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

(Public)

Sponsors:

Referred to:

March 30, 1995

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:
-BOARD OF AGRICULTURE

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

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

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

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

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

20 -STATE BUILDING COMMISSION

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

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

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

1 Association of Electrical Contractors, and the Carolinas Electrical
2 Contractors' Association, appointed by the Governor.

3 (5) A public member appointed by the General Assembly upon the
4 recommendation of the President Pro Tempore of the Senate in
5 accordance with G.S. 120-121.

6 (6) A licensed mechanical contractor whose primary business is or was in
7 the installation of mechanical systems for buildings, chosen from
8 among not more than three persons nominated by the North Carolina
9 Association of Plumbing, Heating, Cooling Contractors, appointed by
10 the General Assembly upon the recommendation of the Speaker of the
11 House of Representatives in accordance with G.S. 120-121.

12 (7) An employee of the university system currently involved in the capital
13 facilities development process, chosen from among not more than
14 three persons nominated by the Board of Governors of The University
15 of North Carolina, appointed by the Governor.

16 (8) A public member who is knowledgeable in the building construction
17 or building maintenance area, appointed by the General Assembly
18 upon the recommendation of the President Pro Tempore of the Senate
19 in accordance with G.S. 120-121.

20 (9) A manager of physical plant operations whose responsibilities are or
21 were in the operations and maintenance of physical facilities, chosen
22 from among not more than three persons nominated by the North
23 Carolina Association of Physical Plant Administrators, appointed by
24 the General Assembly upon recommendation of the Speaker of the
25 House of Representatives in accordance with G.S. 120-121.

26 (10) A public member appointed by the Governor.

27 (11) A local government official appointed by the Governor.

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

38 Vacancies in appointments made by the Governor shall be filled by the Governor for
39 the remainder of the unexpired terms. Vacancies in appointments made by the General
40 Assembly shall be filled in accordance with G.S. 120-122. Persons appointed to fill
41 vacancies shall qualify in the same manner as persons appointed for full terms.

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

44 –GOVERNOR'S CRIME COMMISSION

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

2 "(1) The voting members shall be:

- 3 a. The Governor, the Chief Justice of the Supreme Court of North
4 Carolina (or his alternate), the Attorney General, the Director of
5 the Administrative Office of the Courts, the Secretary of the
6 Department of Human Resources, the Secretary of the
7 Department of Correction, and the Superintendent of Public
8 Instruction;
- 9 b. A judge of superior court, a judge of district court specializing
10 in juvenile matters, a chief district court judge, and a district
11 attorney; two of whom shall be members of the political party
12 having the largest number of registered voters in the State, and
13 two of whom shall be members of the political party having the
14 second largest number of registered voters in the State.
- 15 c. A defense attorney, three sheriffs (one of whom shall be from a
16 'high crime area'), three police executives (one of whom shall
17 be from a 'high crime area'), six citizens (two with knowledge
18 of juvenile delinquency and the public school system, two of
19 whom shall be under the age of 21 at the time of their
20 appointment, one representative of a "private juvenile
21 delinquency program," and one in the discretion of the
22 Governor), three county commissioners or county officials, and
23 three mayors or municipal officials;
- 24 d. Two members of the North Carolina House of ~~Representatives~~
25 Representatives, one of whom is a member of the political party
26 having the greatest number of members in the House of
27 Representatives and one of whom is a member of the political
28 party having the second highest number of members in the
29 House of Representatives and two members of the North
30 Carolina Senate. ~~Senate, one of whom is a member of the~~
31 political party having the greatest number of members in the
32 Senate and one of whom is a member of the political party
33 having the second highest number of members in the Senate."

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

36 –ENVIRONMENTAL MANAGEMENT COMMISSION

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

38 "**§ 143B-283. Environmental Management Commission – members; selection;**
39 **removal; compensation; quorum; services.**

40 (a) The Environmental Management Commission shall consist of ~~13-15~~ members
41 appointed by the ~~Governor. Governor and four members appointed by the General~~
42 Assembly in accordance with subsection (d) of this section. The Governor shall select
43 the members so that the membership of the Commission shall consist of:

