combined total of \$1800 for the two-year term for long-distance telephone charges, faxes, and postage used for member's official legislative business. There is no limit on the number of pieces mailed or cost per piece; however, once a member has used his combined allowance for his two-year term, the Disbursing Office will begin billing him for postage. Allowances not used are not transferable to another legislator's account and are not transferable to a member's next two-year term upon reelection.

Personal mail of both the legislator and his assistant or secretary should be stamped. Stamps may be purchased at the service window at the Mail Rooms.

When an unstamped envelope bearing a legislator's name and accompanied by an Authorization slip is deposited in one of the collection locations for outgoing mail, the legislator thereby certifies that the envelope contains official legislative business.

Returned Mail: A substantial number of letters are returned to the Mail Rooms by the United States Post Office, frequently marked "Address Unknown", or with some similar notation. This mail will be returned to the sender by placing it in his box. Returned mail will be opened to identify sender if sender is not identified on the envelope.

Registered Mail and Certified Mail: By arrangement with the United States Post Office, the Mail Rooms pick up registered and certified mail. A notice of such mail is placed in the legislator's box and delivery is made at the service window.

Interim Mail: Between sessions, first-class mail is forwarded to legislators' home addresses. Other mail is placed in the individual legislator's Mail Room mailbox to be picked up by the legislator whenever he/she happens to be in Raleigh.

Interim Postage: Legislators are expected to use their combined postage and long-distance telephone allowance to pay postage for any individual mailings during an interim period. Assistants for interim legislative committees who prepare mailings from Raleigh will transmit the material to the Mail Rooms where it will be processed through a postage meter and charged to the appropriate committee account.

Express Mail Service: Legislators on occasion wish to ship materials or have staff send materials to them via Federal Express, UPS, United States Postal Service (USPS) Express Mail, etc., in order to insure next-day delivery. Official legislative materials can be mailed in this manner with charges for these services being charged against the legislator's postage and telephone allowance.

Limitation on Use of Legislative Postage: See "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 14-18).

TELEPHONE

Each legislator has a private telephone with an assigned telephone number(s) on his desk in his legislative office. In addition, during the session Southern Bell maintains a telephone switchboard center located on the first floor of Room 1401 in the State Legislative Building. The telephone number of this center is (919) 733-4111. The center is operated during normal business hours. Incoming calls to the center number reach a switchboard which will ring the legislator's office and will take and deliver messages if the office telephone does not answer. Calls to the legislator's individual private number do not go through the telephone center switchboard.

Local Service: The charges for local service to the individual legislator's office telephone are paid by the General Assembly. This service is provided on a continuing basis throughout the biennial session.

Long-Distance Service: Each legislator's office telephone is connected to the State Telephone Network (STN). Long-distance rates for calls made over this network are about 40% of the regular commercial rate for the average in-State long-distance call. The STN rate is the same for calls to all points in North Carolina, regardless of the distance from Raleigh. Thus, it is possible to give each legislator the identical long-distance allowance and thereby assure that each has available the same long-distance time at the expense of the General Assembly. Each legislator is allowed a combined total of \$1800 for the two-year term for long-distance telephone charges, faxes, and postage used for member's official legislative business. All long-distance calls made from a member's Legislative Building/Legislative Office Building office phone, calls made using the State Network Credit Card, and all faxes sent from a General Assembly fax machine will be charged against the allowance. Members exceeding the combined allowance will be billed for the amount over the allowance. Allowances not used are not transferable to another legislator's account and are not transferable to a member's next two-year term upon reelection. The Legislative Services Officer has been directed not to make such transfers, and the Legislative Services Commission requests that legislators not apply for such transfers. Long-distance bills are paid in the first instance by the General Services Division of the Department of Administration. The Legislative Services Office then reimburses the General Services Division and sends to each legislator a monthly statement showing calls made on his phone and the charges made against his allowance. If the legislator does not exceed his combined allowance for his two-year term, the account is closed at the end of the year and the legislator owes nothing. If the charges exceed the combined long-distance telephone and postage allowance, the Services Office bills the legislator for the excess as the overage occurs. In using the State Telephone Network, certain important points should be kept in mind.

