

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 673
Committee Substitute Favorable 5/4/95

Short Title: Restructure State Gov't Bds & Comns.

(Public)

Sponsors:

Referred to:

March 30, 1995

A BILL TO BE ENTITLED

1 AN ACT TO CHANGE THE COMPOSITION, APPOINTMENTS, AND TERMS OF
2 VARIOUS BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN STATE
3 GOVERNMENT.
4

5 The General Assembly of North Carolina enacts:

6 –BOARD OF AGRICULTURE

7 Section 1. (a) G.S. 106-2 reads as rewritten:

8 "**§ 106-2. Department of Agriculture, Immigration, and Statistics established;**
9 **Board of Agriculture, membership, terms of office, etc.**

10 The Department of Agriculture, Immigration, and Statistics is created and established
11 and shall be under the control of the Commissioner of Agriculture, with the consent and
12 advice of a board to be styled 'The Board of Agriculture.' The Board of Agriculture shall
13 consist of the Commissioner of Agriculture, who shall be ex officio a member and
14 chairman thereof and shall preside at all meetings, and of ~~10~~11 other members from the
15 State at large, so distributed as to reasonably represent the different sections and
16 agriculture of the State. In the appointment of the members of the Board the Governor
17 shall also take into consideration the different agricultural interests of the State, and shall
18 appoint one member who shall be a practical tobacco farmer to represent the tobacco
19 farming interest, one who shall be a practical cotton grower to represent the cotton

1 interest, one who shall be a practical truck farmer or general farmer to represent the truck
2 and general farming interest, one who shall be a practical dairy farmer to represent the
3 dairy and livestock interest of the State, one who shall be a practical poultryman to
4 represent the poultry interest of the State, one who shall be a practical peanut grower to
5 represent the peanut interests, one who shall be a hog farmer to represent the interest of
6 hog farmers, one who shall be a man experienced in marketing to represent the marketing
7 of products of the State. The members of such Board shall be appointed by the Governor
8 ~~by and with the consent of the Senate,~~ subject to approval of the General Assembly by joint
9 resolution, when the terms of the incumbents respectively expire. The term of office of
10 such members shall be six years and until their successors are duly appointed and
11 qualified. The terms of office of the five members constituting the present Board of
12 Agriculture shall continue for the time for which they were appointed. In making
13 appointments for the enlarged Board of Agriculture, the Governor shall make the
14 appointments so that the term of three members will be for two years, three for four and
15 four for six years. Thereafter the appointments shall be made for six years. The initial
16 appointment of the hog farmer required by this section shall be for a six-year term
17 beginning July 1, 1995. Vacancies in such Board shall be filled by the Governor for the
18 unexpired term. The Commissioner of Agriculture and the members of the Board of
19 Agriculture shall be practical farmers engaged in their profession."

20 (b) Confirmation by the General Assembly rather than by the Senate shall be
21 for terms commencing on or after July 1, 1995.

22 –STATE BUILDING COMMISSION

23 Sec. 2. G.S. 143-135.25(c) reads as rewritten:

24 "(c) The Commission shall consist of ~~nine~~ 11 members qualified and appointed as
25 follows:

- 26 (1) A licensed architect whose primary practice is or was in the design of
27 buildings, chosen from among not more than three persons nominated
28 by the North Carolina Chapter of the American Institute of Architects,
29 appointed by the Governor.
- 30 (2) A registered engineer whose primary practice is or was in the design of
31 engineering systems for buildings, chosen from among not more than
32 three persons nominated by the Consulting Engineers Council and the
33 Professional Engineers of North Carolina, appointed by the General
34 Assembly upon the recommendation of the President Pro Tempore of
35 the Senate in accordance with G.S. 120-121.
- 36 (3) A licensed building contractor whose primary business is or was in the
37 construction of buildings, or an employee of a company holding a
38 general contractor's license, chosen from among not more than three
39 persons nominated by the Carolinas AGC (Associated General
40 Contractors), appointed by the General Assembly upon the
41 recommendation of the Speaker of the House of Representatives in
42 accordance with G.S. 120-121.

