

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1169

Short Title: Abolish Boards And Commissions.

(Public)

Sponsors: Representatives Morgan; Sherrill and Rayfield.

Referred to: Rules, Calendar and Operations of the House.

May 15, 1996

A BILL TO BE ENTITLED

AN ACT TO ABOLISH AND MERGE CERTAIN BOARDS AND COMMISSIONS.

The General Assembly of North Carolina enacts:

JUVENILE LAW STUDY COMMISSION

Section 1. The Juvenile Law Study Commission is abolished and Article 58 of Chapter 7A of the General Statutes is repealed. The duties of the Commission are transferred to the Juvenile Justice Planning Committee of the Governor's Crime Commission.

Sec. 1.1. G.S. 143B-480(c) reads as rewritten:

"(c) The adjunct committees created herein shall report directly to the Governor's Crime Commission and shall have the following powers and duties:

(1) Repealed by Session Laws 1983 (Regular Session 1984), c. 995, s. 8, effective June 27, 1984.

(2) The Law Enforcement Planning Committee shall advise the Governor's Crime Commission on all matters which are referred to it relevant to law enforcement, including detention; shall participate in the development of the law-enforcement component of the State's comprehensive plan; shall consider and recommend priorities for the improvement of law- enforcement services; and shall offer technical

1 assistance to State and local agencies in the planning and
2 implementation of programs contemplated by the comprehensive plan
3 for the improvement of law-enforcement services.

4 The Law Enforcement Planning Committee shall maintain contact with
5 the National Commission on Accreditation for Law Enforcement
6 Agencies, assist the National Commission in the furtherance of its
7 efforts, adapt the work of the National Commission by an analysis of
8 law-enforcement agencies in North Carolina, develop standards for the
9 accreditation of law-enforcement agencies in North Carolina, make
10 these standards available to those law-enforcement agencies which
11 desire to participate voluntarily in the accreditation program, and assist
12 participants to achieve voluntary compliance with the standards.

13 (3) The Judicial Planning Committee (which shall be appointed by the
14 Supreme Court) shall establish court improvement priorities, define
15 court improvement programs and projects, and develop an annual
16 judicial plan in accordance with the Crime Control Act of 1976 (Public
17 Law 94-503); shall advise the Governor's Crime Commission on all
18 matters which are referred to it relevant to the courts; shall consider and
19 recommend priorities for the improvement of judicial services; and shall
20 offer technical assistance to State agencies in the planning and
21 implementation of programs contemplated by the comprehensive plan
22 for the improvement of judicial services.

23 (4) The Corrections Planning Committee shall advise the Governor's Crime
24 Commission on all matters which are referred to it relevant to
25 corrections; shall participate in the development of the adult corrections
26 component of the State's comprehensive plan; shall consider and
27 recommend priorities for the improvement of correction services; and
28 shall offer technical assistance to State agencies in the planning and
29 implementation of programs contemplated by the comprehensive plan
30 for the improvement of corrections.

31 (5) The Juvenile Justice Planning Committee shall advise the Governor's
32 Crime Commission on all matters which are referred to it relevant to
33 juvenile justice; shall participate in the development of the juvenile
34 justice component of the State's comprehensive plan; shall consider and
35 recommend priorities for the improvement of juvenile justice services;
36 shall continuously review the laws concerning juveniles and the agency
37 services available to juveniles and their families; and shall offer
38 technical assistance to State and local agencies in the planning and
39 implementation of programs contemplated by the comprehensive plan
40 for the improvement of juvenile justice.

41 (6) The Juvenile Code Revision Committee shall study problems relating to
42 young people who come within the juvenile jurisdiction of the district
43 court as defined by Article 23 of Chapter 7A of the General Statutes and

1 develop a legislative plan which will best serve the needs of young
2 people and protect the interests of the State; shall study the existing
3 laws, services, agencies and commissions and recommend whether they
4 should be continued, amended, abolished or merged; and shall take
5 steps to insure that all agencies, organizations, and private citizens in
6 the State of North Carolina have an opportunity to lend advice and
7 suggestions to the development of a revised juvenile code. If practical,
8 the Committee shall submit a preliminary report to the General
9 Assembly prior to its adjournment in 1977. It shall make a full and
10 complete report to the General Assembly by March 1, 1979. This
11 adjunct committee shall terminate on February 28, 1979."
12

13 NORTH CAROLINA ALCOHOLISM RESEARCH AUTHORITY

14 Sec. 2. The North Carolina Alcoholism Research Authority is abolished and
15 Part 3 of Article 6 of Chapter 122C of the General Statutes is repealed. The Authority's
16 functions are transferred to the Commission on Substance Abuse Treatment and
17 Prevention created by executive order of the Governor; provided, this transfer does not
18 convey any additional statutory authority to the Governor.
19

20 GOVERNOR'S MANAGEMENT COUNCIL

21 Sec. 3. The Governor's Management Council is abolished and Part 24 of
22 Article 9 of Chapter 143B of the General Statutes is repealed.
23

24 PUBLIC RADIO ADVISORY COMMITTEE

25 Sec. 4. The Public Radio Advisory Committee is abolished. The Committee's
26 functions are transferred to the Board of Public Telecommunications Commissioners of
27 the North Carolina Agency for Public Telecommunications.

28 Sec. 4.1. G.S. 143B-426.9 reads as rewritten:

29 "**§ 143B-426.9. (Applicable until January 1, 1997) North Carolina Agency for Public**
30 **Telecommunications – creation; membership; appointments, terms and**
31 **vacancies; officers; meetings and quorum; compensation.**

32 The North Carolina Agency for Public Telecommunications is created. It is governed
33 by the Board of Public Telecommunications Commissioners, composed of 27 members
34 as follows:

- 35 (1) A Chairman appointed by, and serving at the pleasure of, the Governor;
- 36 (2) ~~Ten~~ Eleven at-large members, appointed by the Governor from the
37 general public;
- 38 (3) Two members appointed by the General Assembly upon the
39 recommendation of the Speaker of the House of Representatives in
40 accordance with G.S. 120-121;
- 41 (4) Two members appointed by the General Assembly upon the
42 recommendation of the President of the Senate in accordance with G.S.
43 120-121;

- 1 (5) The Secretary of Administration, ex officio;
- 2 (6) The Chairman of the Board of Trustees of The University of North
- 3 Carolina Center for Public Television (if and when established), ex
- 4 officio;
- 5 (7) The Chairman of the State Board of Education, ex officio;
- 6 (8) The Chairman of the OPEN/net Committee, ex officio, so long as such
- 7 person is not a State employee;
- 8 (9) The Chairman of the North Carolina Utilities Commission, ex officio;
- 9 (10) The Director of the Public Staff of the North Carolina Utilities
- 10 Commission, ex officio;
- 11 ~~(11) The Chairman of the Public Radio Advisory Committee of the North~~
- 12 ~~Carolina Agency for Public Telecommunications, ex officio;~~
- 13 (12) The Superintendent of Public Instruction, ex officio;
- 14 (13) The President of the University of North Carolina, ex officio;
- 15 (14) The President of the Department of Community Colleges, ex officio;
- 16 and
- 17 (15) Two members ex officio who shall rotate from among the remaining
- 18 heads of departments enumerated in G.S. 143A-11 or G.S. 143B-6,
- 19 appointed by the Governor.