1. STN billing is different from ordinary commercial WATS line billing. All calls on STN are billed to the calling phone. If a legislator allows his office phone to be used for any long distance calls except on his legislative business, the legislator's allowance for business purposes is reduced accordingly. The idea that this is a WATS line, and that it makes no difference how many calls are made over it, is erroneous.
2. A legislator may make long-distance calls from his hotel room or other location and may charge the calls to his office phone, but the charges for such calls will be made by the telephone company at the regular commercial rate and not at the reduced STN rate.

3. The reduced STN rate is possible because the Department of Administration leases only as many long-distance lines as are necessary to give reasonably adequate service at peak hours without having a great many idle lines during periods of minimal use. Use by the permanent agencies of State government follows a predictable and relatively even pattern. Legislative-use patterns are more variable and less predictable. Normal peak hours of the existing STN pattern occur between 9:00 and 11:30 a.m. and between 2:00 and 4:00 p.m. If temporary inconvenience caused by peak period overload of the STN develops, legislators can cooperate in reducing the problem by placing their calls, when possible, outside these peak hours.

Telephone Services During Interim Periods: The telephone in an individual legislator's private office remains connected while the General Assembly is not in session. The charge for local services is paid by the General Assembly. Long-distance calls made by the legislator from his office telephone during these interim periods will be charged against the legislator's long-distance telephone allowance.

Calls to State Offices in Raleigh from Legislator's Home Area: Each legislator is issued a State Telephone Network (STN) card which allows him the advantage of the low STN long-distance rates when calling anywhere in the continental United States. All charges made on the STN card will be charged against the legislator's combined postage and long-distance telephone allowance. In order to use this service the legislator must follow the instructions printed on the STN card. The legislator should not dial the regular long-distance operator; attempts to use the STN card through regular commercial long-distance procedures will fail. There are a few areas of the State in which the STN card service is not yet available; but the service is being constantly expanded, and it will soon be available in the few legislators' home areas not currently served.

Limitation on Use of STN and Telephone Service: See "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 14-18).

Additional Non-State Telephone Lines: A member may choose to have a private line installed so as to assure the proper use of the State Telephone Network.

If an additional non-State line is desired, contact Mike Minshew, Building Superintendent (733-0072).

Call Forwarding: Each legislative member's State telephone line in their legislative office is equipped with Call Forwarding. You may Call Forward this line anywhere in the State.

Regarding long-distance charges for Call Forwarding, the caller is responsible for the charge, if long distance, from the location of the call to the member's office. However, the member is responsible for the charge if the line is forwarded to a long- distance location. The charge will be charged against the legislator's long-distance telephone allowance. For further information on this option, call Beth Walters at 733-3321.

Voice Mail: A central voice mail service is provided for General Assembly Members through the telephone system. This voice mail service serves as a telephone answering system in legislators offices. Call Beth Walters at 733-3321 for information regarding voice mail.

LETTERHEAD/ENVELOPE ALLOWANCE

Each legislator will be provided with up to 8,000 pieces of letterhead and/or envelopes at State expense (any combination of letterhead and envelopes). This allotment is for the full two-year term. If a legislator requires more than the allotment, the Legislative Services Office will order additional stationery and will bill the legislator for the excess. Stationery may be any combination of bond and onionskin letterheads requested by the legislator.

When new legislators arrive at the beginning of the session they are provided with 500 sheets of bond letterhead bearing the Senate or House designation and the legislator's name, district, and home address. Envelopes showing Senate or House designation and the legislator's name are also provided.

As soon as committee appointments have been completed, each legislator should have his assistant prepare the letterhead and envelope template and e-mail it to Peggy Telfair in the Disbursing Office showing Senate or House designation, legislator's district and home address, and committee assignments. The Disbursing Office will then order letterhead and envelopes. Further orders for stationery will be placed upon request of the legislator. Requests may be made directly by e-mail to the Disbursing Office in Room 5 of the State Legislative Building.

The North Carolina General Assembly does not furnish engraved letterhead.

Limitation on Use of Letterhead/Envelope Allowance: See "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 14-18).

