§ 143B-168.4. Child Care Commission – members; selection; quorum.

(a) The Child Care Commission of the Department of Health and Human Services shall consist of 17 members. Nine of the members shall be appointed by the Governor and eight by the General Assembly, four upon the recommendation of the President Pro Tempore of the Senate, and four upon the recommendation of the Speaker of the House of Representatives. Four of the members appointed by the Governor, two by the General Assembly on the recommendation of the President Pro Tempore of the Senate, and two by the General Assembly on the recommendation of the Speaker of the House of Representatives, shall be members of the public who are not employed in, or providing, child care and who have no financial interest in a child care facility. Two of the foregoing public members appointed by the Governor, one of the foregoing public members recommended by the President Pro Tempore of the Senate, and one of the foregoing public members recommended by the Speaker of the House of Representatives shall be parents of children receiving child care services. Of the remaining two public members appointed by the Governor, one shall be a pediatrician currently licensed to practice in North Carolina. Three of the members appointed by the Governor shall be child care providers, one of whom shall be affiliated with a for-profit child care center, one of whom shall be affiliated with a for-profit family child care home, and one of whom shall be affiliated with a nonprofit facility. Two of the members appointed by the Governor shall be early childhood education specialists. Two of the members appointed by the General Assembly on the recommendation of the President Pro Tempore of the Senate, and two by the General Assembly on recommendation of the Speaker of the House of Representatives, shall be child care providers, one affiliated with a for-profit child care facility, and one affiliated with a nonprofit child care facility. None of the members may be employees of the State.

(b) Members shall be appointed as follows:

(1) Of the Governor's initial appointees, five shall be appointed for terms expiring June 30, 2020, and four shall be appointed for terms expiring June 30, 2021.

(2) Of the General Assembly's initial appointees appointed upon recommendation of the President Pro Tempore of the Senate, two shall be appointed for terms expiring June 30, 2020, and two shall be appointed for terms expiring June 30, 2021.

(3) Of the General Assembly's initial appointees appointed upon recommendation of the Speaker of the House of Representatives, two shall be appointed for terms expiring June 30, 2020, and two shall be appointed for terms expiring June 30, 2021.

Appointments by the General Assembly shall be made in accordance with G.S. 120-121. After the initial appointees' terms have expired, all members shall be appointed to serve two-year terms. Any appointment to fill a vacancy on the Commission created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term.

(c) A vacancy occurring during a term of office is filled:

(1) By the Governor, if the Governor made the initial appointment;

(2) By the General Assembly, if the General Assembly made the initial appointment in accordance with G.S. 120-122.

At its first meeting the Commission members shall elect a Chair to serve a term expiring June 30, 2020. A successor Chair shall be elected for two-year terms thereafter. The same member may serve as Chair for two consecutive terms.

Commission members may be removed pursuant to G.S. 143B-13(d).

Commission members may be reappointed and may succeed themselves for a maximum of four consecutive terms.

The Commission shall meet quarterly, and at other times at the call of the Chair or upon written request of at least six members.

The members of the Commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5. A majority of the Commission shall constitute a quorum for the transaction of business.

All clerical and other services required by the Commission shall be supplied by the Secretary of Health and Human Services. (1985, c. 757, s. 155(a); 1987 (Reg. Sess., 1988), c. 896; 1989, c. 342; 1995, c. 490, s. 10; 1997-443, s. 11A.118(a); 1997-506, s. 57; 2011-145, s. 10.7(c); 2013-360, s. 12B.1(h); 2013-363, s. 4.2; 2019-32, s. 3.)