

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 901

Short Title: Pro Tem Appointments.

(Public)

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Sponsors: Senator Rand.

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Referred to: Rules and Operation of the Senate

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May 1, 1995

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE PARITY BETWEEN THE PRESIDENT PRO TEMPORE  
2 AND THE SPEAKER BY HAVING CERTAIN APPOINTMENTS MADE BY OR  
3 UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF  
4 THE SENATE RATHER THAN THE PRESIDENT OF THE SENATE.  
5

6 The General Assembly of North Carolina enacts:

7 –ADVISORY COMMITTEE ON ABANDONED CEMETERIES

8 Section 1. G.S. 143-128(a) reads as rewritten:

9 "(a) There is created the Advisory Committee on Abandoned Cemeteries to be  
10 composed of 17 members appointed as follows:

11 (1) Two by the Governor;

12 (2) One by the President Pro Tempore of the Senate;

13 (3) One by the Speaker of the House;

14 (4) One by the Secretary of the Department of Cultural Resources;

15 (5) One by the Executive Director of the North Carolina Commission of  
16 Indian Affairs, Department of Administration;

17 (6) One each by the chief executive of the following organizations, from the  
18 membership of the organization:

19 a. North Carolina Archaeological Council;

20 b. North Carolina Association of County Commissioners;

- 1 c. North Carolina Chapter of the Daughters of the American  
2 Revolution;  
3 d. North Carolina Chapter of the Society of the Cincinnati;  
4 e. North Carolina Chapter of the Sons of the American Revolution;  
5 f. North Carolina Genealogical Society;  
6 g. North Carolina Historical Commission;  
7 h. North Carolina League of Municipalities;  
8 i. Society of the Colonial Dames of America in the State of North  
9 Carolina;  
10 j. Sons of Confederate Veterans;  
11 k. United Daughters of the Confederacy."  
12

13 –NORTH CAROLINA CENTER FOR ADVANCEMENT OF TEACHING

14 Sec. 2. G.S. 116-74.7(a) reads as rewritten:

15 "(a) The NCCAT Board of Trustees shall be composed of the following  
16 membership:

- 17 (1) Three ex officio members: the President of The University of North  
18 Carolina, the State Superintendent of Public Instruction, and the  
19 Chancellor of Western Carolina University;  
20 (2) Two members appointed by the General Assembly upon the  
21 recommendation of the President Pro Tempore of the Senate;  
22 (3) Two members appointed by the General Assembly upon the  
23 recommendation of the Speaker of the House of Representatives; and  
24 (4) Eight members appointed by the Board of Governors, one from each of  
25 the eight educational regions.

26 The appointing authorities shall give consideration to assuring, through Board  
27 membership, the statewide mission of NCCAT."  
28

29 –GOVERNOR'S ADVISORY COUNCIL ON AGING

30 Sec. 3. G.S. 143B-181 reads as rewritten:

31 "**§ 143B-181. Governor's Advisory Council on Aging – members; selection;  
32 quorum; compensation.**

33 The Governor's Advisory Council on Aging of the Department of Human Resources  
34 shall consist of 33 members, 29 members to be appointed by the Governor, two members  
35 to be appointed by the ~~Lieutenant Governor~~, President Pro Tempore of the Senate, and two  
36 members to be appointed by the Speaker of the House of Representatives. The  
37 composition of the Council shall be as follows: one representative of the Department of  
38 Administration; one representative of the Department of Cultural Resources; one  
39 representative of the Employment Security Commission; one representative of the  
40 Teachers' and State Employees' Retirement System; one representative of the  
41 Commissioner of Labor; one representative of the Department of Public Instruction; one  
42 representative of the Department of Environment, Health, and Natural Resources; one  
43 representative of the Department of Insurance; one representative of the Department of

1 Crime Control and Public Safety; one representative of the Department of Community  
2 Colleges; one representative of the School of Public Health of The University of North  
3 Carolina; one representative of the School of Social Work of The University of North  
4 Carolina; one representative of the Agricultural Extension Service of North Carolina  
5 State University; one representative of the collective body of the Medical Society of  
6 North Carolina; and 19 members at large. The at large members shall be citizens who are  
7 knowledgeable about services supported through the Older Americans Act of 1965, as  
8 amended, and shall include persons with greatest economic or social need, minority older  
9 persons, and participants in programs under the Older Americans Act of 1965, as  
10 amended. The Governor shall appoint 15 members at large who meet these qualifications  
11 and are 60 years of age or older. The four remaining members at large, two of whom  
12 shall be appointed by the ~~Lieutenant Governor~~ President Pro Tempore of the Senate and  
13 two of whom shall be appointed by the Speaker of the House of Representatives, shall be  
14 broadly representative of the major private agencies and organizations in the State who  
15 are experienced in or have demonstrated particular interest in the special concerns of  
16 older persons. At least one of each of the at-large appointments of the ~~Lieutenant~~  
17 ~~Governor~~ President Pro Tempore of the Senate and the Speaker of the House of  
18 Representatives shall be persons 60 years of age or older. The Council shall meet at least  
19 quarterly.