- 1 (4) A licensed electrical contractor whose primary business is or was in the
2 installation of electrical systems for buildings, chosen from among not
3 more than three persons nominated by the North Carolina Association
4 of Electrical Contractors, and the Carolinas Electrical Contractors'
5 Association, appointed by the Governor.
- 6 (5) A public member appointed by the General Assembly upon the
7 recommendation of the President Pro Tempore of the Senate in
8 accordance with G.S. 120-121.
- 9 (6) A licensed mechanical contractor whose primary business is or was in
10 the installation of mechanical systems for buildings, chosen from among
11 not more than three persons nominated by the North Carolina
12 Association of Plumbing, Heating, Cooling Contractors, appointed by
13 the General Assembly upon the recommendation of the Speaker of the
14 House of Representatives in accordance with G.S. 120-121.
- 15 (7) An employee of the university system currently involved in the capital
16 facilities development process, chosen from among not more than three
17 persons nominated by the Board of Governors of The University of
18 North Carolina, appointed by the Governor.
- 19 (8) A public member who is knowledgeable in the building construction or
20 building maintenance area, appointed by the General Assembly upon
21 the recommendation of the President Pro Tempore of the Senate in
22 accordance with G.S. 120-121.
- 23 (9) A manager of physical plant operations whose responsibilities are or
24 were in the operations and maintenance of physical facilities, chosen
25 from among not more than three persons nominated by the North
26 Carolina Association of Physical Plant Administrators, appointed by the
27 General Assembly upon recommendation of the Speaker of the House
28 of Representatives in accordance with G.S. 120-121.
- 29 (10) A public member appointed by the Governor.
- 30 (11) A local government official appointed by the Governor.

31 The members shall be appointed for staggered three-year terms: The initial
32 appointments to the Commission shall be made within 15 days of the effective date of
33 this act. The initial terms of members appointed pursuant to subdivisions (1), (2), and (3)
34 shall expire June 30, 1990; the initial terms of members appointed pursuant to (4), (5),
35 and (6) shall expire June 30, 1989; and the initial terms of members appointed pursuant to
36 (7), (8), and (9) shall expire June 30, 1988. The initial terms of members appointed
37 pursuant to subdivisions (9) and (10) of this subsection shall expire June 30, 1998.
38 Members may serve no more than six consecutive years. In making new appointments or
39 filling vacancies, the Governor shall ensure that minorities and women are represented on
40 the Commission.

41 Vacancies in appointments made by the Governor shall be filled by the Governor for
42 the remainder of the unexpired terms. Vacancies in appointments made by the General

1 Assembly shall be filled in accordance with G.S. 120-122. Persons appointed to fill
2 vacancies shall qualify in the same manner as persons appointed for full terms.

3 The chairman of the Commission shall be elected by the Commission. The Secretary
4 of State shall serve as chairman until a chairman is elected."

5 –GOVERNOR'S CRIME COMMISSION

6 Sec. 3. (a) G.S. 143B-478(a)(1) reads as rewritten:

7 "(1) The voting members shall be:

8 a. The Governor, the Chief Justice of the Supreme Court of North
9 Carolina (or his alternate), the Attorney General, the Director of
10 the Administrative Office of the Courts, the Secretary of the
11 Department of Human Resources, the Secretary of the
12 Department of Correction, and the Superintendent of Public
13 Instruction;

14 b. A judge of superior court, a judge of district court specializing in
15 juvenile matters, a chief district court judge, and a district
16 attorney; two of whom shall be members of the political party
17 having the largest number of registered voters in the State, and
18 two of whom shall be members of the political party having the
19 second largest number of registered voters in the State.

20 c. A defense attorney, three sheriffs (one of whom shall be from a
21 'high crime area'), three police executives (one of whom shall be
22 from a 'high crime area'), six citizens (two with knowledge of
23 juvenile delinquency and the public school system, two of whom
24 shall be under the age of 21 at the time of their appointment, one
25 representative of a "private juvenile delinquency program," and
26 one in the discretion of the Governor), three county
27 commissioners or county officials, and three mayors or municipal
28 officials;

29 d. Two members of the North Carolina House of ~~Representatives~~
30 Representatives, one of whom is a member of the political party
31 having the greatest number of members in the House of
32 Representatives and one of whom is a member of the political
33 party having the second highest number of members in the House
34 of Representatives and two members of the North Carolina
35 ~~Senate.~~ Senate, one of whom is a member of the political party
36 having the greatest number of members in the Senate and one of
37 whom is a member of the political party having the second
38 highest number of members in the Senate."

