

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 560

Short Title: New Wildlife Resources Commission.

(Public)

Sponsors: Senators Barker; Kaplan and Cobb.

Referred to: Marine Resources and Wildlife.

March 21, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A NEW NORTH CAROLINA WILDLIFE RESOURCES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-240 reads as rewritten:

"§ 143-240. Creation of Wildlife Resources Commission; districts; qualifications of members.

(a) There is hereby created the Wildlife Resources Commission of the Department of Natural Resources and Community Development which shall consist of 13 citizens of North Carolina who shall be appointed as is hereinafter provided. provided in G.S. 143-241.

Each member of the Commission shall be an experienced hunter, fisherman, farmer, or biologist, who shall be generally informed on wildlife conservation and restoration problems.

Members of the Commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5 or G.S. 138-6 as the case may be, which shall be paid from the Wildlife Resources Commission Fund.

(b) The Governor shall appoint one member of the Commission from each of There are established the following geographical wildlife districts: districts for enforcement purposes:

First district to be composed of the following counties: Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Hyde, Martin, Pasquotank, Perquimans, Tyrrell, Washington.

1 Second district to be composed of the following counties: Beaufort, Carteret,
2 Craven, Duplin, Greene, Jones, Lenoir, New Hanover, Onslow, Pamlico, Pender, Pitt.

3 Third district to be composed of the following counties: Edgecombe, Franklin,
4 Halifax, Johnston, Nash, Northampton, Vance, Wake, Warren, Wayne, Wilson.

5 Fourth district to be composed of the following counties: Bladen, Brunswick,
6 Columbus, Cumberland, Harnett, Hoke, Robeson, Sampson, Scotland.

7 Fifth district to be composed of the following counties: Alamance, Caswell,
8 Chatham, Durham, Granville, Guilford, Lee, Orange, Person, Randolph, Rockingham.

9 Sixth district to be composed of the following counties: Anson, Cabarrus, Davidson,
10 Mecklenburg, Montgomery, Moore, Richmond, Rowan, Stanly, Union.

11 Seventh district to be composed of the following counties: Alexander, Alleghany,
12 Ashe, Davie, Forsyth, Iredell, Stokes, Surry, Watauga, Wilkes, Yadkin.

13 Eighth district to be composed of the following counties: Avery, Burke, Caldwell,
14 Catawba, Cleveland, Gaston, Lincoln, McDowell, Mitchell, Rutherford, Yancey.

15 Ninth district to be composed of the following counties: Buncombe, Cherokee,
16 Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, Polk, Swain,
17 Transylvania.

18 ~~The Governor shall appoint two members of the Commission from the State at large.~~
19 ~~The General Assembly shall appoint two members of the Commission, one upon the~~
20 ~~recommendation of the Speaker of the House and one upon the recommendation of the~~
21 ~~President of the Senate, in accordance with G.S. 120-121.~~

22 ~~Each member of the Commission shall be an experienced hunter, fisherman, farmer,~~
23 ~~or biologist, who shall be generally informed on wildlife conservation and restoration~~
24 ~~problems.~~

25 ~~Members of the Commission shall receive per diem and necessary travel and~~
26 ~~subsistence expenses in accordance with the provisions of G.S. 138-5 or 138-6 as the~~
27 ~~case may be, which shall be paid from the Wildlife Resources Commission Fund."~~

28 Sec. 2. The terms of office of the present members of the North Carolina
29 Wildlife Resources Commission shall expire upon ratification of this act. Effective for
30 terms to begin on that date, the members of the Commission shall be appointed as
31 provided in G.S. 143-241, as amended by this act.

32 Sec. 3. G.S. 143-241 reads as rewritten:

33 **"§ 143-241. Appointment and terms of office of Commission members; filling of**
34 **vacancies.**

35 The members of the North Carolina Wildlife Resources Commission shall be
36 appointed as follows:

37 The Governor shall appoint one member each from the State's third, fourth, seventh,
38 and tenth congressional districts to serve six-year terms;

39 The Governor shall appoint one member each from the second, fifth, eighth, and
40 eleventh congressional districts to serve four-year terms;

41 The Governor shall appoint one member each from the State's first, sixth, and ninth
42 congressional districts to serve two-year terms;

1 The General Assembly shall appoint two members of the Commission to serve two-
2 year terms, one upon the recommendation of the Speaker of the House and one upon the
3 recommendation of the President of the Senate, in accordance with G.S. 120-121.