20 ~~The 10 at large members shall serve for terms staggered as follows: four terms shall~~
21 ~~expire on June 30, 1980; and three terms shall expire on June 30, 1982; and three terms~~
22 ~~shall expire on June 30, 1984. Thereafter, the~~ The members at large shall be appointed for
23 full four-year terms and until their successors are appointed and qualified. In making
24 appointments of members at large, the Governor shall seek to appoint persons from the
25 various geographic areas of the State including both urban and rural areas; persons from
26 various classifications as to sex, race, age, and handicapped persons; and persons who are
27 representatives of the public broadcast, commercial broadcast, nonbroadcast distributive
28 systems and private education communities of the State.

29 The terms of the ex officio members are coterminous with their respective terms of
30 office. In the event that any of the offices represented on the Board ceases to exist, the
31 successor officer to the designated member shall become an ex officio member of the
32 Board; if there shall be no successor, then the position on the Board shall be filled by a
33 member to be appointed by the Governor from the general public. The ex officio
34 members shall have the right to vote.

35 ~~The initial~~ members appointed to the Board by the General Assembly shall serve ~~for~~
36 ~~terms expiring June 30, 1983. Thereafter, their successors shall serve for two-year terms~~
37 ~~beginning July 1 of odd-numbered years.~~

38 The terms of the rotating ex officio members shall be of one-year duration, and the
39 schedule of rotation is determined by the Governor.

40 Each State official who serves on the Board may designate a representative of his
41 department, agency or institution to sit in his place on the Board and to exercise fully the
42 official's privileges of membership.

43 The Secretary of Administration or his designee serves as secretary of the Board.

1 Vacancies in appointments made by the General Assembly shall be filled in
2 accordance with G.S. 120-122. Other vacancies shall be filled in the same manner as the
3 original appointment.

4 The Governor may remove any member of the Board from office in accordance with
5 the provisions of G.S. 143B-16.

6 The Board meets quarterly and at other times at the call of the chairman or upon
7 written request of at least six members.

8 A majority of the Board members shall constitute a quorum for the transaction of
9 business."

10 Sec. 4.2. G.S. 143B-426.12 reads as rewritten:

11 ~~"§ 143B-426.12. Public Radio Advisory Committee creation; duties; members.~~
12 State's policy on public radio.

13 It is the policy of the State of North Carolina that at least one public radio signal shall
14 be made available to every resident of North Carolina, that there be diversity in the kinds
15 of public radio licensees, that there be a uniform policy for extending State financial aid
16 to stations eligible to participate in federal funds for public radio, that State financial
17 support shall constitute less than one half of the operating budget of any station, that
18 program content shall not be influenced by the State by virtue of State financial support
19 to the stations, and that technical facilities be established and operated to achieve station
20 interconnection.

21 ~~The Public Radio Advisory Committee of the North Carolina Agency on Public~~
22 ~~Telecommunications is created. That Committee shall advise the Board on the~~
23 ~~distribution of State funds to public radio licensees in North Carolina and on any matter~~
24 ~~which the Board may refer to it. There shall be nine members of said Committee; three of~~
25 ~~whom shall be representatives selected by the public radio broadcast licensees in the~~
26 ~~State; six of whom shall be at large members chosen by the Governor from the general~~
27 ~~public. The members shall choose one of the at large members to serve as chairman of~~
28 ~~the Committee; and that chairman shall serve ex officio as a member of the Board. The~~
29 ~~terms of the members of the Committee shall be established by the Board."~~

31 JOBS FOR VETERANS COMMITTEE

32 Sec. 5. The Governor's Jobs for Veterans Committee is abolished and Part 19
33 of Article 9 of Chapter 143B of the General Statutes is repealed. The Committee's
34 functions are transferred to the Veterans' Affairs Commission.

35 Sec. 5.1. G.S. 143B-399 reads as rewritten:

36 **"§ 143B-399. Veterans' Affairs Commission – creation, powers and duties.**

37 There is hereby created the Veterans' Affairs Commission of the Department of
38 Administration. The Veterans' Affairs Commission shall have the following functions
39 and duties:

- 40 (1) To advise the Governor on matters relating to the affairs of veterans in
41 North Carolina;
- 42 (2) To maintain a continuing review of the operation and budgeting of
43 existing programs for veterans and their dependents in the State and to

1 make any recommendations to the Governor for improvements and
2 additions to such matters to which the Governor shall give due
3 consideration;

4 (3) To serve collectively as a liaison between the Division of Veterans
5 Affairs and the veterans organizations represented on the Commission;

6 (4) To promulgate rules and regulations concerning the awarding of
7 scholarships for children of North Carolina veterans as provided by
8 Article 4 of Chapter 165 of the General Statutes of North Carolina. The
9 Commission shall make rules and regulations consistent with the
10 provisions of this Chapter. All rules and regulations not inconsistent
11 with the provisions of this Chapter heretofore adopted by the State
12 Board of Veterans' Affairs shall remain in full force and effect unless
13 and until repealed or superseded by action of the Veterans Affairs
14 Commission. All rules and regulations adopted by the Commission shall
15 be enforced by the Division of Veterans' Affairs;

16 (4a) To promulgate rules concerning the awarding of the North Carolina
17 Services Medal to all veterans who have served in any period of war as
18 defined in 38 U.S.C. § 101. The award shall be self-financing; those
19 who wish to be awarded the medal shall pay a fee to cover the expenses
20 of producing the medal and awarding the medal. All rules adopted by
21 the Commission with respect to the North Carolina Services Medal shall
22 be implemented and enforced by the Division of Veterans' Affairs; ~~and~~

23 (4b) To evaluate and monitor job opportunities for veterans, to help ensure
24 that veterans receive employment preferences to which they are legally
25 entitled in State jobs, to assist and encourage employers in hiring
26 veterans, and to receive available federal aid in executing these duties;
27 and

28 (5) To advise the Governor on any matter the Governor may refer to it."
29

30 VETERANS' AFFAIRS COMMISSION ADVISORY COMMITTEE

31 Sec. 6. The Veterans' Affairs Commission Advisory Committee is abolished
32 and G.S. 143B-401 is repealed. The functions of the Advisory Committee are transferred
33 to the Veterans' Affairs Commission.

34 Sec. 6.1. G.S. 143B-400 reads as rewritten:

35 "**§ 143B-400. Veterans' Affairs Commission – members; selection; quorum;**
36 **compensation.**

37 The Veterans' Affairs Commission of the Department of Administration shall consist
38 of the following members:

39 (1) ~~one~~ One voting member from each congressional district, all of whom
40 shall be veterans, appointed by the Governor for four-year terms. In
41 making these appointments, the Governor shall insure that both major
42 political parties will be continuously represented on the Veterans'
43 Affairs Commission.

1 (2) The department commander or official head of each veteran's
2 organization which has been chartered by an act of the United States
3 Congress and which is legally constituted and operating in this State
4 under that charter, to serve ex officio as voting members.