39 (b) The requirements of this section shall be complied with as terms of existing
40 members expire.

41 –ENVIRONMENTAL MANAGEMENT COMMISSION

42 Sec. 4. G.S. 143B-283 reads as rewritten:

1 **"§ 143B-283. Environmental Management Commission – members; selection;**
2 **removal; compensation; quorum; services.**

3 (a) The Environmental Management Commission shall consist of ~~13~~15 members
4 appointed by the ~~Governor~~Governor and four members appointed by the General
5 Assembly in accordance with subsection (d) of this section. The Governor shall select
6 the members so that the membership of the Commission shall consist of:

- 7 (1) One who shall be a licensed physician with specialized training and
8 experience in the health effects of environmental pollution;
- 9 (2) One who shall, at the time of appointment, be actively connected with
10 the Commission for Health Services or local board of health or have
11 experience in health sciences;
- 12 (3) One who shall, at the time of appointment, be actively connected with
13 or have had experience in agriculture;
- 14 (4) One who shall, at the time of appointment, be a registered engineer with
15 specialized training and experience in water supply or water or air
16 pollution control;
- 17 (5) One who shall, at the time of appointment, be actively connected with
18 or have had experience in the fish and wildlife conservation activities of
19 the State;
- 20 (6) One who shall, at the time of appointment, have special training and
21 scientific expertise in hydrogeology or groundwater hydrology;
- 22 (7) Three members interested in water and air pollution control, appointed
23 from the public at large;
- 24 (8) One who shall, at the time of appointment, be actively connected with
25 industrial production or have had experience in the field of industrial air
26 and water pollution control;
- 27 (9) One who shall, at the time of appointment, be actively connected with
28 or have had experience in pollution control problems of municipal or
29 county government;
- 30 (9a) One who shall, at the time of appointment, be a farmer;
- 31 (9b) One who shall, at the time of appointment, be a builder or developer;
- 32 (10) One who shall, at the time of appointment, have special training and
33 scientific expertise in air pollution control and the effects of air
34 pollution; and
- 35 (11) One who shall, at the time of appointment, have special training and
36 scientific expertise in freshwater, estuarine, marine biological, or
37 ecological sciences.

38 (b) Members so appointed shall serve terms of office of six years. Any
39 appointment to fill a vacancy on the Commission created by the resignation, dismissal,
40 death or disability of a member shall be for the balance of the unexpired term. At the
41 expiration of each member's term, the Governor shall replace the member with a new
42 member of like qualifications. The initial members of the Environmental Management
43 Commission shall be those members of the present Board of Water and Air Resources

1 who shall meet the above standards for membership on the Environmental Management
2 Commission and who shall serve on the Environmental Management Commission for a
3 period equal to the remainder of their current terms on the Board of Water and Air
4 Resources, four of whose appointments expire June 30, 1975, five of whose appointments
5 expire June 30, 1977, and four of whose appointments expire June 30, 1979. Any initial
6 appointment to replace a member of the present Board of Water and Air Resources who
7 does not meet the above standards for membership on the Environmental Management
8 Commission shall be for a period equal to the replaced member's unexpired term. Initial
9 appointments for categories (9a) and (9b) shall be for four-year terms commencing July
10 1, 1995, and expiring June 30, 1999. Successors shall be appointed for six-year terms.

11 The Governor shall have the power to remove any member of the Commission from
12 office for misfeasance, malfeasance, or nonfeasance in accordance with the provisions of
13 G.S. 143B-13 of the Executive Organization Act of 1973.

14 The members of the Commission shall receive per diem and necessary travel and
15 subsistence expenses in accordance with the provisions of G.S. 138-5.

16 A majority of the Commission shall constitute a quorum for the transaction of
17 business.

18 All clerical and other services required by the Commission shall be supplied by the
19 Secretary of Environment, Health, and Natural Resources.

20 (c) Nine of the members appointed by the Governor under this section shall be
21 persons who do not derive any significant portion of their income from persons subject to
22 permits or enforcement orders under this Chapter. The Governor shall require adequate
23 disclosure of potential conflicts of interest by members. The Governor, by executive
24 order, shall promulgate criteria regarding conflicts of interest and disclosure thereof for
25 determining the eligibility of persons under this section, giving due regard to the
26 requirements of federal legislation, and for this purpose may promulgate rules,
27 regulations or guidelines in conformance with those established by any federal agency
28 interpreting and applying provisions of federal law.

