

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 214
SENATE BILL 554

AN ACT TO ASSIST SMALL BUSINESS DEVELOPMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-431 reads as written:

"§ 143B-431. **Department of Commerce; functions.**—The functions of the Department of Commerce, except as otherwise expressly provided by Article 1 of this Chapter or by the Constitution of North Carolina, shall include:

- (1) All of the executive functions of the State in relation to economic development including by way of enumeration and not of limitation, the expansion and recruitment of environmentally sound industry, labor force development, the promotion and growth of the travel and tourism industries, the development of our State's ports, energy resource management and energy policy development;
- (2) All functions, powers, duties and obligations heretofore vested in any agency enumerated in Article 15 of Chapter 143A, to wit:
 - a. The State Board of Alcoholic Control,
 - b. The North Carolina Utilities Commission,
 - c. The Employment Security Commission,
 - d. The North Carolina Industrial Commission,
 - e. State Banking Commission and the Commissioner of Banks,
 - f. Savings and Loan Association Division,
 - g. The State Savings and Loan Commission,
 - h. Credit Union Commission,
 - i. The North Carolina Milk Commission,
 - j. The North Carolina Mutual Burial Association Commission,
 - k. The North Carolina Rural Electrification Authority,
 - l. The North Carolina State Ports Authority,

all of which enumerated agencies are hereby expressly transferred by a Type II transfer, as defined by G.S. 143A-6, to this recreated and reconstituted Department of Commerce; and,

- (3) All other functions, powers, duties and obligations as are conferred by this Chapter, delegated or assigned by the Governor and conferred by the Constitution and laws of this State. Any agency transferred to the Department of Commerce by a Type II transfer, as defined by G.S.

143A-6, shall have the authority to employ, direct and supervise professional and technical personnel, and such agencies shall not be accountable to the Secretary of Commerce in their exercise of quasi-judicial powers authorized by statute, notwithstanding any other provisions of this Chapter, provided that the authority of the North Carolina State Ports Authority to employ, direct and supervise personnel shall be as provided in Part 10 of this Article.

The Department of Commerce is authorized to establish and provide for the operation of North Carolina nonprofit corporations to achieve the purpose of aiding the development of small businesses and to achieve the purposes of the United States Small Business Administration's 504 Certified Development Company Program."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 19th day of May, 1987.