5 ~~The initial members of the Commission shall be the appointed members of the current~~
6 ~~Veterans' Affairs Commission who shall serve for the remainder of their current terms~~
7 ~~and six additional members appointed by the Governor for terms expiring June 30, 1981.~~
8 ~~Thereafter, all members shall be appointed for terms of four years. Any appointment to~~
9 ~~fill a vacancy on the Commission created by the resignation, dismissal, death or disability~~
10 ~~of a member shall be for the balance of the unexpired term. The Governor shall have the~~
11 ~~power to remove any member of the Commission in accordance with provisions of G.S.~~
12 ~~143B-13.~~

13 In the event that more than 11 congressional districts are established in the State, the
14 Governor shall on July 1 following the establishment of such additional congressional
15 districts appoint a member of the Commission from that congressional district. If on July
16 1, 1977, or at any time thereafter due to congressional redistricting, two or more members
17 of the Veterans' Affairs Commission shall reside in the same congressional district then
18 such members shall continue to serve as members of the Commission for a period equal
19 to the remainder of their current terms on the Commission provided that upon the
20 expiration of said term or terms the Governor shall fill such vacancy or vacancies in such
21 a manner as to insure that as expeditiously as possible there is one member of the
22 Veterans' Affairs Commission who is a resident of each congressional district in the
23 State. This paragraph applies only to members appointed by the Governor.

24 The Governor shall designate from the membership of the Commission a chairman
25 and vice-chairman of the Commission who shall serve at the pleasure of the Governor.
26 The Secretary of the Department of Administration or ~~his~~ the Secretary's designee shall
27 serve as secretary of the Commission.

28 Members of the Commission shall receive per diem and necessary travel and
29 subsistence expenses in accordance with provisions of G.S. 138-5.

30 A majority of the Commission shall constitute a quorum for the transaction of
31 business.

32 The Veterans' Affairs Commission shall meet at least twice a year and may hold
33 special meetings at any time or place within the State at the call of the chairman, at the
34 call of the Secretary of the Department of Administration or upon the written request of
35 at least six members.

36 All clerical and other services required by the Commission shall be provided by the
37 Secretary of the Department of Administration."

38
39 NORTHEASTERN NORTH CAROLINA FARMERS' MARKET COMMISSION AND
40 NORTHEASTERN NORTH CAROLINA FARMERS' MARKET ADVISORY BOARD

41 Sec. 7. The Northeastern North Carolina Farmers' Market Commission and the
42 Northeastern North Carolina Farmers' Market Advisory Board are abolished and Article
43 59 of Chapter 106 of the General Statutes is repealed.

1
2 SOUTHEASTERN NORTH CAROLINA FARMERS' MARKET COMMISSION AND
3 SOUTHEASTERN FARMERS' MARKET ADVISORY BOARD

4 Sec. 8. The Southeastern North Carolina Farmers' Market Commission and the
5 Southeastern Farmers' Market Advisory Board are abolished and Article 60 of Chapter
6 106 of the General Statutes is repealed.

7
8 WHOLESALE DISTRIBUTOR ADVISORY COMMITTEE

9 Sec. 9. The Wholesale Distributor Advisory Committee is abolished and G.S.
10 106-145.11 is repealed.

11
12 NORTH CAROLINA MARITIME MUSEUM ADVISORY COMMITTEE

13 Sec. 10. The North Carolina Maritime Museum Advisory Committee, created
14 by the Commissioner of Agriculture, is abolished.

15
16 CATTLE DISEASE COMMITTEE

17 Sec. 11. The Cattle Disease Committee, established by the Commissioner of
18 Agriculture, is abolished.

19
20 SWINE DISEASE COMMITTEE

21 Sec. 12. The Swine Disease Committee, established by the Commissioner of
22 Agriculture, is abolished.

23
24 POULTRY DISEASE COMMITTEE

25 Sec. 13. The Poultry Disease Committee, established by the Commissioner of
26 Agriculture, is abolished.

27
28 ANIMAL WELFARE ADVISORY COMMITTEE

29 Sec. 14. The Animal Welfare Advisory Committee, established by the
30 Commissioner of Agriculture, is abolished.

31
32 PUBLIC LIVESTOCK MARKET ADVISORY BOARD

33 Sec. 15. The Public Livestock Market Advisory Board is abolished and G.S.
34 106-407.1 and G.S. 143A-65 are repealed.

35 Sec. 15.1. G.S. 106-406 reads as rewritten:

36 **"§ 106-406. Permits from Commissioner of Agriculture for operation of public**
37 **livestock markets; application therefor; hearing on application.**

38 Any person, firm or corporation desiring to operate a public livestock market within
39 the State of North Carolina shall be required to file an application with the Commissioner
40 of Agriculture for a permit authorizing the operation of such market; provided that, those
41 markets operating under a valid permit and in accordance with G.S. 106-406 through
42 106-418 at the time this Article becomes effective shall be issued a license upon payment

1 of the annual license fee and upon satisfying the requirement for bonding as specified in
2 G.S. 106-407. An application for a permit shall include the following information:

- 3 (1) The name and address of the applicant, name of market and a listing of
4 the names and addresses of all persons having any financial interest in
5 the proposed livestock market and the amount and nature of such
6 interest, and such other information as is required to complete an
7 application form supplied by the Commissioner; and
8 (2) The plans and specifications for the facilities proposed to be built, or for
9 existing structures.

10 The application for a permit shall be accompanied by a permit fee of two hundred
11 fifty dollars (\$250.00), two hundred dollars (\$200.00) of which shall be returned to the
12 applicant if the application is denied, plus one hundred dollars (\$100.00) annual permit
13 fee for the first year of operation of the market, all of which shall be returned to the
14 applicant if the application is denied. There shall be an annual renewal fee of one hundred
15 dollars (\$100.00) for each year of operation thereafter.

16 Upon the filing of said application, the Commissioner shall determine whether all
17 necessary information has been furnished. If all information required has not been
18 furnished, the Commissioner shall notify the applicant by mail of the additional
19 information needed; it shall be furnished the Commissioner by the applicant within 10
20 days of such notification. Upon receipt of all required information, the Commissioner
21 shall issue a license or fix the date of a hearing on said application, to be held in Raleigh.
22 Notice of the time and date of the hearing shall be published in a newspaper having
23 general circulation in the county in which the livestock market is proposed to be located;
24 said notice shall appear at least 10 days prior to such hearing. The applicant shall be
25 notified by mail by the Commissioner at least 20 days prior to the hearing of the time and
26 place of said hearing. ~~The Commissioner shall also notify by mail the members of the Public
27 Livestock Market Advisory Board of the time and place of said hearing, at least 10 days before
28 the date [on] which the hearing will be held.~~

29 A public hearing shall be conducted by the Commissioner on said application. ~~If, after
30 the hearing, at which any person may appear in support or opposition thereto, the North
31 Carolina Public Livestock Market Advisory Board finds that the public livestock market
32 for which a permit or license is sought fulfills the requirements of all applicable laws, it
33 shall recommend to the Commissioner that a permit be issued to the applicant. Any
34 person may appear in support of or in opposition to an application. The Commissioner
35 shall determine whether the applicant meets the conditions for issuance of a permit or
36 license. If the Commissioner denies the application, the applicant may commence a
37 contested case under G.S. 150B-23 by filing a petition within 10 days after receiving
38 notice of the denial. Unless revoked by the Board of Agriculture pursuant to any
39 applicable law or regulation, permits will be renewed each July 1 on payment of the
40 annual renewal fee."~~