29 (d) In addition to the members designated by subsection (a), the General Assembly
30 shall appoint four members, two upon the recommendation of the Speaker of the House
31 of Representatives, and two upon the recommendation of the President of the Senate.
32 Appointments by the General Assembly shall be made in accordance with G.S. 120-121,
33 and vacancies in those appointments shall be filled in accordance with G.S. 120-122. The
34 terms of initial appointees by the General Assembly shall expire on June 30, 1983.
35 Thereafter, these members shall serve two-year terms."

36 –POST-RELEASE SUPERVISION AND PAROLE COMMISSION

37 Sec. 5. Effective July 1, 1996, G.S. 143B-267 reads as rewritten:

38 "**§ 143B-267. Post-Release Supervision and Parole Commission – members;**
39 **selection; removal; chairman; compensation; quorum; services.**

40 The Post-Release Supervision and Parole Commission shall consist of ~~five~~three full-
41 time members. The ~~five~~three full-time members shall be appointed by the Governor
42 from persons whose recognized ability, training, experience, and character qualify them
43 for service on the Commission. The terms of office of the five members presently

1 serving on the Commission shall expire on June 30, 1993. The terms of three members
2 appointed effective July 1, 1993, shall be for three ~~years~~-years, but only one successor
3 shall be appointed for terms commencing on or after July 1, 1996. The terms of two
4 members appointed effective July 1, 1993, shall be for four years. Thereafter, the terms
5 of office of persons appointed by the Governor as members of the Commission shall be
6 for four years or until their successors are appointed and qualify. Any appointment to fill
7 a vacancy on the Commission created by the resignation, removal, death or disability of a
8 full-time member shall be for the balance of the unexpired term only.

9 The Governor shall have the authority to remove any member of the Commission
10 from office for misfeasance, malfeasance or nonfeasance, pursuant to the provisions of
11 G.S. 143B-13. The Governor shall designate a full-time member of the Commission to
12 serve as chairman of the Commission at the pleasure of the Governor.

13 With regard to the transaction of the business of the Commission the following
14 procedure shall be followed: The chairman shall designate panels of two voting
15 Commission members and shall designate a third commissioner to serve as an alternate
16 member of a panel. Insofar as practicable, the chairman shall assign the members to
17 panels in such fashion that each commissioner sits a substantially equal number of times
18 with each other commissioner. Whenever any matter of business, such as the granting,
19 denying, revoking or rescinding of parole, or the authorization of work-release privileges
20 to a prisoner, shall come before the Commission for consideration and action, the
21 chairman shall refer such matter to a panel. Action may be taken by concurring vote of
22 the two sitting panel members. If there is not a concurring vote of the two panel
23 members, the matter will be referred to the alternate member who shall cast the deciding
24 vote. However, no person serving a sentence of life imprisonment shall be granted parole
25 or work-release privileges except by majority vote of the full Commission.

26 The full-time members of the Commission shall receive the salary fixed by the
27 General Assembly in the Current Operations Appropriations Act and shall receive
28 necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-
29 6.

30 All clerical and other services required by the Commission shall be supplied by the
31 Secretary of Correction."

32 -STATE PERSONNEL COMMISSION

33 Sec. 6. (a) G.S. 126-2(b) reads as rewritten:

34 "(b) The Commission shall consist of ~~seven~~-nine members who shall be appointed
35 by the Governor on July 1, 1965, or as soon thereafter as is practicable. Two members of
36 the Commission shall be chosen from employees of the State subject to the provisions of
37 this ~~Chapter~~-Chapter, one of whom shall be a member of the political party having the
38 greatest number of registered voters in the State, and one of whom shall be a member of
39 the political party having the second highest number of registered voters in the State; two
40 members shall be appointed, of which one shall be an employee of local government
41 subject to the provisions of this ~~Chapter~~-Chapter, one of whom shall be a member of the
42 political party having the greatest number of registered voters in the State, and one of
43 whom shall be a member of the political party having the second highest number of