- 1 (1) One who shall be a licensed physician with specialized training and
2 experience in the health effects of environmental pollution;
- 3 (2) One who shall, at the time of appointment, be actively connected with
4 the Commission for Health Services or local board of health or have
5 experience in health sciences;
- 6 (3) One who shall, at the time of appointment, be actively connected with
7 or have had experience in agriculture;
- 8 (4) One who shall, at the time of appointment, be a registered engineer
9 with specialized training and experience in water supply or water or air
10 pollution control;
- 11 (5) One who shall, at the time of appointment, be actively connected with
12 or have had experience in the fish and wildlife conservation activities
13 of the State;
- 14 (6) One who shall, at the time of appointment, have special training and
15 scientific expertise in hydrogeology or groundwater hydrology;
- 16 (7) Three members interested in water and air pollution control, appointed
17 from the public at large;
- 18 (8) One who shall, at the time of appointment, be actively connected with
19 industrial production or have had experience in the field of industrial
20 air and water pollution control;
- 21 (9) One who shall, at the time of appointment, be actively connected with
22 or have had experience in pollution control problems of municipal or
23 county government;
- 24 (9a) One who shall, at the time of appointment, be a farmer owning less
25 than 100 acres of land;
- 26 (9b) One who shall, at the time of appointment, be a builder or developer;
- 27 (10) One who shall, at the time of appointment, have special training and
28 scientific expertise in air pollution control and the effects of air
29 pollution; and
- 30 (11) One who shall, at the time of appointment, have special training and
31 scientific expertise in freshwater, estuarine, marine biological, or
32 ecological sciences.

33 (b) Members so appointed shall serve terms of office of six years. Any
34 appointment to fill a vacancy on the Commission created by the resignation, dismissal,
35 death or disability of a member shall be for the balance of the unexpired term. At the
36 expiration of each member's term, the Governor shall replace the member with a new
37 member of like qualifications. The initial members of the Environmental Management
38 Commission shall be those members of the present Board of Water and Air Resources
39 who shall meet the above standards for membership on the Environmental Management
40 Commission and who shall serve on the Environmental Management Commission for a
41 period equal to the remainder of their current terms on the Board of Water and Air
42 Resources, four of whose appointments expire June 30, 1975, five of whose
43 appointments expire June 30, 1977, and four of whose appointments expire June 30,
44 1979. Any initial appointment to replace a member of the present Board of Water and

1 Air Resources who does not meet the above standards for membership on the
2 Environmental Management Commission shall be for a period equal to the replaced
3 member's unexpired term. Initial appointments for categories (9a) and (9b) shall be for
4 four-year terms commencing July 1, 1995, and expiring June 30, 1999. Successors shall
5 be appointed for six-year terms.

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

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

11 A majority of the Commission shall constitute a quorum for the transaction of
12 business.

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

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

24 (d) In addition to the members designated by subsection (a), the General
25 Assembly shall appoint four members, two upon the recommendation of the Speaker of
26 the House of Representatives, and two upon the recommendation of the President of the
27 Senate. Appointments by the General Assembly shall be made in accordance with G.S.
28 120-121, and vacancies in those appointments shall be filled in accordance with G.S.
29 120-122. The terms of initial appointees by the General Assembly shall expire on June
30 30, 1983. Thereafter, these members shall serve two-year terms."

31 –POST-RELEASE SUPERVISION AND PAROLE COMMISSION

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

33 "**§ 143B-267. Post-Release Supervision and Parole Commission – members;**
34 **selection; removal; chairman; compensation; quorum; services.**

35 The Post-Release Supervision and Parole Commission shall consist of ~~five~~three full-
36 time members. The ~~five~~three full-time members shall be appointed by the Governor
37 from persons whose recognized ability, training, experience, and character qualify them
38 for service on the Commission. The terms of office of the five members presently
39 serving on the Commission shall expire on June 30, 1993. The terms of three members
40 appointed effective July 1, 1993, shall be for three ~~years~~years, but only one successor
41 shall be appointed for terms commencing on or after July 1, 1996. The terms of two
42 members appointed effective July 1, 1993, shall be for four years. Thereafter, the terms
43 of office of persons appointed by the Governor as members of the Commission shall be
44 for four years or until their successors are appointed and qualify. Any appointment to

1 fill a vacancy on the Commission created by the resignation, removal, death or
2 disability of a full-time member shall be for the balance of the unexpired term only.

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

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

20 The full-time members of the Commission shall receive the salary fixed by the
21 General Assembly in the Current Operations Appropriations Act and shall receive
22 necessary travel and subsistence expenses in accordance with the provisions of G.S.
23 138-6.

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

26 –STATE PERSONNEL COMMISSION

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

28 "(b) The Commission shall consist of ~~seven~~nine members who shall be appointed
29 by the Governor on July 1, 1965, or as soon thereafter as is practicable. Two members
30 of the Commission shall be chosen from employees of the State subject to the
31 provisions of this ~~Chapter~~Chapter, one of whom shall be a member of the political
32 party having the greatest number of registered voters in the State, and one of whom
33 shall be a member of the political party having the second highest number of registered
34 voters in the State; two members shall be appointed, of which one shall be an employee
35 of local government subject to the provisions of this ~~Chapter~~Chapter, one of whom
36 shall be a member of the political party having the greatest number of registered voters
37 in the State, and one of whom shall be a member of the political party having the second
38 highest number of registered voters in the State, from a list of individuals nominated by
39 the North Carolina association of county commissioners; two members shall be
40 individuals actively engaged in the management of a private business or industry; and
41 ~~one member~~three members shall be appointed from the public at ~~large~~large, one of
42 whom shall be an attorney licensed to practice law in North Carolina who is not a State
43 or local government employee. Of the initial members of the Commission, two shall be
44 appointed to serve for terms of two years, two shall be appointed to serve for terms of