Letterhead and/or envelopes ordered through the Disbursing Office cannot be ordered bearing the "not printed at government expense" disclaimer although the legislator may desire to pay for the letterhead and/or envelopes. Because the letterhead/envelopes are printed at a much cheaper cost than would be charged in the open market, the disclaimer would not, in fact, be a true statement. Legislators are requested to purchase any letterhead/envelopes bearing "not printed at government expense" from a private vendor.

BUSINESS CARDS

Each member of the General Assembly will be provided with up to 1,000 business cards for the full two-year term. If more business cards are required, additional will be ordered and the member will be billed. Contact the Disbursing Office for information concerning the ordering of business cards.

FACSIMILE MACHINES (FAX)

There are two FAX machines for use by General Assembly members. Actual long-distance telephone charges for the use of the FAX machines will be charged to the using member's telephone/postage allowance. A legislator or his secretary should be present at the time of transmission to receive a confirmation of the transmission.

The FAX machines' locations and receiving numbers are:

Room 107 Legislative Office Building, 919-733-3113
Room 1430 Legislative Building, 919-733-2599

If a member receives documents over the FAX, there is no charge; and the member will be notified of the receipt of the document.

FAXING USING PERSONAL COMPUTER

You are also able to send and receive faxes at your desk via your personal computer. Note that you can only send documents that are in electronic format, i.e., documents that are created on your personal computer .
To receive a fax at your desk, direct the sender to send the fax to (919) 715-7586. The fax will be received at a central routing desk and forwarded on to your computer. You will be notified on your computer screen that a fax has been received at your desktop. (Remind the sender that your name must be on the cover page for the fax to be routed to you.)

To send a fax from your desk, simply print the document to the fax printer that has been installed on your computer. For example: If the document is created in WORD, go FILE->PRINT (or CTRL P) and choose the Object-FAX printer from the drop down menu. Sending your document to this "printer" automatically initiates the request. A screen will pop up where you can fill out the necessary information for faxing the document.

More detailed information is available in the NCGA documents folder accessible from your computer desktop *or* the help desk (715-7825) can answer any questions you may have.

Documents that are not on your PC must be sent out using the fax machines located in the Legislative Building and Legislative Office Building. These fax machines will also continue to receive faxes. The numbers are: Legislative Building 733-2599, Legislative Office Building 733-3113 .

Limitation on Use of Fax: See "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 14-18).

DICTATING EQUIPMENT

Every legislator who desires it will be provided with dictating equipment by calling Hurley Young, Inventory Control Assistant, (Telephone 733-2170). Dictating equipment should not be removed from the legislative buildings.

PRINT SHOP AND COPYING MACHINES

The Legislative Print Shop is located in Room 107 of the Legislative Office Building. Legislators and their assistants should use the Print Shop when 30 or more copies are required. The Print Shop should be used for copying official legislative materials only (no personal printing, i.e. letters to constituents, newsletters, invitations, etc.).

For less than 30 copies, legislators and their assistants should use the copying machines located in Room 618 in the Legislative Office Building or on the second floor of the State Legislative Building. Operators are there to assist you.

Copies for the public are made at a cost of 10 cents per page.

COMPUTER SERVICES

The Information Systems Division (ISD) of the Legislative Services Office, is located in Room 400 of the Legislative Office Building and can be reached by dialing (919) 733-6834. Tony Goldman is the Division Director. ISD staff support the computer hardware, software and connecting network, as well as provide application support, train and assist users, and manage the various databases that make up the legislative system.

ISD provides the computer network, equipment and support for approximately 560 users of the NCGA Network including legislators, permanent and session staff of the General Assembly. The NCGA Network is comprised of two main computing systems. A mini-computer supports legislative bill drafting and bill reporting functions. A distributed processing system supports office automation, electronic mail, and financial applications. The distributed processing system serves 435 personal computers, 160 laptop computers and off-site dialup access. The PC's serve as terminals to the mini-computer system and the State of North Carolina Information Processing Services network. In addition, ISD maintains a Web site for the North Carolina General Assembly and supports redistricting GIS applications.

Software training and support is provided in the following areas: Bill Typing and Research; Bill Status Tracking; Office Automation; Data Base Management; connection to the State Computer Center and State Accounting Systems; Redistricting; and access to the Internet. Training is ongoing with concentrated training offered at the beginning of each Session. Approximately 180 clerks are hired at the beginning of each Session to support the membership.