1 registered voters in the State, from a list of individuals nominated by the North Carolina
2 association of county commissioners; two members shall be individuals actively engaged
3 in the management of a private business or industry; and ~~one member~~ three members shall
4 be appointed from the public at ~~large~~ large, one of whom shall be an attorney licensed to
5 practice law in North Carolina who is not a State or local government employee. Of the
6 initial members of the Commission, two shall be appointed to serve for terms of two
7 years, two shall be appointed to serve for terms of four years, and three shall be appointed
8 to serve for terms of six years. Their successors shall be appointed by the Governor for
9 terms of six years. Any vacancy occurring prior to the expiration of a term shall be filled
10 by appointment for the unexpired term."

11 (b) The requirements of this section shall be complied with as terms of
12 members expire.

13 –BOARD OF TRUSTEES UNC CONSTITUENT INSTITUTIONS

14 Sec. 7. (a) G.S. 116-31(d) reads as rewritten:

15 "(d) Effective July 1, ~~1973~~, 1995, each of the 16 constituent institutions shall have
16 board of trustees composed of ~~13~~ 15 persons chosen as follows:

17 (1) ~~Eight~~ Six elected by the Board of Governors,

18 (1a) Two appointed by the General Assembly upon the recommendation of
19 the Speaker of the House of Representatives in accordance with G.S.
20 120-121,

21 (1b) Two appointed by the General Assembly upon the recommendation of
22 the President Pro Tempore of the Senate in accordance with G.S. 120-
23 121,

24 (2) Four appointed by the Governor, and

25 (3) The president of the student government ex officio."

26 (b) Effective July 1, 1997, G.S. 116-31(d) as rewritten by subsection (a) of this
27 section reads as rewritten:

28 "(d) Effective July 1, ~~1995~~, 1997, each of the 16 constituent institutions shall have
29 board of trustees composed of ~~15~~ 17 persons chosen as follows:

30 (1) ~~Six~~ Four elected by the Board of Governors,

31 (1a) ~~Two~~ Four appointed by the General Assembly upon the
32 recommendation of the Speaker of the House of Representatives in
33 accordance with G.S. 120-121,

34 (1b) ~~Two~~ Four appointed by the General Assembly upon the
35 recommendation of the President Pro Tempore of the Senate in
36 accordance with G.S. 120-121,

37 (2) Four appointed by the Governor, and

38 (3) The president of the student government ex officio."

39 (c) G.S. 116-31(e) reads as rewritten:

40 "(e) From July 1, 1995, through June 30, 1997, the six persons elected by the Board
41 of Governors under subsection (d) of this section consist of four elected in 1993 and two
42 elected in 1995. From and after July 1, 1973, the term of office of all trustees, except the
43 ex officio member, shall be four years, commencing on July 1 of odd-numbered years. In

1 every odd-numbered year the Board of Governors shall elect ~~four~~two persons to each
2 board of ~~trustees~~trustees, the General Assembly upon the recommendation of the Speaker
3 of the House of Representatives shall appoint two persons to each board of trustees, the
4 General Assembly upon the recommendation of the President Pro Tempore of the Senate
5 shall appoint two persons to each board of trustees, and the Governor shall appoint two
6 persons to each such board."

7 **–BOARDS OF TRUSTEES OF COMMUNITY COLLEGES**

8 Sec. 8. (a) Effective with respect to terms commencing on and after July 1,
9 1995, G.S. 115D-12(a) reads as rewritten:

10 "(a) Each community college established or operated pursuant to this Chapter shall
11 be governed by a board of trustees consisting of 13 members, or of additional members if
12 selected according to the special procedure prescribed by the third paragraph of this
13 subsection, who shall be selected by the following agencies.

14 Group One – four trustees, elected by the board of education of the public school
15 administrative unit located in the administrative area of the institution. If there are two or
16 more public school administrative units, whether city or county units, or both, located
17 within the administrative area, the trustees shall be elected jointly by all of the boards of
18 education of those units, each board having one vote in the election of each trustee,
19 except as provided in G.S. 115D-59. No board of education shall elect any person
20 employed by the board of education to serve as a trustee, however, any such person
21 currently serving on a board of trustees shall be permitted to fulfill the unexpired portion
22 of the trustee's current term.