41 Sec. 15.2. G.S. 106-418.7 reads as rewritten:

42 "**§ 106-418.7. Authority of Board of Agriculture, North Carolina Public Livestock**
43 **Market Advisory Board Agriculture and the Commissioner.**

1 The Board of Agriculture shall establish rules and regulations pertaining to the
2 purchase and payment of livestock sold in this State at public livestock markets. ~~The~~
3 ~~North Carolina Public Livestock Market Advisory Board shall recommend rules and regulations~~
4 ~~pertaining to the administration of this Article to the Board of Agriculture for their consideration.~~
5 The Commissioner is authorized to revoke any livestock market operator's license issued
6 or to refuse to issue a livestock market license to any person as hereinafter provided upon
7 satisfactory proof that said person has repeatedly violated any of the provisions of this
8 Article or any of the rules and regulations made and promulgated thereunder; provided
9 that no license shall be revoked or refused until the person, firm or corporation shall have
10 first been given an opportunity to appear at a hearing before the Commissioner or his
11 agent. Any person who is refused a license, or whose license is revoked by any order of
12 the Commissioner, may appeal within 30 days from said order to the Superior Court of
13 Wake County or the superior court of the county of his residence."

14 Sec. 15.3. G.S. 106-418.3 reads as rewritten:

15 **"§ 106-418.3. Definitions.**

16 As used in this Article, unless the context clearly requires otherwise:

- 17 (1) 'Banking business day' means a day in which banks are normally open
18 for business in North Carolina.
19 (2) 'Commissioner' means the Commissioner of Agriculture of North
20 Carolina or his designated agent or agents.
21 (3) 'Custodial accounts' means custodial accounts for trust funds as
22 explained in the Code of Federal Regulations, January 1, 1972, §
23 201.42.
24 (4) ~~The "North Carolina Public Livestock Market Advisory Board" means~~
25 ~~the Board established under G.S. 106-407.1.~~
26 (5) 'Public livestock market' means livestock sales at a market duly licensed
27 under G.S. 106-406."
28

29 SYSTEM LONG-RANGE PLANNING COMMITTEE

30 Sec. 16. The System Long-Range Planning Committee, created within the
31 North Carolina Community College System, is abolished.
32

33 MOBILIZATION COORDINATION EXECUTIVE COMMITTEE

34 Sec. 17. The Mobilization Coordination Executive Committee, created within
35 the Department of Crime Control and Public Safety, is abolished.
36

37 AMERICA'S FOUR HUNDREDTH ANNIVERSARY COMMITTEE

38 Sec. 18. The America's Four Hundredth Anniversary Committee is abolished
39 and Part 13 of Article 2 of Chapter 143B of the General Statutes is repealed.

40 Sec. 18.1. G.S. 143B-51(b)(15) is repealed.

41 Sec. 18.2. G.S. 143B-53 reads as rewritten:

42 **"§ 143B-53. Organization of the Department.**

1 The Department of Cultural Resources shall be organized initially to include the Art
2 Commission, ~~the Art Museum Building Commission,~~ the North Carolina Historical
3 Commission, the Tryon Palace Commission, the U.S.S. North Carolina Battleship
4 Commission, the Sir Walter Raleigh Commission, the Executive Mansion Fine Arts
5 Committee, the American Revolution Bicentennial Committee, the North Carolina
6 Awards Committee, ~~the America's Four Hundredth Anniversary Committee,~~ the North
7 Carolina Arts Council, the Public Librarian Certification Commission, the State Library
8 Commission, the North Carolina Symphony Society, Inc., the North Carolina Art Society,
9 and the Division of the State Library, the Division of Archives and History, the Division
10 of the Arts, and such other divisions as may be established under the provisions of the
11 Executive Organization Act of 1973."

12 13 ART MUSEUM BUILDING COMMISSION

14 Sec. 19. The Art Museum Building Commission is abolished and Part 3 of
15 Article 2 of Chapter 143B of the General Statutes is repealed.

16 Sec. 19.1. G.S. 143B-51(b)(9) is repealed.

17 Sec. 19.2. G.S. 140-5.13(d) reads as rewritten:

18 "(d) All initial appointments and elections to the Board of Trustees shall be made
19 on July 1, 1980, or as soon as feasible thereafter except as provided in this subsection,
20 and the terms of all except the legislative appointees shall expire on June 30, 1983, or
21 June 30, 1986, as the case may be. In order to establish regularly overlapping terms,
22 initial appointments and elections to the Board of Trustees shall be made as follows:

23 (1) Four members at large shall be appointed by the Governor for initial
24 terms of three years and four members at large shall be appointed by the
25 Governor for initial terms of six years.

26 (2) One member shall be elected by the North Carolina Art Society,
27 Incorporated, for an initial term of three years and two members shall be
28 elected by that Society for initial terms of six years.

29 (3) One member shall be elected by the North Carolina Museum of Art
30 Foundation, Incorporated, for an initial term of three years and two
31 members shall be elected by that Foundation for initial terms of six
32 years.

33 (4) One member shall be elected by the Art Commission prior to July 1,
34 1980, for an initial term of three years and two members shall be elected
35 by that Commission for initial terms of six years. Upon the expiration of
36 the terms of those three members, their successors shall be elected by
37 the Board of Trustees of the North Carolina Museum of Art.

38 ~~(5) Three members shall be elected by the State Art Museum Building~~
39 ~~Commission to serve until the termination of that Commission or until~~
40 ~~June 30, 1983, whichever shall first occur. Upon the termination of the~~
41 ~~terms of those three members, should such termination occur prior to~~
42 ~~June 30, 1983, their successors shall be elected as follows: one by the~~
43 ~~North Carolina Art Society, Incorporated, one by the North Carolina~~

~~Museum of Art Foundation, Incorporated, and one by the Board of Trustees of the North Carolina Museum of Art; the terms of the successor members so elected shall expire on June 30, 1983. On July 1, 1983, or as soon as feasible thereafter, the successors of these three~~
Three members shall be elected for terms of six years, as follows: one by the North Carolina Art Society, Incorporated, one by the North Carolina Museum of Art Foundation, Incorporated, and one by the Board of Trustees of the North Carolina Museum of Art.

(6) The initial appointments by the General Assembly shall serve until June 30, 1983. Subsequent appointments shall be for two-year terms commencing July 1, 1983, and biennially thereafter.

(7) Repealed by Session Laws 1981 (Regular Session, 1982), c. 1191, s. 51. Every vacancy occurring in the initial membership of the Board of Trustees prior to the expiration of a term of office shall be filled by the same authority and in the same manner as the vacating member was chosen and the successor member so appointed shall serve for the remainder of the unexpired term of the vacating member."

Sec. 19.3. G.S. 140-5.17 is repealed.

EMPLOYMENT SECURITY COMMISSION ADVISORY COUNCIL

Sec. 20. Effective October 1, 1997, the State Advisory Council to the Employment Security Commission is abolished and G.S. 96-4(e) is repealed.