Office automation is provided through Microsoft Office Suite. These products include WORD for word processing, OUTLOOK 98 for electronic mail and time management, EXCEL for spreadsheets and PowerPoint for presentation and graphs. Access to the Internet is also available from the personal computer. As mentioned, ISD supports a N. C. General Assembly Home Page. Status of bills and general legislative information is available on the home page as well as a profile of each member. Please contact Kelly Stallings, (919) 733-6834, if you have questions about information provided on the General Assembly Home Page. The web site address is: <http://www.ncga.state.nc.us>.

An electronic mail address is also provided for each Member and staff person of the General Assembly. That address is: your computer sign-on name followed by '@ms.ncga.state.nc.us'. For example, Tony Goldman's e-mail address is: tonyg@ms.ncga.state.nc.us.

Members have several choices to help manage their information needs: no computer relying on their clerk for their computer needs, a desktop personal computer, or a laptop personal computer. ISD will offer training throughout the Session for members and staff on the basic use of the personal computer, office automation tools, the Internet, and the Legislative Computer Applications. Please contact Peter Capriglione, Operations Manager, at (919) 733-6834 if you would like more information about acquiring a desktop or laptop personal computer to use in or away from your office to connect to the NCGA computer network.

Policies and procedures governing access and use of the N. C. General Assembly computer system, set by the Legislative Services Commission and its Subcommittee on Information Technology, are listed below. Also See "Ethical Considerations for Use of Legislative Offices, Materials, Equipment and Personnel" in this Manual (pages 14-18).

I. NORTH CAROLINA GENERAL ASSEMBLY (NCGA) COMPUTER NETWORK USE POLICY

- I) While in performance of work-related functions, while on the job, or while using publicly owned or publicly provided information processing resources, authorized users of the North Carolina General Assembly's computer network are expected to use the NCGA Computer Network and the Internet responsibly and professionally and shall make no intentional use of these services in an illegal, malicious, commercial or obscene manner. NCGA Computer Network users may make reasonable personal use of publicly owned or provided NCGA Computer Network or Internet resources as long as:
 - a) The direct measurable cost to the public is none or is negligible;
 - b) There is no negative impact on performance of duties; and
 - c) The policy is applied equitably among all users of the NCGA Computer Network.
- II) When sending or forwarding E-mail over the NCGA Computer Network or the Internet, NCGA Computer Network users shall identify themselves clearly and accurately. Anonymous or pseudonymous posting is expressly forbidden.
- III) NCGA Computer Network users have a responsibility to make sure that all public information disseminated via the NCGA Computer Network and the Internet is accurate. NCGA Computer Network users shall provide in association with such information its source and the date at which

it was current and an electronic mail address allowing the recipient to contact the public staff responsible for making the information available in its current form.

- IV) As an employer, it is the responsibility of the General Assembly to make NCGA Computer Network users aware that sexual harassment charges can be brought against any person displaying sexually offensive material on a computer monitor. Because the Information System Division of the General Assembly does not monitor or restrict what is displayed on the computer, NCGA Computer Network users are responsible for their behavior. If you feel you are being sexually harassed, discuss it with your supervisor or notify the Legislative Services Office.
- V) Inappropriate use of the NCGA Computer Network, as determined by the Legislative Services Commission, or its designee, will be dealt with in the same manner as other abuses of State or Legislative property.

2. AUTHORIZED USERS

Authorized users shall be limited to Members of the General Assembly, legislative employees and consultants and contractors approved by the Legislative Services Officer, or others specifically authorized by name by the Legislative Services Commission.

3. SECURITY VIOLATION POLICY

Any user of the NCGA Computer Network facilities who allows anyone who is not an authorized user of the NCGA Computer Network to have direct access to any applications or data on the NCGA Computer Network will have his or her username and password revoked immediately by the Director of the Information Systems Division (ISD). The username and password will be restored by the Director only after the Co-chairmen of the Legislative Services Commission have been informed of the violation and have authorized the restoration of the account.

4. END OF SERVICE AND REVOCATION OF ACCESS

Upon the date of termination of service in the General Assembly or of employment with the General Assembly staff, a NCGA Computer Network user's account will be disabled.