4 ~~The terms of office of the members of the North Carolina Wildlife Resources~~
5 ~~Commission who are now serving as members from the State at large shall expire June~~
6 ~~30, 1965. The terms of the remaining nine incumbent members of said Commission~~
7 ~~shall not expire until the end of the terms for which they were appointed.~~

8 ~~On the first day of July, 1965 and thereafter, the Governor shall appoint members of~~
9 ~~the North Carolina Wildlife Resources Commission from the several geographical~~
10 ~~districts set forth in G.S. 143-240 as follows:~~

11 ~~On July 1, 1965, one from each of districts two, five and eight to serve six years~~
12 ~~each;~~

13 ~~On July 1, 1967, one member from each of districts three, six and nine, to serve~~
14 ~~terms of six years each;~~

15 ~~On July 1, 1969, one member from each of districts one, four and seven, to serve~~
16 ~~terms of six years each.~~

17 ~~Thereafter as the terms of office of the members of the Commission appointed by the~~
18 ~~Governor from the several congressional districts expire, their successors shall be~~
19 ~~appointed for terms of six years each. As the terms of office of the members of the~~
20 ~~Commission appointed by the General Assembly expire, their successors shall be~~
21 ~~appointed for terms of two years each. All members appointed by the Governor serve at~~
22 ~~the pleasure of the Governor that appointed them and they may be removed by that~~
23 ~~Governor at any time. A successor to the appointing Governor may remove a~~
24 ~~Commission member only for cause as provided in G.S. 143B-13. Members appointed~~
25 ~~by the General Assembly serve at the pleasure of that body and may be removed by law~~
26 ~~at any time.~~

27 ~~Vacancies among the membership of the Commission appointed by the Governor~~
28 ~~from the several districts occurring through expiration of terms of the members of the~~
29 ~~Commission shall be filled by appointment by the Governor from a list of five names~~
30 ~~from each wildlife district, recommended and submitted by the adult interested citizens~~
31 ~~of each respective district. When the term of a member expires, the Director or his~~
32 ~~designee shall call a meeting of the adult interested citizens in that district not later than~~
33 ~~60 days prior to the expiration of such member's term. Such meetings shall be held as~~
34 ~~near to the geographic center of the district as possible and in a public building. Notice~~
35 ~~of the meeting shall be given by publication once each week for four successive weeks,~~
36 ~~the fourth notice appearing at least 10 days prior to the meeting, in a newspaper having~~
37 ~~general circulation in the district. In addition, notice of the meeting shall be posted at~~
38 ~~the courthouse door of each county in the district at least 30 days prior to said meeting.~~
39 ~~At such meeting, the adult interested citizens in attendance shall select, and the Director~~
40 ~~shall submit to the Governor, a list of five residents and citizens of the district who are~~
41 ~~well informed on the subject of wildlife conservation and restoration. The Governor~~
42 ~~shall appoint a successor to the member whose term is about to expire within 60 days~~
43 ~~following the submission to him by the Director of the list hereinabove referred to and~~
44 ~~in no event later than July 1.~~

1 Meetings of adult interested citizens held pursuant to this section shall be conducted
2 pursuant to Robert's Rules of Order. When the meeting has been called to order, any
3 adult interested citizen may place in nomination the name of an adult resident citizen of
4 the respective district to be considered for nomination. After the nominations have
5 ceased, each adult interested citizen present may vote for one of the nominees. The five
6 receiving the most votes shall be submitted to the Governor.

7 "Adult interested citizen" as used in this section means any adult interested citizen
8 who is a resident of any county within the district. All members appointed pursuant to
9 this section shall serve until their successors are appointed and qualified.

10 Members of the Commission appointed from the State at large shall be appointed
11 initially for terms expiring April 1, 1981, and thereafter for terms of four years. Initial
12 members of the Commission appointed by the General Assembly shall serve until June
13 30, 1983, and subsequent appointees shall serve for a two-year term beginning July 1,
14 1983, and biennially thereafter."

15 Sec. 4. This act is effective upon ratification.