

## H. B. 568

## CHAPTER 932

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE THE GENERAL ASSEMBLY TO REDUCE THE STATE ADMINISTRATIVE DEPARTMENT TO 25 AND TO AUTHORIZE THE GOVERNOR TO REORGANIZE THE ADMINISTRATIVE DEPARTMENTS SUBJECT TO LEGISLATIVE APPROVAL.

*The General Assembly of North Carolina do enact:*

**Section 1.** The Constitution of North Carolina, as revised and amended by a revision and amendment submitted to the qualified voters by A Bill to be Entitled an Act to Revise and Amend the Constitution of North Carolina, H.B. 231, enacted as Chapter 1258 of the Session Laws of 1969, is amended as follows:

a. Article III, Sec. 5(10), is enacted to read follows:

"(10) *Administrative reorganization.* The General Assembly shall prescribe the functions, powers, and duties of the administrative departments and agencies of the State and may alter them from time to time, but the Governor may make such changes in the allocation of offices and agencies and in the allocation of those functions, powers, and duties as he considers necessary for efficient administration. If those changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the General Assembly not later than the sixtieth calendar day of its session, and shall become effective and shall have the force of law upon adjournment sine die of the session, unless specifically disapproved by resolution of either house of the General Assembly or specifically modified by joint resolution of both houses of the General Assembly."

b. Article III, Sec. 11, is enacted to read as follows:

"Sec. 11. *Administrative departments.* Not later than July 1, 1975, all administrative departments, agencies, and offices of the State and their respective functions, powers, and duties shall be allocated by law among and within not more than 25 principal administrative departments so as to group them as far as practicable according to major purposes. Regulatory, quasi-judicial, and temporary agencies may, but need not, be allocated within a principal department."

**Sec. 2.** The Constitution of North Carolina, as that document read on January 1, 1969, is amended as follows:

a. Article III, Sec. 19, is enacted to read as follows:

"Sec. 19. *Administrative departments.* Not later than July 1, 1975, all administrative departments, agencies, and offices of the State and their respective functions, powers, and duties shall be allocated by law among and within not more than 25 principal administrative departments so as to group them as far as practicable according to major purposes. Regulatory, quasi-judicial, and temporary agencies may, but need not, be allocated within a principal department."

b. Article III, Sec. 20, is enacted to read as follows:

"Sec. 20. *Administrative reorganization.* The General Assembly shall prescribe the functions, powers, and duties of the administrative departments and agencies of the State and may alter them from time to time, but the Governor may make such changes in the allocation of offices and agencies and in the allocation of those functions, powers, and duties as he considers necessary for efficient administration. If those changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the General Assembly not later than the sixtieth calendar day of its session, and shall become effective and shall

have the force of law upon adjournment sine die of the session, unless specifically disapproved by resolution of either house of the General Assembly or specifically modified by joint resolution of both houses of the General Assembly."

**Sec. 3.** The amendment set out in Sections 1 and 2 of this Act shall be submitted to the qualified voters of the State at the next general election. That election shall be conducted under the laws then governing elections in this State.

**Sec. 4.** At that election, each qualified voter desiring to vote shall be provided a ballot on which shall be printed the following:

- FOR constitutional amendment to require General Assembly to reduce number of State administrative departments to 25 and to authorize Governor to reorganize administrative departments, subject to legislative approval.
- AGAINST constitutional amendment to require General Assembly to reduce number of State administrative departments to 25 and to authorize Governor to reorganize administrative departments, subject to legislative approval."

Those qualified voters favoring the amendment set out in Sections 1 and 2 of this Act shall vote by marking an X or a check mark in the square beside the statement beginning "FOR", and those qualified voters opposed to that amendment shall vote by making an X or a check mark in the square beside the statement beginning "AGAINST".

Notwithstanding the foregoing provisions of this Section, voting machines may be used in accordance with rules and regulations prescribed by the State Board of Elections.

**Sec. 5.** If a majority of the votes cast thereon are in favor of the amendment set out in Sections 1 and 2 of this Act, and if a majority of the votes cast on the revision and amendment submitted to the qualified voters by A Bill to be Entitled an Act to Revise and Amend the Constitution of North Carolina are in favor of that revision and amendment, then the Governor shall certify the amendment set out in Section 1 of this Act to the Secretary of State, who shall enroll that amendment so certified among the permanent records of his office, and the amendment shall become effective on July 1 next after its ratification by the voters.

**Sec. 6.** If a majority of the votes cast thereon are in favor of the amendment set out in Sections 1 and 2 of this Act, and if a majority of the votes cast on the revision and amendment submitted to the qualified voters by A Bill to be Entitled an Act to Revise and Amend the Constitution of North Carolina are against that revision and amendment, then the Governor shall certify the amendment set out in Section 2 of this Act to the Secretary of State, who shall enroll that amendment so certified among the permanent records of his office, and the amendment shall become effective on July 1 next after its ratification by the voters.

**Sec. 7.** All laws and clauses of laws in conflict with this Act are repealed.

**Sec. 8.** This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 20th day of June, 1969.