5. SUPPORT FOR PERSONAL COMPUTERS OWNED BY MEMBERS AND STAFF

General Assembly members and permanent staff may access the NCGA Computer Network through dialup telephone lines. ISD is authorized to provide installation diskettes and telephone support to members and permanent staff who wish to connect via dialup to the NCGA Computer Network using personally owned

equipment located offsite. The General Assembly assumes no financial responsibility for computer hardware and/or software owned by members and staff.

6. COMPUTER PROGRAMS ON THE GENERAL ASSEMBLY'S PERSONAL COMPUTERS

The Information Systems Division (ISD) maintains a standard set of software, purchased and licensed by the North Carolina General Assembly, on every personal computer issued by the NCGA. The Legislative Services Commission allows additional software to be installed on authorized users' personal computers with the following understanding: The NCGA does not cover the costs of any additional software; users are responsible for any required licenses; ISD is not required to install, support or provide training for additional software applications; if at any time it is determined a personal computer's performance is degraded by the presence of additional software, the additional software may be uninstalled; and in the event that a personal computer crashes, ISD's only responsibility is to provide a personal computer with the approved standard software installed. Software installed by the user on equipment provided by the North Carolina General Assembly must be installed in accordance with the license agreement between the installer and the manufacturer of the software. The use of pirated software or duplicate copies of software installed without express permission of the manufacturer is forbidden. Upon demand, the NCGA authorized user must be prepared to show proper licensing agreements. The NCGA authorized user who installs software is solely responsible for any and all legal or financial issues resulting from violation of software licensing agreements.

7. SOFTWARE

Software licensed by the North Carolina General Assembly shall be used by NCGA authorized users in accordance with the terms and conditions of the license agreement between the NCGA and the software manufacturer/distributor. The use of software licensed on non-NCGA owned equipment is controlled by the license agreement. Any software so used must be removed by the NCGA authorized user when they are no longer an NCGA authorized user.

8. REMOVAL OF EQUIPMENT FROM LEGISLATIVE BUILDINGS

GS 120-32(3) states that "It shall be a Class 1 misdemeanor for any person(s) to remove any state-owned furniture, fixtures, or equipment from the State Legislative Building for any purpose whatsoever, except as approved by the Legislative Services Commission." The Legislative Services Commission has approved the removal of laptop equipment from the Legislative complex after the laptop has been assigned to a member of the General Assembly or permanent staff member. When taking possession of the equipment, the authorized user is required to sign a release stating the liabilities and responsibilities of possessing the equipment.

9. AUTHORIZED USER'S ACCESS TO ANOTHER AUTHORIZED USER'S ACCOUNT

On occasion, during periods of absence, etc., it may be necessary for an authorized user of the NCGA Computer Network to access another authorized user's account. ISD can change the absent user's account password to allow access to the absent user's account with the authorization of the absent user's supervisor (i.e. division director or Legislative Services Officer, member or supervisor of clerks, or principal clerk). Access to a General Assembly member's accounts can only be given with the member's approval.

10. ISD STAFF NOT RESPONSIBLE FOR TEXT OR DATA ENTRY

The staff members of the Legislative Information Systems Division (ISD) are prohibited from carrying out any data or text entry for Committee Clerks and Member's secretaries.

11. TRAINING A REQUIREMENT FOR RECEIVING ISD SUPPORT

The staff members of the Legislative Information Systems Division (ISD) are not required to provide technical assistance or software support to any staff member who has not first completed the ISD's training course in the application for which assistance is being sought.

BILL DRAFTING

Bill Drafting Division: The Bill Drafting Division of the Legislative Services Office is located in Room 401 on the fourth floor of the Legislative Office Building. The Division is staffed by a Director (Gerry F. Cohen), eleven staff attorneys, a legislative analyst, and four secretaries. Legislators may present their bill-drafting requests to this office in person or by telephone (733-6660). If the legislator knows which drafter he wishes to talk with, he may call for that person. Otherwise, the secretary will refer the legislator to the drafter who specializes in the field affected by the requested draft. When all staff attorneys are temporarily occupied, the secretary will take the request and transmit it to the appropriate drafter as promptly as possible. Drafting requests and bills drafted are confidential within the Bill Drafting Division Office until the sponsoring legislator releases them. The enrolling office, which prepares enacted legislation for signature by the presiding officers, is located within the Bill Drafting Division. The Bill Typing and Proofreading Sections are also administratively under the Bill Drafting Division.

