

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1192  
Second Edition Engrossed 5/9/89

Short Title: Pediatrician/Child Day-Care Comm.

(Public)

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Sponsors: Representatives Easterling; Foster and Stamey.

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Referred to: Commerce.

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April 12, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE APPOINTMENT OF A PEDIATRICIAN TO THE  
NORTH CAROLINA CHILD-CARE COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-168.4 reads as rewritten:

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

The Child Day-Care Commission of the Department of Human Resources shall consist of 15 members. Seven of the members shall be appointed by the Governor and eight by the General Assembly, four upon the recommendation of the President 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 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, day care and who have no financial interest in a day care facility or home. Two of the foregoing public members appointed by the Governor, one of the foregoing public members recommended by the President 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 day 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 day care providers, one of whom shall be affiliated with a for profit day care facility, one of whom shall be affiliated with a for profit day care home, and one of whom shall be

1 affiliated with a nonprofit home or facility. Two of the members appointed by the  
2 General Assembly on the recommendation of the President of the Senate, and two by  
3 the General Assembly on recommendation of the Speaker of the House of  
4 Representatives, shall be day care providers, one affiliated with a for profit day care  
5 facility or home, and one affiliated with a nonprofit day care facility or home. None  
6 may be employees of the State. Members shall be appointed as follows:

7 (1) Of the Governor's initial appointees, four shall be appointed for terms  
8 expiring June 30, 1986, and three shall be appointed for terms expiring  
9 June 30, 1987;

10 (2) Of the General Assembly's initial appointees appointed upon  
11 recommendation of the President of the Senate, two shall be appointed  
12 for terms expiring June 30, 1986, and two shall be appointed for terms  
13 expiring June 30, 1987;

14 (3) Of the General Assembly's initial appointees appointed upon  
15 recommendation of the Speaker of the House of Representatives, two  
16 shall be appointed for terms expiring June 30, 1986, and two shall be  
17 appointed for terms expiring June 30, 1987.

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

23 A vacancy occurring during a term of office is filled:

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

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

27 At its first meeting the Commission members shall elect a chairman to serve a two-  
28 year term. Chairmen shall be elected for two-year terms thereafter. The same member  
29 may serve as chairman for two consecutive terms.

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

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

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

37 All clerical and other services required by the Commission shall be supplied by the  
38 Secretary of Human Resources."

39 Sec. 2. This act is effective upon ratification and applies to appointments to  
40 be made on and after that date.