Sec. 20.1. If the State Advisory Council to the Employment Security Commission is abolished pursuant to this act, then effective October 1, 1997, G.S. 143B-438.4 reads as rewritten:

"§ 143B-438.4. Coordinating Council.

(a) The State Job Training Coordinating Council is established within the Department of Commerce.

(b) Operating funds and staff for the Council shall be supported with funds from the Job Training Partnership Act.

(c) Adequate office space shall be provided by the Department of Commerce.

(d) The initial staffing level of the Council and the level of funding support required shall be determined by the Secretary of Commerce. However, the staffing level shall not exceed 10 personnel as may be necessary to carry out its functions under this Part and the Job Training Partnership Act.

(e) Duties and responsibilities of the Council include but shall not be limited to the following:

(1) Overseeing the meeting of the State's goals for employment and training.

(2) Reviewing the plans and programs of agencies operating federally funded programs related to employment and training and of other agencies providing employment and training-related services in the State that may be funded with State funds.

- 1 (3) Conducting studies, preparing reports and analyses, including an annual
2 published report to the Governor and General Assembly, and providing
3 such advisory services as may be authorized or directed by the
4 Governor.
- 5 (4) Recommending the allocation of Job Training Partnership Act funds not
6 subject to the seventy-eight percent (78%) that flows directly to service
7 delivery areas.
- 8 (5) Recommending program goals to insure job training for unskilled youth
9 and adults is a matter of the highest priority and encouraging Service
10 Delivery Areas (SDA's) to reflect these goals in their SDA plans.
- 11 (6) Developing a long term tracking system to measure the effectiveness of
12 the Job Training Partnership Act with respect to permanent job
13 placements.
- 14 (7) Insuring compliance with the provisions of Sections 122(b)(7) A and B
15 and 122(b)(8) of the Job Training Partnership Act no later than May 30
16 of every year, requiring the following:
 - 17 a. The identification of, in coordination with the appropriate State
18 agencies, the employment, training, and vocation education
19 needs throughout the State;
 - 20 b. An assessment of the extent to which employment and training,
21 vocation education, rehabilitation services, public assistance,
22 economic development, and other federal, State, and local
23 programs and services represent a consistent, integrated, and
24 coordinated approach to meeting these needs;
 - 25 c. Comments on reports required by Sections 105(d)(3) of the
26 Vocational Education Act of 1963 and appropriate
27 recommendations to the Governor and General Assembly.
- 28 (8) Annually measuring, to the extent practicable, the increase in
29 employment and earnings and the reductions in welfare dependency by
30 SDA resulting from participating in the Job Training Partnership Act
31 program and reporting those findings to the Governor and General
32 Assembly.
- 33 (9) Annually reporting to the Governor and General Assembly on funds
34 expended by each SDA for job training services.
- 35 (10) Providing management guidance and review of all State administered
36 employment and training programs and encouraging compliance by the
37 SDA's with the goals and purposes outlined by the General Assembly,
38 the Governor, and the State Council.
- 39 (11) Repealed by Session Laws 1989, c. 532, s. 2.
- 40 (12) Obtaining other information from recipients of Job Training Partnership
41 Act funds, as requested by the Governor and General Assembly.

- 1 (13) Overseeing the responsibilities required in the Economic Dislocation
2 and Worker Adjustment Assistance Act (EDWAAA), including the
3 following:
4 a. Advising the Governor on designation of sub-State areas and
5 sub-State grantees and on the procedure for selecting Private
6 Industry Council (PIC) and Local Employment Organizations
7 (LEO) representatives within sub-State areas relative to grantee
8 designation;
9 b. Advising the Governor on developing formulas for distributing
10 funds among sub-State areas and formulas for reallocating
11 unexpended funds;
12 c. Reviewing and commenting to the Governor on State and sub-
13 State EDWAAA programs;
14 d. Reviewing and submitting comments on the State plan prior to
15 submission to the Secretary and on each sub-State plan; and
16 e. Advising the Governor on the establishment and application of
17 performance standards.
- 18 (14) Assisting the Employment Security Commission in formulating policies
19 and discussing problems related to the administration of Chapter 96 of
20 the General Statutes.
- 21 (f) The State Job Training Coordinating Council:
22 (1) Shall be appointed by the Governor in a manner consistent with Section
23 122 of Public Law 97-300.
24 (2) Shall meet at the call of the chairman. A majority of the Council shall
25 constitute a quorum for the transaction of business. Members shall
26 receive per diem and necessary travel and subsistence expenses in
27 accordance with the provisions of G.S. 138-5, 138-6 or 120-3.1, as the
28 case may be.
29 (3) Repealed by Session Laws 1989, c. 532, s. 2.
30 (4) May create such committees as may be necessary to the proper conduct
31 of its business. The Governor may establish such additional advisory
32 bodies, in accordance with existing law, related to employment and
33 training as may be necessary and appropriate to the conduct of federally
34 supported employment and training-related programs."
35

36 MERGE PROFESSIONAL ADVISORY COMMITTEE WITH CONSUMER AND
37 ADVOCACY ADVISORY COMMITTEE FOR THE BLIND

38 Sec. 21. The Professional Advisory Committee is abolished and Part 8 of
39 Article 3 of Chapter 143B of the General Statutes is repealed. The Committee's functions
40 are transferred to the Consumer and Advocacy Advisory Committee for the Blind.

41 Sec. 21.1. G.S. 143B-163(a) reads as rewritten:

42 "(a) There is hereby created the Consumer and Advocacy Advisory Committee for
43 the Blind of the Department of Human Resources. This Committee shall make a

1 continuing study of the entire range of problems and needs of the blind and visually
2 impaired population of this State and make specific recommendations to the Secretary of
3 Human Resources as to how these may be solved or alleviated through legislative action.
4 The Committee shall examine national trends and programs of other states, as well as
5 programs and priorities in North Carolina. Because of the cost of treating persons who
6 lose their vision, the Committee's role shall also include studying and making
7 recommendations to the Secretary of Human Resources concerning methods of
8 preventing blindness and restoring vision. The Committee shall also advise the
9 Commission for the Blind and the Secretary on matters concerning or relating to the
10 procurement, utilization, and rendering of professional services to the beneficiaries of the
11 Commission's aid and services."

12 Sec. 21.2. G.S. 143B-164 reads as rewritten:

13 "**§ 143B-164. (For applicability, see note) Consumer and Advocacy Advisory**
14 **Committee for the Blind – members; selection; quorum; compensation.**

15 (a) The Consumer and Advocacy Advisory Committee for the Blind of the
16 Department of Human Resources shall consist of the following members:

- 17 (1) One member of the North Carolina Senate to be appointed by the
18 President Pro Tempore of the Senate;
- 19 (2) One member of the North Carolina House of Representatives to be
20 appointed by the Speaker of the House of Representatives;
- 21 (3) President and Vice-President of the National Federation of the Blind of
22 North Carolina;
- 23 (4) President and Vice-President of the North Carolina Council of the
24 Blind;
- 25 (5) President and Vice-President of the North Carolina Association of
26 Workers for the Blind;
- 27 (6) President and Vice-President of the North Carolina Chapter of the
28 American Association of Workers for the Blind;
- 29 (7) Chairman of the State Council of the North Carolina Lions and
30 Executive Director of the North Carolina Lions Association for the
31 Blind, Inc.;
- 32 (8) Chairman of the Concession Stand Committee of the Division of
33 Services for the Blind of the Department of Human Resources; ~~and~~
- 34 (9) Executive Director of the North Carolina Society for the Prevention of
35 Blindness, ~~Inc.~~ Inc.;
- 36 (10) One nominee of the North Carolina Medical Society whose practice is
37 limited to ophthalmology, appointed by the Governor;
- 38 (11) One optometrist nominated by the North Carolina State Optometric
39 Society, appointed by the Governor; and
- 40 (12) One optician nominated by the North Carolina Optician's Association,
41 appointed by the Governor.