Research Division: The Research Division of the Legislative Services Office provides staffing support (broad range of legal and nonfiscal research, and drafting and redrafting of amendments and committee substitutes) to selected standing committees on a regular basis and, where requested, to conference committees. The Division also provides, subject to availability of personnel, a significant amount of initial drafting of bills where the subject matter concerns legislative procedure or internal legislative operations (creation of interim legislative study commissions and committees, modification of House or Senate rules, etc.) or other matters within the expertise of individual staff members. Drafting requests in these areas may be presented to the Director of Research (Terrence D. Sullivan, Room 545, Legislative Office Building; Phone: 733-2578). Research and drafting requests made to Research Division personnel are kept confidential under the provisions of the law on confidentiality of legislative communications.

Other Bill Drafting Sources

Attorney General's Drafting Division: A legislator who has a bill to be drafted may present his request to the Attorney General's Drafting Office (Floyd M. Lewis, Revisor of Statutes and Assistant Attorney General, Raney Building, 104 Fayetteville St. Mall; Phone: 733-6026). A member of the Attorney General's staff will discuss the matter with the legislator, and a bill will be drafted.

Normally, a legislator should use the services of the Bill Drafting Division, Research Division, or the Attorney General's Office for bill drafting. There is, however, no requirement that all bills be drafted by those offices. The legislator may do his own drafting, or he may turn to any other competent source.

BILL PROCESSING

Preparation of Copies for Introduction: The drafter provides the legislator with one or more copies of the finished bill draft. Sometimes these copies are not yet in the format required for introduction. In 1969 a computerized bill processing and printing system was first installed, with a significant software upgrade in 1987, and copies from computer-produced printouts are now delivered to the legislator for use as introduced copies. After approval of the draft by the legislator, the drafter will forward a copy to the Bill Typing Office (Room 104 on the first floor of the Legislative Office Building) for handling by the Legiscribe/Bill Processing System. If the bill is drafted by anyone other than legislative staff members or the Attorney General's Office, the legislator must send the copy to the Bill Typing Office in Room 104 although legislative staff are available to review and comment on outside drafts. The bill is put into computer storage and proofread, and a corrected print is obtained. Forty-five copies of the print for House bills and 65 copies of the print for Senate bills are reproduced in the Printing Room (Room 107 on the first floor of the Legislative Office Building). The copies bear a large "D" in the upper right-hand corner to denote that the bill is a draft copy. An official bill jacket is prepared and affixed to one of the copies. All of these copies are placed in an envelope and delivered to the sponsoring legislator through the office of the Principal Assistant of the appropriate house; or on request, the Bill Typing Office will deliver bills directly to the sponsor. At this point, the text of the bill is still confidential insofar as the legislative staff is concerned. Only the operator who inputs the bill can retrieve it from computer storage at this point, and computer operators, proofreaders, and printers are constantly cautioned and checked to make certain that the sponsor's confidence is not violated.

Introduction: Under the Senate and House rules, a bill is filed with the Principal Assistant's Office and given a number. In the House this filing constitutes introduction. On the next legislative day, the bill receives its first reading on the floor of the House. In the Senate the bill's presentation to the Senate is its introduction. The bill is given a number and is normally referred to a committee. The bill number, date of introduction, and committee reference are input into computer storage; and a new print with a large figure "1" in the upper right-hand corner of the first page is produced. A copy of this print is placed in the bill notebook of every legislator, and additional copies are available from the Printed Bills Office in Room 1430 of the State Legislative Building.

Amendments: As bills are amended in the house of origin, new engrossed prints are produced and distributed. Subsequent prints bear the figure "2", "3", etc., in the upper right-hand corner of the first page for easy distinction from earlier prints.

If a bill passes the house of origin, all amendments are routinely engrossed in a new print before the bill is sent to the other house. If the bill is amended in the second house, the amendments are not engrossed, except for some amendments to committee substitutes of the second house, as the bill must be returned to the house of origin for approval, not of the basic text, but solely of the amendments adopted by the second house.