20 Members at large shall be appointed for four-year terms and until their successors are  
21 appointed and qualify. Ad interim appointments shall be for the balance of the unexpired  
22 term.

23 The Governor shall have the power to remove any member of the Council from office  
24 in accordance with the provisions of G.S. 143B-16 of the Executive Organization Act of  
25 1973.

26 The Governor shall designate one member of the Council as chairman to serve in such  
27 capacity at his pleasure.

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

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

31 All clerical and other services required by the Council shall be supplied by the  
32 Secretary of Human Resources."  
33

#### 34 –NORTH CAROLINA AGRICULTURAL FINANCE AUTHORITY

35 Sec. 4. G.S. 122D-4(b) reads as rewritten:

36 "(b) The Authority shall be composed of 10 members. The Commissioner shall  
37 serve ex officio, with the same rights and privileges, including voting rights, as other  
38 members. The other nine members shall be appointed in the following manner:

39 (1) Three members appointed by the General Assembly upon the  
40 recommendation of the Speaker of the House under G.S. 120-121;

41 (2) Three members appointed by the General Assembly upon the  
42 recommendation of the President Pro Tempore of the Senate under G.S.  
43 120-121; and

1 (3) Three members appointed by the Governor."  
2

3 –COMMISSION ON AGRICULTURE, FORESTRY, AND SEAFOOD AWARENESS

4 Sec. 5. G.S. 120-150 reads as rewritten:

5 "**§ 120-150. Creation; appointment of members.**

6 There is created an Agriculture and Forestry Awareness Study Commission.  
7 Members of the Commission shall be citizens of North Carolina who are interested in the  
8 vitality of the agriculture and forestry sectors of the State's economy. Members shall be  
9 as follows:

- 10 (1) Three appointed by the Governor;  
11 (2) Three appointed by the President Pro Tempore of the Senate;  
12 (3) Three appointed by the Speaker of the House;  
13 (4) The chairman of the House Agriculture Committee;  
14 (5) The chairman of the Senate Agriculture Committee;  
15 (6) The Commissioner of Agriculture or his designee;  
16 (7) A member of the Board of Agriculture designated by the chairman of  
17 the Board of Agriculture;  
18 (8) The President of the North Carolina Farm Bureau Federation, Inc., or  
19 his designee;  
20 (9) The Master of the North Carolina State Grange or his designee;  
21 (10) The Secretary of the Department of Environment, Health, and Natural  
22 Resources or his designee; and  
23 (11) The President of the North Carolina Forestry Association, Inc., or his  
24 designee.

25 Members shall be appointed for two-year terms beginning October 1 of each odd-  
26 numbered year. The cochairmen of the Commission shall be the chairmen of the Senate  
27 and House Agriculture Committees respectively."  
28

29 –ALARM SYSTEMS LICENSING BOARD

30 Sec. 6. G.S. 74D-4(b) reads as rewritten:

31 "(b) The Board shall consist of seven members: the Attorney General or his  
32 designee; two persons appointed by the Governor, one of whom shall be licensed under  
33 this Chapter and one of whom shall be a public member; two persons appointed by the  
34 General Assembly upon the recommendation of the President Pro Tempore of the Senate  
35 in accordance with G.S. 120-121, one of whom shall be licensed under this Chapter and  
36 one of whom shall be a public member; and two persons appointed by the General  
37 Assembly upon the recommendation of the Speaker of the House of Representatives in  
38 accordance with G.S. 120-121, one of whom shall be licensed under this Chapter and one  
39 of whom shall be a public member."  
40

41 –ANDREW JACKSON HISTORIC MEMORIAL COMMITTEE

42 Sec. 7. G.S. 143B-132(b) reads as rewritten:

1       "(b) There is created an Andrew Jackson Historic Memorial Committee to consist  
2 of 12 members, six appointed by the Speaker of the House of Representatives and six  
3 appointed by the President Pro Tempore of the Senate. Members shall serve four-year  
4 terms. Vacancies shall be filled by the appointing officer for the unexpired term."  
5

