

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

S

1

SENATE BILL 189

Short Title: GPAC/Transfer Science & Tech. Board.

(Public)

Sponsors: Senators Perdue; Martin of Guilford.

Referred to: Government Performance Audit.

February 17, 1993

A BILL TO BE ENTITLED

1 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT
2 PERFORMANCE AUDIT COMMITTEE TO TRANSFER THE NORTH
3 CAROLINA BOARD OF SCIENCE AND TECHNOLOGY FROM THE
4 DEPARTMENT OF ADMINISTRATION TO THE DEPARTMENT OF
5 COMMERCE.

6 The General Assembly of North Carolina enacts:

7 Section 1. The General Assembly finds that:

8 (1) The Department of Administration is not a key player in economic
9 development, yet it has the North Carolina Board of Science and
10 Technology.

11 (2) The North Carolina Board of Science and Technology and its attendant
12 funding should be transferred to the Department of Commerce, whose
13 major role is economic development.

14 Sec. 2. The statutory authority, powers, duties, and functions, records,
15 personnel, property, and unexpended balances of appropriations, allocations, or other
16 funds of the North Carolina Board of Science and Technology are transferred from the
17 Department of Administration to the Department of Commerce.

18 The transfer directed by this section shall include eight certified positions
19 under General Fund program code 14100-1871 in the Department of Administration as
20 well as all positions certified for the Board under Special Fund program code 24100-
21 2873 in the Department of Administration. The Office of State Budget and
22 Management shall ensure that the transfer directed by this section is carried out.
23

1 Sec. 3. Part 27 of Article 9 of Chapter 143B of the General Statutes, which
2 consists of G.S. 143B-426.1, is recodified as Part 6A of Article 10 of Chapter 143B of
3 the General Statutes, to consist of G.S. 143B-445.1.

4 Sec. 4. G.S. 143B-445.1, as redesignated by Section 2 of this act, reads as
5 rewritten:

6 **"§ 143B-445.1. North Carolina Board of Science and Technology; ~~membership;~~**
7 **~~organization; compensation; staff services.~~ Technology.**

8 (a) The North Carolina Board of Science and Technology consists of the
9 Governor, the Science Advisor to the Governor, and 17 members appointed as follows:
10 the Governor shall appoint one member from the University of North Carolina at
11 Chapel Hill, one member from North Carolina State University at Raleigh, and two
12 members from other components of the University of North Carolina, all nominated by
13 the President of the University of North Carolina; one member from Duke University,
14 nominated by the President of Duke University; one member from a private college or
15 university, other than Duke University, in North Carolina, nominated by the President
16 of the Association of Private Colleges and Universities; one member from the Research
17 Triangle Institute, nominated by the executive committee of the board of that institute;
18 one member from the ~~Microelectronics~~-MCNC (Microelectronics Center of North
19 ~~Carolina, Carolina)~~, nominated by the executive committee of the board of that center;
20 one member from the North Carolina Biotechnology Center, nominated by the
21 executive committee of the board of that center; four members from private industry in
22 North Carolina, at least one of whom shall be a professional engineer registered
23 pursuant to Chapter 89C of the General Statutes or a person who holds at least a
24 bachelors degree in engineering from an accredited college or university; and two
25 members from public agencies in North Carolina. Two members shall be appointed by
26 the General Assembly, one shall be appointed upon the recommendation of the
27 President of the Senate, and one shall be appointed upon the recommendation of the
28 Speaker of the House of Representatives in accordance with G.S. 120-121. The
29 nominating authority for any vacancy on the Board among members appointed by the
30 Governor shall submit to the Governor two nominations for each position to be filled,
31 and the persons so nominated shall represent different disciplines.

32 (b) Members appointed to the Board by the General Assembly shall serve for
33 two-year terms beginning 1 July of odd-numbered years. Vacancies in appointments
34 made by the General Assembly shall be filled in accordance with G.S. 120-122. The
35 two members from public agencies shall serve for terms expiring at the end of the term
36 of the Governor appointing them. The other 13 members appointed to the Board by the
37 Governor shall serve for four-year terms, and until their successors are appointed and
38 qualified. Of those 13 members, six shall serve for terms that expire on 30 June of
39 years that follow by one year those years that are evenly divisible by four, and seven
40 shall serve for terms that expire on 30 June of years that follow by three years those
41 years that are evenly divisible by four. Any appointment to fill a vacancy on the Board
42 created by the resignation, dismissal, death, or disability of a member shall be for the
43 balance of the unexpired term.

1 (c) The Governor shall serve as ~~chairman of the Board.~~ ~~The vice chairman of the~~
2 ~~Board shall be designated by the Governor~~ chair of the Board and shall designate the vice
3 chair from among the members of the Board. The Science Advisor to the Governor
4 shall serve as executive director of the Board. The Secretary of ~~Administration or his~~
5 ~~designee~~ Commerce or the Secretary's designee shall serve as secretary to the Board.

6 (d) The Governor may remove any member of the Board from office in
7 accordance with the provisions of G.S. 143B-16.

8 (e) Members of the Board who are employees of State agencies or institutions
9 shall receive subsistence and travel allowances authorized by G.S. 138-6. Legislative
10 members of the Board shall receive subsistence and travel allowances authorized by
11 G.S. 120-3.1.

12 (f) A majority of the Board constitutes a quorum for the transaction of business.

13 (g) The Secretary of ~~Administration~~ Commerce shall provide all clerical and other
14 services required by the Board."

15 Sec. 5. This act is effective upon ratification.