42 With respect to members appointed from the General Assembly, these appointments
43 shall be made in the odd-numbered years, and the appointments shall be made for two-

1 year terms beginning on the first day of July and continuing through the 30th day of June
2 two years thereafter; ~~provided, such appointments shall be made within two weeks after~~
3 ~~ratification of this act, and the first members which may be so appointed prior to July 1 of the~~
4 ~~year of ratification shall serve through the 30th day of June of the second year thereafter.~~ If any
5 Committee member appointed from the General Assembly ceases to be a member of the
6 General Assembly, for whatever reason, his position on the Committee shall be deemed
7 vacant. The initial members appointed by the Governor shall serve terms that expire as
8 follows: June 30, 1997, for the member appointed under subdivision (10), June 30, 1998,
9 for the member appointed under subdivision (11), and June 30, 1999, for the member
10 appointed under subdivision (12); thereafter, their successors shall serve three-year terms.
11 ~~In the event that either Committee position which is designated herein to be filled by a member~~
12 ~~of the General Assembly becomes vacant during a term, for whatever reason, of a vacancy in a~~
13 ~~position appointed by the Governor, the President Pro Tempore of the Senate, or the~~
14 ~~Speaker of the House, a successor to fill that position shall be appointed for the remainder~~
15 ~~of the unexpired term by the person who made the original appointment or his successor.~~
16 ~~Provided members~~ Members appointed by the President Pro Tempore of the ~~Senate and~~
17 ~~Senate, the Speaker of the House~~ House, and the Governor shall not serve more than two
18 complete consecutive terms.

19 With respect to the ~~remaining Committee members,~~ Committee members serving under
20 subdivisions (3) through (9), each officeholder shall serve on the Committee only so
21 long as he holds the named position in the specified organization. Upon completion of his
22 term, failure to secure reelection or appointment, or resignation, the individual shall be
23 deemed to have resigned from the Committee and his successor in office shall
24 immediately become a member of the Committee. Further, if any of the above-named
25 organizations dissolve or if any of the above-stated positions no longer exist, then the
26 successor organization or position shall be deemed to be substituted in the place of the
27 former one and the officeholder in the new organization or of the new position shall
28 become a member of the Committee.

29 (b) A chairman shall be elected by a majority vote of the Committee members for
30 a one-year term to coincide with the fiscal year of the State. ~~Provided, the first chairman~~
31 ~~shall be elected for a term to end June 30, 1978.~~

32 ~~Provided, further, if any chairman does not desire or is unable to continue to perform~~
33 ~~as chairman for any reason, including his becoming ineligible to be a member of the~~
34 ~~Committee as specified in subsection (a), the remaining members shall elect a chairman~~
35 ~~to fulfill the remainder of his term.~~

36 (c) A majority of the members shall constitute a quorum for the transaction of
37 business.

38 (d) The Committee shall meet once a quarter to act upon any information provided
39 them by any board, commission, agency, division, department, school, et cetera. Special
40 meetings may be held at any time and place within the State at the call of the chairman or
41 upon written request of at least a majority of the members. ~~Provided, a majority of the~~
42 ~~members shall be allowed to waive any meeting.~~

1 (e) All clerical and other services required by the Committee shall be supplied by
2 the Secretary of Human Resources.

3 (f) Members of the Committee shall receive per diem and necessary travel and
4 subsistence expenses in accordance with the provisions of G.S. 138-5."

5 Sec. 21.3. G.S. 143B-138(b)(6) is repealed.
6

7 NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND

8 Sec. 22. The North Carolina Health Care Excess Liability Fund Board of
9 Governors is abolished and Article 47 of Chapter 58 of the General Statutes is repealed.
10

11 PROPERTY AND CASUALTY ADVISORY COMMITTEE

12 Sec. 23. The Property and Casualty Advisory Committee, established by the
13 Commissioner of Insurance, is abolished.
14

15 HOME ECONOMICS EDUCATION ADVISORY COMMITTEE

16 Sec. 24. The Home Economics Education Advisory Committee is abolished.

17 Sec. 24.1. G.S. 115C-154 reads as rewritten:

18 **"§ 115C-154. Duties of the State Board of Education.**

19 In carrying out its duties, the State Board of Education shall develop and implement
20 any policies, rules, regulations, and procedures as necessary to ensure vocational and
21 technical education programs of high quality. The State Board of Education shall prepare
22 a Master Plan for Vocational and Technical Education. The plan, to be updated
23 periodically, shall ensure minimally that:

24 (1) Articulation shall occur with institutions, agencies, councils, and other
25 organizations having responsibilities for work force preparedness.

26 (2) Business, industrial, agricultural, and lay representatives, including
27 parents of students enrolled in Vocational and Technical Education
28 courses, which may be organized as advisory committees ~~committees~~,
29 have been utilized in the development of decisions affecting vocational
30 and technical education programs and services.

31 (3) Public hearings are conducted annually to afford the public an
32 opportunity to express their views concerning the State Board's plan and
33 to suggest changes in the plan.

34 (4) The plan describes the State's policy for vocational and technical
35 education and the system utilized for the delivery of vocational and
36 technical education programs, services, and activities. The policy shall
37 include priorities of curriculum, integration of vocational and academic
38 education, technical preparation, and youth apprenticeships.

39 (5) A professionally and occupationally qualified staff is employed and
40 organized in a manner to assure efficient and effective State leadership
41 for vocational and technical education. Provisions shall be made for
42 such functions as: planning, administration, supervision, personnel
43 development, curriculum development, vocational student organization

1 and coordination research and evaluation, and such others as the State
2 Board may direct.

3 (6) An appropriate supply of qualified personnel is trained for program
4 expansion and replacements through cooperative arrangements with
5 institutions of higher education and other institutions or agencies,
6 including where necessary financial support of programs and
7 curriculums designed for the preparation of vocational administrators,
8 supervisors, coordinators, instructors, and support personnel.

9 (7) Minimum standards shall be prescribed for personnel employed at the
10 State and local levels.

11 (8) Local boards of education submit to the State Board of Education a
12 local plan for vocational and technical education that has been prepared
13 in accordance with the procedures set forth in the Master Plan for
14 Vocational and Technical Education.

15 (9) Appropriate minimum standards for vocational and technical education
16 programs, services, and activities shall be established, promulgated,
17 supervised, monitored, and maintained. These standards shall specify
18 characteristics such as program objectives, competencies, course
19 sequence, program duration, class size, supervised on-the-job
20 experiences, vocational student organization, school-to-work transition
21 programs, qualifications of instructors, and all other standards necessary
22 to ensure that all programs conducted by local school administrative
23 units shall be of high quality, relevant to student needs, and coordinated
24 with employment opportunities.