1 four years, and three shall be appointed to serve for terms of six years. Their successors
2 shall be appointed by the Governor for terms of six years. Any vacancy occurring prior
3 to the expiration of a term shall be filled by appointment for the unexpired term."

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

6 ~~PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR~~
7 ~~MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT~~
8 ~~INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA~~

9 Sec. 7. (a) Effective July 1, 1995, G.S. 116-31(d) reads as rewritten:

10 "(d) Effective July 1, ~~1973, 1995,~~ each of the 16 constituent institutions shall have
11 board of trustees composed of ~~13-17~~ persons chosen as follows:

12 (1) Eight elected by the Board of Governors,

13 (1a) Four appointed by the General Assembly, two upon the
14 recommendation of the President Pro Tempore of the Senate and two
15 upon the recommendation of the Speaker of the House of
16 Representatives, all in accordance with G.S. 120-121,

17 (2) Four appointed by the Governor, and

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

19 (b) Effective July 1, 1995, G.S. 116-31(e) reads as rewritten:

20 "(e) From and after July 1, 1973, the term of office of all trustees, except the ex
21 officio member, shall be four years, commencing on July 1 of odd-numbered years. In
22 every odd-numbered year the Board of Governors shall elect four persons to each board
23 of ~~trustees and trustees,~~ the Governor shall appoint two persons to each ~~such board.~~ board
24 of trustees, and the General Assembly shall appoint two persons to each board of
25 trustees."

26 (c) Effective July 1, 1995, G.S. 116-31 is amended by adding a new subsection
27 to read:

28 "(f1) In appointing members of each board of trustees to serve commencing July 1,
29 1995, the General Assembly shall make its appointments based upon the
30 recommendation of the President Pro Tempore of the Senate and the Speaker of the
31 House of Representatives who shall each designate two persons, one for a four-year
32 term and one for a two-year term."

33 (d) Effective July 1, 1995, G.S. 116-31(j) reads as rewritten:

34 "(j) From and after July 1, 1973, whenever any vacancy shall occur in the
35 membership of a board of trustees among those appointed by the Governor, it shall be
36 the duty of the secretary of the board to inform the Governor of the existence of such
37 vacancy, and the Governor shall appoint a person to fill the unexpired ~~term,~~ and
38 whenever term. From and after July 1, 1973, whenever any vacancy shall occur among
39 those elected by the Board of Governors, it shall be the duty of the secretary of the
40 board to inform the Board of Governors of the existence of the vacancy, and the Board
41 of Governors shall elect a person to fill the unexpired term. From and after July 1,
42 1995, whenever any vacancy shall occur among those appointed by the General
43 Assembly, it shall be the duty of the secretary of the board to inform the President Pro
44 Tempore of the Senate and the Speaker of the House of Representatives of the existence

1 of the vacancy, and the vacancy shall be filled in accordance with G.S. 120-122 for the
2 unexpired term. Whenever a member shall fail, for any reason other than ill health or
3 service in the interest of the State or nation, to be present for three successive regular
4 meetings of a board of trustees, his place as a member shall be deemed vacant."

5 –BOARDS OF TRUSTEES OF COMMUNITY COLLEGES

6 Sec. 8. (a) Effective with respect to terms commencing on and after July 1,
7 1995, G.S. 115D-12(a) reads as rewritten:

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

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

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

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

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

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

40 Group Six – one trustee appointed by the General Assembly upon the
41 recommendation of the President Pro Tempore of the Senate in accordance with G.S.
42 120-121."

43 (b) This section shall be implemented as the next two terms appointed by the
44 Governor to each community college expires. If at the expiration of the first term

1 appointed by the Governor to a particular community college there is not a second
2 appointment expiring at the same time, then the State Board of Community Colleges
3 shall designate by lot whether the first appointment to that board shall be for Group Five
4 or Group Six.

5 –ZOOLOGICAL PARK COUNCIL

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

7 "**§ 143B-336. North Carolina Zoological Park Council – members; selection;**
8 **removal; chairman; compensation; quorum; services.**

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

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

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

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

39 A majority of the Council shall constitute a quorum for the transaction of business.

40 All clerical and other services required by the Council shall be supplied by the
41 Secretary of Environment, Health, and Natural Resources."

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