6 –ART MUSEUM BOARD OF TRUSTEES

7       Sec. 8. G.S. 140-5.13(b) reads as rewritten:

8       "(b) The Board of Trustees of the North Carolina Museum of Art shall consist of 28  
9 members, chosen as follows:

- 10       (1) The Governor shall appoint twelve members, one from each  
11 congressional district in the State in accordance with G.S. 147-12(3b);  
12       (2) The North Carolina Art Society, Incorporated, shall elect four members;  
13       (3) The North Carolina Museum of Art Foundation, Incorporated, shall  
14 elect four members;  
15       (4) The Board of Trustees of the North Carolina Museum of Art shall elect  
16 four members;  
17       (5) The General Assembly shall appoint four members, two upon the  
18 recommendation of the Speaker of the House of Representatives, and  
19 two upon the recommendation of the President Pro Tempore of the  
20 Senate in accordance with G.S. 120-121;

21       (6) Repealed by Session Laws 1981 (Regular Session, 1982), c. 1191, s. 49.  
22 All regular appointments or elections except those by the General Assembly shall be for  
23 terms of six years, except that each member shall serve until his successor is chosen and  
24 qualifies. No person may be appointed or elected to more than two consecutive terms of  
25 six years. All regular appointments by the General Assembly shall be for the then current  
26 legislative term, and no appointee of the General Assembly may be appointed to more  
27 than two consecutive terms of two years."  
28

29 –ART MUSEUM BUILDING COMMISSION

30       Sec. 8.1. G.S. 143B-59 reads as rewritten:

31       "**§ 143B-59. Art Museum Building Commission – members; selection; quorum;**  
32       **compensation.**

33       The Art Museum Building Commission of the Department of Cultural Resources shall  
34 consist of 15 members with nine appointed by the Governor, three persons who have  
35 served in the State Senate to be appointed by the President Pro Tempore of the Senate,  
36 and three persons who have served in the House of Representatives to be appointed by  
37 the Speaker of the House of Representatives. The initial members of the Commission  
38 shall be the members of the existing Art Museum Building Commission who shall serve  
39 until the completion of the duties assigned to the Commission. Each vacancy occurring in  
40 the membership shall be filled by appointment of the officer authorized to make the  
41 initial appointment to the place vacated, and each appointee to fill a vacancy shall have  
42 the same qualifications prescribed by this Article for the appointee whom he succeeds.

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

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

6 A majority of the Commission shall constitute a quorum for the transaction of  
7 business.

8 All clerical and other services required by the Commission shall be supplied by the  
9 Secretary of Cultural Resources."

10  
11 –STATE BANKING COMMISSION

12 Sec. 9. G.S. 53-92 reads as rewritten:

13 "**§ 53-92. Appointment of Commissioner of Banks; State Banking Commission.**

14 (a) On or before April 1, 1983, and quadrennially thereafter, the Governor shall  
15 appoint a Commissioner of Banks subject to confirmation by the General Assembly by  
16 joint resolution. The name of the Commissioner of Banks shall be submitted to the  
17 General Assembly on or before February 1, of the year in which the term of his office  
18 begins. The term of office for the Commissioner of Banks shall be four years. In case of a  
19 vacancy in the office of Commissioner of Banks for any reason prior to the expiration of  
20 his term of office, the name of his successor shall be submitted by the Governor to the  
21 General Assembly, not later than four weeks after the vacancy arises. If a vacancy arises  
22 in the office when the General Assembly is not in session, the Commissioner of Banks  
23 shall be appointed by the Governor to serve on an interim basis pending confirmation by  
24 the General Assembly.

25 (b) The State Banking Commission, which has heretofore been created, shall  
26 consist of the State Treasurer, who shall serve as an ex officio member thereof, 12  
27 members appointed by the Governor, and two members appointed by the General  
28 Assembly under G.S. 120-121, one of whom shall be appointed upon the  
29 recommendation of the President Pro Tempore of the Senate and one of whom shall be  
30 appointed upon the recommendation of the Speaker of the House of Representatives. The  
31 Governor shall appoint five practical bankers and seven persons selected primarily as  
32 representatives of the borrowing public. The person appointed by the General Assembly  
33 upon the recommendation of the President Pro Tempore of the Senate shall be a practical  
34 banker. The person appointed by the General Assembly upon the recommendation of the  
35 Speaker of the House shall be a person selected primarily as a representative of the  
36 borrowing public. The persons selected primarily as representatives of the borrowing  
37 public shall not be employees or directors of any financial institution nor shall they have  
38 any interest in any regulated financial institution other than as a result of being a  
39 depositor or borrower. Under this section, no person shall be considered to have an  
40 interest in a financial institution whose interest in any financial institution does not  
41 exceed one-half of one percent (1/2 of 1%) of the capital stock of that financial  
42 institution. These members of the Commission shall be selected so as to fully represent  
43 the consumer, industrial, manufacturing, professional, business and farming interests of