If the house of origin concurs in the amendments, the bill is sent to the Enrolling Office.

Conference Committee Reports: If the house of origin fails to concur in the amendments approved by the other house, a conference committee is usually appointed to try to resolve the differences. This committee reports

back to both houses a recommended text without amendment. If the report is adopted in both houses, the bill is sent to the Enrolling Office. If the conferees fail to agree, new conferees may be appointed; and the conference process is repeated. However, if either house refuses to adopt the report of its conferees, no new conferees may be appointed.

Enrollment and Ratification: The Legislative Services Officer or his designee serves as Enrolling Assistant to the General Assembly. Bills for enrollment are sent to the Assistant Enrolling Assistant who checks the text for accuracy and then turns the copy over to the Bill Typing Office. The Bill Typing Office obtains a clean print of the final text. This print, called the enrolled bill, is submitted to the two presiding officers for their signatures. The signing of the enrolled bill by the presiding officers is the act of ratification. The signed copy is then transmitted by the enrolling office to the Governor, or filed directly with the Secretary of State depending on whether or not the Governor's signature is required.

Identification and Status of Introduced Bills: Members of the General Assembly and staff, and the public, have easy access to complete information on the identification, status, and legislative history of all current legislation being considered by the General Assembly. Any interested person may get information on the status of current legislation from the Bill Status (Video) System by calling, writing, or visiting the Bill Status Desk in the Legislative Library (Phone 919/733-7779; Room 2226 of the State Legislative Building).

A public terminal to access the status of bills is also located in the Printed Bills Office (Room 1430), or accessible on the internet at <http://www.ncga.state.nc.us>.

DISTRIBUTION OF PRINTED BILLS

Desk Copies: As soon as a bill is introduced, a printing is ordered and is available the next morning. Copies of every new bill are collected each morning for each legislator by the Bill Distribution Center in Room 105 on the first floor of the Legislative Office Building. Each House secretary must pick up copies for her legislator and place the bills in the legislator's chamber notebooks. The Senate Sergeant-at-Arms will deliver bills to each Senator's office, and a daily bill notebook should be prepared by the secretary. If a House member desires an office file, he should notify the Bill Distribution Center in Room 105 of the Legislative Office Building, and the Bill Distribution Center will prepare for that member two sets of bills daily; the House member's secretary will maintain the bill books in both the chamber and the legislator's office.

Bills for Committee Use: A committee chairman may obtain such copies of bills as his committee needs by sending his assistant to the Printed Bills Room (Room 1430). To avoid last-minute congestion, assistants are urged to obtain committee copies of bills on the day following reference to committee and should hold them for later committee use.

Additional Copies for Individual Legislators: A legislator may obtain up to 50 additional copies of any bill for distribution to his constituents. If he requires a greater number, they will be provided to him; and he will be billed for their actual cost.

Copies to Private Citizens: Any person may obtain one free copy of any current bill by requesting it to the Printed Bills Room. Additional copies may be obtained at a cost of 10 cents per page. The Printed Bills Room will mail one free copy of any bill to any citizen who requests it.

The Legislative Services Officer has been instructed not to provide complete sets of all bills to private citizens or organizations.

Copies to State Agencies and Institutions: Any State office, agency, or institution will be supplied with three free copies of any bill in which the office has a particular interest. The Legislative Services Officer has been instructed not to provide complete sets of all bills - several thousand per session - to State offices. State offices that require more than three copies of any bill may obtain them at cost.

LEGISLATIVE SERVICES STAFF DIVISIONS

Legislative Services are centralized under the auspices of the Legislative Services Commission. The central staff is responsible for all legislative functions except session chamber support.

[A more complete directory of legislative staff is included in another publication prepared by the Legislative Services Office, the General Assembly of North Carolina Telephone Directory. Copies are available through the Legislative Library.]