23 Group Two – four trustees, elected by the board of commissioners of the county in
24 which the institution is located. Provided, however, if the administrative area of the
25 institution is composed of two or more counties, the trustees shall be elected jointly by
26 the boards of commissioners of all those counties, each board having one vote in the
27 election of each trustee. Provided, also, the county commissioners of the county in which
28 the community college has established a satellite campus may elect an additional two
29 members if the board of trustees of the community college agrees. Should the boards of
30 education or the boards of commissioners involved be unable to agree on one or more
31 trustees the senior resident superior court judge in the superior court district or set of
32 districts as defined in G.S. 7A-41.1 where the institution is located shall fill the position
33 or positions by appointment.

34 Group Three –~~four~~two trustees, appointed by the Governor.

35 Group Four – the president of the student government or the chairman of the
36 executive board of the student body of each community college established pursuant to
37 G.S. 115D shall be an ex officio nonvoting member of the board of trustees of each said
38 institution.

39 Group Five – one trustee appointed by the General Assembly upon the
40 recommendation of the Speaker of the House of Representatives in accordance with G.S.
41 120-121.

1 Group Six – one trustee appointed by the General Assembly upon the
2 recommendation of the President Pro Tempore of the Senate in accordance with G.S.
3 120-121."

4 (b) This section shall be implemented as the next two terms appointed by the
5 Governor to each community college expires. If at the expiration of the first term
6 appointed by the Governor to a particular community college there is not a second
7 appointment expiring at the same time, then the State Board of Community Colleges shall
8 designate by lot whether the first appointment to that board shall be for Group Five or
9 Group Six.

10 –ZOOLOGICAL PARK COUNCIL

11 Sec. 9. Effective July 1, 1995, G.S. 143B-336 reads as rewritten:

12 **"§ 143B-336. North Carolina Zoological Park Council – members; selection;**
13 **removal; chairman; compensation; quorum; services.**

14 The North Carolina Zoological Park Council of the Department of Environment,
15 Health, and Natural Resources shall consist of ~~45~~13 members, four members appointed
16 by the Governor, ~~one of whom shall be the~~ Chairman of the Board of Directors of the
17 North Carolina Zoological ~~Society~~Society ex officio, four members appointed by the
18 General Assembly upon the recommendation of the Speaker of the House of
19 Representatives in accordance with G.S. 120-121, and four members appointed by the
20 General Assembly upon the recommendation of the President Pro Tempore of the Senate
21 in accordance with G.S. 120-121. ~~The initial members of the Council shall be the members of~~
22 ~~the Board of Directors of the North Carolina Zoo Authority who shall serve for a period equal to~~
23 ~~the remainder of their current terms on the Board of Directors of the North Carolina Zoological~~
24 ~~Authority, all of whose terms expire July 15, 1975. At the end of the respective terms of office of~~
25 ~~the initial members of the Council, the Governor, to achieve staggered terms, shall appoint five~~
26 ~~members for terms of two years, five members for terms of four years and five members for~~
27 ~~terms of six years.~~ All existing terms expire June 30, 1995. The Governor shall appoint
28 four members for two-year terms commencing July 1, 1995. The General Assembly
29 upon the recommendation of the Speaker of the House of Representatives shall appoint
30 four members for four-year terms commencing July 1, 1995. The General Assembly
31 upon the recommendation of the President Pro Tempore of the Senate shall appoint four
32 members for four-year terms commencing July 1, 1995. Thereafter, the appointment of
33 their successors shall be for terms of ~~six~~four years and until their successors are
34 appointed and qualify. Any appointment to fill a vacancy on the Council created by the
35 resignation, dismissal, death or disability of a member shall be for the balance of the
36 unexpired term.

37 The Governor shall have the power to remove any member of the Council from office
38 in accordance with the provisions of G.S. 143B-16 of the Executive Organization Act of
39 1973.

40 The Governor shall designate a member of the Council to serve as chairman at his
41 pleasure.

42 Members of the Council shall receive per diem and necessary travel and subsistence
43 expenses in accordance with the provisions of G.S. 138-5.

- 1 A majority of the Council shall constitute a quorum for the transaction of business.
- 2 All clerical and other services required by the Council shall be supplied by the
- 3 Secretary of Environment, Health, and Natural Resources."
- 4 Sec. 10. This act is effective upon ratification.