1 the State. No person shall serve on the Commission for more than two complete  
2 consecutive terms. As the terms of office of the appointive members of the Commission  
3 expire, their successors shall be appointed by the person appointing them, for terms of  
4 four years each. Any vacancy occurring in the membership of the Commission shall be  
5 filled by the appropriate appointing officer for the unexpired term, except that vacancies  
6 among members appointed by the General Assembly shall be filled in accordance with  
7 G.S. 120-122. The appointed members of the Commission shall receive as compensation  
8 for their services the same per diem and expenses as is paid to the members of the  
9 Advisory Budget Commission. This compensation shall be paid from the fees collected  
10 from the examination of banks as provided by law.

11 (c) The Banking Commission shall meet at such time or times, and not less than  
12 once every three months, as the Commission shall, by resolution, prescribe, and the  
13 Commission may be convened in special session at the call of the Governor, or upon the  
14 request of the Commissioner of Banks. The State Treasurer shall be chairman of the said  
15 Commission.

16 No member of said Commission shall act in any matter affecting any bank in which  
17 he is financially interested, or with which he is in any manner connected. No member of  
18 said Commission shall divulge or make use of any information coming into his  
19 possession as a result of his service on such Commission, and shall not give out any  
20 information with reference to any facts coming into his possession by reason of his  
21 services on such Commission in connection with the condition of any State banking  
22 institution, unless such information shall be required of him at any hearing at which he is  
23 duly subpoenaed, or when required by order of a court of competent jurisdiction.

24 A quorum shall consist of a majority of the total membership of the Banking  
25 Commission. A majority vote of the members qualified with respect to a matter under  
26 review present at that meeting shall constitute valid action of the Banking Commission.  
27 The State Treasurer and all disqualified members who are present shall be counted to  
28 determine whether a quorum is present at a meeting.

29 The Commissioner of Banks shall act as the executive officer of the Banking  
30 Commission, but the Commission shall provide, by rules and regulations, for hearings  
31 before the Commission upon any matter or thing which may arise in connection with the  
32 banking laws of this State upon the request of any person interested therein, and review  
33 any action taken or done by the Commissioner of Banks.

34 (d) The Banking Commission is hereby vested with full power and authority to  
35 supervise, direct and review the exercise by the Commissioner of Banks of all powers,  
36 duties, and functions now vested in or exercised by the Commissioner of Banks under the  
37 banking laws of this State; any party to a proceeding before the Banking Commission  
38 may, within 20 days after final order of said Commission and by written notice to the  
39 Commissioner of Banks, appeal to the Superior Court of Wake County for a final  
40 determination of any question of law which may be involved. The cause shall be entitled  
41 'State of North Carolina on Relation of the Banking Commission against (here insert  
42 name of appellant).' It shall be placed on the civil issue docket of such court and shall  
43 have precedence over other civil actions. In the event of an appeal the Commissioner

1 shall certify the record to the Clerk of Superior Court of Wake County within 15 days  
2 thereafter."