Legislative Services Office - Room 2129 Legislative Building - 733-7044

George R. Hall, Jr., Legislative Services Officer

Allen Rogers - Personnel Officer - 715-7733

Beverly Adams - Executive Assistant

The Legislative Services Office, under the direction of the Legislative Services Commission, is responsible for overall staff policy matters and administrative matters. The **Legislative Services Officer** serves as chief staff officer for the Legislative Services Commission. The Legislative Services Office is composed of five divisions: Administrative, Bill Drafting, Research, Fiscal Research, and Information Systems. Each division has a director who directs and supervises the activities of the division. The Legislative Services Officer is available to members, officers, and staff for consultation and assistance in all matters relating to the operation of the General Assembly.

The **Personnel Officer** is available to legislative staff in all matters relating to personnel including development of personnel policies and procedures, assisting in the recruitment of applicants, and advising directors/supervisors on policy options regarding personnel.

A brief narrative of the responsibilities of the five Legislative Service Office divisions follows:

Administrative Division - Room 5 Legislative Building - 733-7500

Elaine Robinson, Director, 733-7500

Wayne Hough, Print Shop Supervisor, 733-5990

Mary Louise Pope, Printed Bills Supervisor, 733-5648

Mike Minshew, Building Superintendent, 733-0072

Carol Starr, Budget Supervisor, 733-7500

Basil Vassilion, Food Services Manager, 715-4806

The Administrative Division staff is responsible for payroll and benefits, budget preparation and administration, personnel administration, purchasing, accounts receivable and accounts payable. In addition

building maintenance and services are among this division's responsibilities including housekeeping, food services, print shop, printed bills, GA police, and mail room.

Bill Drafting Division - Room 401 LOB - 733-6660

Gerry Cohen, Director

Primarily, the Bill Drafting Division provides assistance to legislators in the preparation of bill drafts and bill introductions. In addition to the director this division is staffed by legal analysts (primarily attorneys), research assistants, and clerical staff. The enrolling, proofreading, and bill typing divisions also come under the direction of Bill Drafting. The bill drafting process is further explained on page 37 of this Manual.

Fiscal Research Division - Room 619 LOB - 733-4910

Tom Covington, Director

The staff of the Fiscal Research Division provides all fiscal or budgetary information and options for funding, as required, for legislative members or committees.

Information Systems Division - Room 400 LOB - 733-6834

Tony Goldman, Director

The Information Systems Division (ISD) supports the computer hardware, software and connecting network, as well as provides application support, trains and assists users, and manages the various databases that make up the legislative system.

Policies and procedures for access to the various applications on the computer system are set by the Legislative Services Commission and are outlined beginning on page 33 of this Manual.

Research Division - Room 545 LOB - 733-2578

Terrence D. Sullivan, Director

Cathy Martin, Librarian - Room 500 LOB - 733-9390

The Research Division of the Legislative Services Office is comprised of the Director, legislative analysts, staff attorneys, research assistants; library; and clerical personnel. The Division provides legal and non-fiscal research and library services to committees and members of the General Assembly. The Division also provides, subject to availability of personnel, a significant amount of initial drafting of bills where the subject matter concerns legislative procedure or internal legislative operations (creation of interim legislative study commissions and committees, modification of House or Senate rules, etc.) or other matters within the expertise of individual staff

members. Research and drafting requests made to Research Division personnel are kept confidential under the provisions of the law on confidentiality of legislative communications.

OTHER SERVICES

The **Institute of Government**, located in Room 10 in the Legislative Building, which is part of the University of North Carolina at Chapel Hill, provides services to the General Assembly on a contract basis. The **Daily Bulletin**, which digests every bill and records the history of the progress of bills, is prepared and distributed by the Institute and can also be accessed electronically. Several members of the Institute's staff, in areas such as motor vehicles or local government, provide regular or periodic services to legislative committees and to individual legislators.

With the approval of the Legislative Services Commission, the Legislative Services Officer is authorized to contract for and assign part-time professional assistance from the University or other sources.

A **Legislative Intern Program** is operated for the General Assembly (during long, odd-year sessions only) by the North Carolina State University Department of Politics. The Intern Program is under the direction and control of the Legislative Intern Program Council (Lt. Governor, Speaker, and Chairman of the North Carolina State University Department of Politics -- G.S. 120-56). The program provides staff assistance at the subprofessional level to select committee chairmen, legislative leaders, and individual legislators; and the interns receive political science and related instructions from North Carolina State University.