25 (10) A system of continuing qualitative and quantitative evaluation of all
26 vocational and technical education programs, services, and activities
27 supported under the provisions of this Part shall be established,
28 maintained, and utilized periodically. One component of the system
29 shall be follow-up studies of employees and former students of
30 vocational and technical education programs who have been out of
31 school for one year, and for five years to ascertain the effectiveness of
32 instruction, services, and activities."
33

34 TECHNOLOGY EDUCATION ADVISORY COMMITTEE

35 Sec. 25. The Technology Education Advisory Committee, established within
36 the Department of Public Instruction, is abolished.
37

38 BUSINESS ADVISORY COUNCIL

39 Sec. 26. The Business Advisory Council, created by the Secretary of State, is
40 abolished.
41

42 SECURITIES ADVISORY COUNCIL

1 Sec. 27. The Securities Advisory Council, created by the Secretary of State, is
2 abolished.

3
4 UNC SYSTEM ADVISORY COMMITTEE

5 Sec. 28. The Advisory Committee to the University of North Carolina of the
6 Presidents of the Private Colleges, created pursuant to G.S. 116-14(c), is abolished.

7 Sec. 28.1. G.S. 116-14(c) reads as rewritten:

8 "(c) The President, with the approval of the Board, ~~shall appoint an advisory~~
9 ~~committee composed of representative presidents of the private colleges and universities~~
10 ~~and may appoint such additional~~ may appoint advisory committees as are deemed
11 necessary or desirable."

12
13 CONFORMING AND RELATED CHANGES

14 Sec. 29. G.S. 120-123 reads as rewritten:

15 **"§ 120-123. Service by members of the General Assembly on certain boards and**
16 **commissions.**

17 No member of the General Assembly may serve on any of the following boards or
18 commissions:

19 (1) The Board of Agriculture, as established by G.S. 106-2.

20 (1a) Not effectuated.

21 (1b) The Rules Review Commission as established by G.S. 143B-30.1.

22 ~~(2) The Art Museum Building Commission, as established by G.S. 143B-~~
23 ~~59.~~

24 (3) The Governor's Advocacy Council for Persons with Disabilities, as
25 established by G.S. 143B-403.2.

26 (3a) The State Banking Commission, as established by G.S. 53-92.

27 (4) The Board of Public Telecommunications Commissioners, as
28 established by G.S. 143B-426.9.

29 (5) The Board of Transportation, as established by G.S. 143B-350.

30 (6) The Board of Trustees Teachers' and State Employees' Retirement
31 System, as established by G.S. 135-6.

32 (6a) Repealed by Session Laws 1991 (Regular Session, 1992), c. 1030, s. 33,
33 effective July 24, 1992.

34 (7) The Coastal Resources Commission, as established by G.S. 113A-104.

35 (8) The Environmental Management Commission, as established by G.S.
36 143B-283.

37 (8a) The Genetic Engineering Review Board, as created by G.S. 106-769.

38 (9) The State Fire and Rescue Commission, as established by G.S. 58-78-1.

39 (10) The Public Officers and Employees Liability Insurance Commission, as
40 established by G.S. 58-32-1.

41 (11) Repealed by Session Laws 1983 (Regular Session, 1984), c. 995, s. 4.

42 (12) Repealed by Session Laws 1987, c. 71, s. 4.

- 1 (13) The North Carolina Criminal Justice Education and Training Standards
2 Commission, as established by G.S. 17C-3.
- 3 (14) The North Carolina Housing Finance Agency Board of Directors, as
4 established by G.S. 122A-4.
- 5 (15) The North Carolina Seafood Industrial Park Authority, as established by
6 G.S. 113-315.25.
- 7 (16) Repealed by Session Laws 1985, c. 479, s. 153(b).
- 8 (17) The Board of Trustees of the North Carolina School of Science and
9 Mathematics, as established by G.S. 116-233.
- 10 (18) The North Carolina Board of Science and Technology, as established by
11 G.S. 143B-426.30.
- 12 (19) Repealed by Session Laws 1989, c. 500, s. 107(b).
- 13 (20) Repealed by Session Laws 1989 (Regular Session, 1990), c. 1024, s.
14 23(a).
- 15 (21) The Board of Trustees of the University of North Carolina Center for
16 Public Television, as established by G.S. 116-37.1.
- 17 (22) The Commission for Mental Health, Developmental Disabilities, and
18 Substance Abuse Services, as established by G.S. 143B-147.
- 19 (23) Repealed by Session Laws 1993, c. 501, s. 12, effective July 23, 1993.
- 20 ~~(24) The North Carolina Alcoholism Research Authority, as established by~~
21 ~~G.S. 122C-431.~~
- 22 (25) The North Carolina Ports Railway Commission, as established by G.S.
23 143B-469.
- 24 (25a) The North Carolina Global TransPark Authority as established under
25 G.S. 63A-3.
- 26 (26) The North Carolina State Ports Authority, as established by G.S. 143B-
27 452.
- 28 (27) The Property Tax Commission, as established by G.S. 105-288.
- 29 (28) The Social Services Commission, as established by G.S. 143B-154.
- 30 (29) The North Carolina State Commission of Indian Affairs, as established
31 by G.S. 143B-407.
- 32 (30) The Wildlife Resources Commission, as established by G.S. 143-240.
- 33 (31) The North Carolina Council for Women, as established by G.S. 143B-
34 393.
- 35 (32) The Board of Trustees of North Carolina Museum of Art, established by
36 G.S. 140-5.13.
- 37 (33) The North Carolina Sheriffs' Education and Training Standards
38 Commission, established by G.S. 17E.
- 39 (33a) Repealed by Session Laws 1987, c. 738, s. 41(d).
- 40 (34) The Board of Trustees of the North Carolina Public Employee Deferred
41 Compensation Plan, as established by G.S. 143B-426.24.
- 42 (34a) Repealed by Session Laws 1989 (Regular Session, 1990), c. 1024, s.
43 23(b).

- 1 (34b) The North Carolina Housing Partnership, as established by G.S. 122E-4.
2 (35) The Board of Trustees of the Teachers' and State Employees'
3 Comprehensive Major Medical Plan, as established by G.S. 135-39.
4 (36) The Milk Commission as established by G.S. 106-266.7.
5 (37) The State Board of Chiropractic Examiners as established by G.S. 90-
6 139.
7 (38) The North Carolina Manufactured Housing Board, as established by
8 G.S. 143-143.10.
9 (39) Repealed by Session Laws 1987, c. 71, s. 4.
10 (40) The Alarm System Licensing Board, as established by G.S. 74D-4.
11 (41) Repealed by Session Laws 1985 (Regular Session, 1986), c. 1011, s.
12 2.1(c).
13 (42) The Crime Victims Compensation Commission, as established by G.S.
14 15B-3.
15 (43) The North Carolina Council on Ocean Affairs, as established by G.S.
16 143B-390.10.
17 (44) The Child Day-Care Commission, as established by G.S. 143B-168.3.
18 (45) Repealed by Session Laws 1995, c. 517, s. 39, effective October 1,
19 1995.
20 (45a) The North Carolina Teaching Fellows Commission, as established by
21 G.S. 115C-363.22.
22 (46) The Board of Directors of the North Carolina Arboretum, as established
23 in G.S. 116-240.
24 (47) The North Carolina Agricultural Finance Authority, as established by
25 G.S. 122D-4.
26 (48) Reserved for future codification purposes.
27 ~~(49) The Northeastern North Carolina Farmers Market Commission as~~
28 ~~established by G.S. 106-720.~~
29 ~~(50) The Southeastern North Carolina Farmers Market Commission as~~
30 ~~established by G.S. 106-727.~~
31 (50a) The North Carolina Board of Dietetics/Nutrition as created by Article
32 25 of Chapter 90 of the General Statutes.
33 (51) The State Building Commission, as established by G.S. 143-135.25.
34 (52) The Commission on School Facility Needs, established by G.S. 115C-
35 489.4.
36 (53) The North Carolina Marine Fisheries Commission as established by
37 G.S. 143B-289.5.
38 (54) The North Carolina Low-Level Radioactive Waste Management
39 Authority, as established by G.S. 104G-5.
40 (55) The North Carolina Health Insurance Trust Commission, as established
41 by G.S. 58-68-10.
42 (56) The North Carolina Hazardous Waste Management Commission, as
43 established by G.S. 130B-6.

- 1 (57) The Information Resource Management Commission, as established by
2 G.S. 143B-426.21.
- 3 (58) The Appraisal Board created in G.S. 93E-1-5.
- 4 (59) The North Carolina Aquariums Commission, as established by G.S.
5 143B-390.15.
- 6 (59a) The North Carolina Principal Fellows Commission established by G.S.
7 116-74.41.
- 8 (60) The Commission on School Technology, as established by G.S. 115C-
9 102.5, except as provided in G.S. 115C-102.5(c).
- 10 (61) The State Health Plan Purchasing Alliance Board, as established by
11 G.S. 143-625.
- 12 (62) The Northeastern North Carolina Regional Economic Development
13 Commission, as established by G.S. 158-8.2.
- 14 (63) The Teacher Academy Board of Trustees, as established by Section 17.9
15 of House Bill 229 of the 1995 General Assembly [G.S. 116-30.01].
- 16 (63a) **(Applicable January 1, 1997)** The North Carolina Code Officials
17 Qualification Board, as established by G.S. 143-151.9.
- 18 (64) A facility authority established under Part 4 of Article 20 of Chapter
19 160A of the General Statutes.
- 20 (64a) **(Applicable January 1, 1997)** The North Carolina Educational
21 Facilities Finance Agency, as established by G.S. 115E-4.
- 22 ~~(65) **(Applicable January 1, 1997)** The Board of Governors of the North~~
23 ~~Carolina Health Care Excess Liability Fund, as established by G.S. 58-~~
24 ~~47-20.~~
- 25 (66) **(Applicable January 1, 1997)** The Local Government Commission, as
26 established by G.S. 159-3.
- 27 (67) **(Applicable January 1, 1997)** The Board of Trustees of the Natural
28 Heritage Trust Fund, as established by G.S. 113-77.8."
- 29 Sec. 30. G.S. 143B-10(d) reads as rewritten:

30 "(d) Appointment of Committees or Councils. – The head of each principal
31 department may create and appoint committees or councils to consult with and advise the
32 department. The General Assembly declares its policy that insofar as feasible, such
33 committees or councils shall consist of no more than 12 members, with not more than one
34 from each congressional district. If any department head desires to vary this policy, he
35 must make a request in writing to the Governor, stating the reasons for the request. The
36 Governor may approve the request, but may only do so in writing. Copies of the request
37 and approval shall be transmitted to the Advisory Budget Commission and to the Joint
38 Legislative Commission on Governmental Operations. The members of any committee or
39 council created by the head of a principal department shall serve at the pleasure of the
40 head of the principal department and may be paid per diem and necessary travel and
41 subsistence expenses within the limits of appropriations and in accordance with the
42 provisions of G.S. 138-5, when approved in advance by the Director of the Budget. Per
43 diem, travel, and subsistence payments to members of the committees or councils created

1 in connection with federal programs shall be paid from federal funds unless otherwise
2 provided by law.

3 An annual report listing ~~these committees or councils,~~ all boards, commissions,
4 committees, and councils, the total membership on each, the cost in the last 12 months
5 and the source of funding, and the title of the person who made the appointments shall be
6 made to the Advisory Budget Commission and the Joint Legislative Commission on
7 Governmental Operations by March 31 of each year.

8 Prior to taking any action under this subsection, the Director of the Budget may
9 consult with the Advisory Budget Commission."

10 Sec. 31. G.S. 147-16.2 reads as rewritten:

11 **"§ 147-16.2. Duration of boards and councils created by executive officials;**
12 **extensions.**

13 (a) Any executive order of the Governor that creates a board, committee, council,
14 or commission expires two years after the effective date of the executive order, unless the
15 Governor specifies an expiration date in the order; provided, however, that any such
16 executive order that was in effect on July 1, 1983, expires on June 30, 1985, unless the
17 Governor specified a different expiration date in any such order. The Governor may
18 extend any such executive order before it expires for additional periods of up to two years
19 by doing so in writing; copies of the writing shall be filed by the Governor with the
20 Office of State Budget and Management, the Secretary of State and the State Legislative
21 Library.

22 (b) Any other State board, committee, council, or commission created by the
23 Governor or by any other State elective officer specified in Article III of the North
24 Carolina Constitution expires two years after it was created; provided, however, that any
25 such board, committee, council, or commission existing as of July 1, 1984, expires on
26 June 30, 1985, unless it was due to expire on an earlier date. The elective officer creating
27 any such board, committee, council, or commission may extend the board, committee,
28 council, or commission before it expires for additional periods of up to two years by
29 doing so in writing; copies of the writing shall be filed by the elective officer with the
30 Office of State Budget and Management, the Secretary of State and the State Legislative
31 Library.

32 (c) Any State board, committee, council, or commission created by any official in
33 the executive branch of State government, other than by those officials specified in
34 subsections (a) and (b), expires two years after it was created; provided, however, that
35 any board, committee, council, or commission existing as of July 1, 1984, expires on
36 June 30, 1985, unless it was due to expire on an earlier date. The Governor may extend
37 any such board, committee, council, or commission before it expires for additional
38 periods of up to two years by executive order; copies of the executive order shall be filed
39 by the Governor with the Office of State Budget and Management, the Secretary of State
40 and the State Legislative Library.

41 The words, 'official in the executive branch of State government,' as used in this
42 section, do not include officials of counties, cities, towns, villages, other municipal
43 corporations or political subdivisions of the State or any agencies of such subdivision, or

1 local boards of education, other local public districts, units or bodies of any kind, or
2 community colleges as defined in G.S. 115D- 2(2), or private corporations created by act
3 of the General Assembly.

4 (d) Any elective officer specified in subsection (b) and any other official in the
5 executive branch of State government who creates a board, committee, council, or
6 commission shall do so in writing and shall file copies of the writing with the Office of
7 State Budget and Management, the Secretary of State and the State Legislative Library."

8

9 EFFECTIVE DATE

10 Sec. 32. This act is effective upon ratification.