3  
4 –CHILD DAY-CARE COMMISSION

5 Sec. 10. G.S. 143B-168.4 reads as rewritten:

6 **"§ 143B-168.4. Child Day-Care Commission – members; selection; quorum.**

7 (a) The Child Day-Care Commission of the Department of Human Resources shall  
8 consist of 15 members. Seven of the members shall be appointed by the Governor and  
9 eight by the General Assembly, four upon the recommendation of the President Pro  
10 Tempore of the Senate, and four upon the recommendation of the Speaker of the House  
11 of Representatives. Four of the members appointed by the Governor, two by the General  
12 Assembly on the recommendation of the President Pro Tempore of the Senate, and two  
13 by the General Assembly on the recommendation of the Speaker of the House of  
14 Representatives, shall be members of the public who are not employed in, or providing,  
15 day care and who have no financial interest in a day care facility or home. Two of the  
16 foregoing public members appointed by the Governor, one of the foregoing public  
17 members recommended by the President Pro Tempore of the Senate, and one of the  
18 foregoing public members recommended by the Speaker of the House of Representatives  
19 shall be parents of children receiving day care services. Of the remaining two public  
20 members appointed by the Governor, one shall be a pediatrician currently licensed to  
21 practice in North Carolina. Three of the members appointed by the Governor shall be  
22 day care providers, one of whom shall be affiliated with a for profit day care facility, one  
23 of whom shall be affiliated with a for profit day care home, and one of whom shall be  
24 affiliated with a nonprofit home or facility. Two of the members appointed by the  
25 General Assembly on the recommendation of the President Pro Tempore of the Senate,  
26 and two by the General Assembly on recommendation of the Speaker of the House of  
27 Representatives, shall be day care providers, one affiliated with a for profit day care  
28 facility or home, and one affiliated with a nonprofit day care facility or home. None may  
29 be employees of the State.

30 (b) Members shall be appointed as follows:

- 31 (1) Of the Governor's initial appointees, four shall be appointed for terms  
32 expiring June 30, 1986, and three shall be appointed for terms expiring  
33 June 30, 1987;
- 34 (2) Of the General Assembly's initial appointees appointed upon  
35 recommendation of the President of the Senate, two shall be appointed  
36 for terms expiring June 30, 1986, and two shall be appointed for terms  
37 expiring June 30, 1987;
- 38 (3) Of the General Assembly's initial appointees appointed upon  
39 recommendation of the Speaker of the House of Representatives, two  
40 shall be appointed for terms expiring June 30, 1986, and two shall be  
41 appointed for terms expiring June 30, 1987.

42 Appointments by the General Assembly shall be made in accordance with G.S. 120-121.  
43 After the initial appointees' terms have expired, all members shall be appointed to serve



1 two-year terms. Any appointment to fill a vacancy on the Commission created by the  
2 resignation, dismissal, death, or disability of a member shall be for the balance of the  
3 unexpired term.

4 (c) A vacancy occurring during a term of office is filled:

5 (1) By the Governor, if the Governor made the initial appointment;

6 (2) By the General Assembly, if the General Assembly made the initial  
7 appointment in accordance with G.S. 120-122.

8 At its first meeting the Commission members shall elect a chairman to serve a two-  
9 year term. Chairmen shall be elected for two-year terms thereafter. The same member  
10 may serve as chairman for two consecutive terms.

11 Commission members may be reappointed and may succeed themselves for a  
12 maximum of four consecutive terms.

13 The Commission shall meet quarterly, and at other times at the call of the chairman or  
14 upon written request of at least six members.

15 The members of the Commission shall receive per diem and necessary travel and  
16 subsistence expenses in accordance with the provisions of G.S. 138-5. A majority of the  
17 Commission shall constitute a quorum for the transaction of business.

18 All clerical and other services required by the Commission shall be supplied by the  
19 Secretary of Human Resources."  
20

#### 21 –STATE BOARD OF CHIROPRACTIC EXAMINERS

22 Sec. 11. G.S. 90-139 reads as rewritten:

#### 23 **"§ 90-139. Creation and membership of Board of Examiners.**

24 (a) The State Board of Chiropractic Examiners is created to consist of seven  
25 members appointed by the Governor, and General Assembly. Six of the members shall be  
26 practicing doctors of chiropractic, who are residents of this State and who have actively  
27 practiced chiropractic in the State for at least eight consecutive years immediately  
28 preceding their appointments; four of these six members shall be appointed by the  
29 Governor, and two by the General Assembly in accordance with G.S. 120-121, one each  
30 upon the recommendation of the President Pro Tempore of the Senate and the Speaker of  
31 the House of Representatives. No more than three members of the Board may be  
32 graduates of the same college or school of chiropractic. The other member shall be a  
33 person chosen by the Governor to represent the public at large. The public member shall  
34 not be a health care provider nor the spouse of a health care provider. For purposes of  
35 Board membership, 'health care provider' means any licensed health care professional and  
36 any agent or employee of any health care institution, health care insurer, health care  
37 professional school, or a member of any allied health profession. For purposes of this  
38 section, a person enrolled in a program to prepare him to be a licensed health care  
39 professional or an allied health professional shall be deemed a health care provider. For  
40 purposes of this section, any person with significant financial interest in a health service  
41 or profession is not a public member.

42 (b) All Board members serving on June 30, 1981, shall be eligible to complete  
43 their respective terms. No member appointed to the Board on or after July 1, 1981, shall

1 serve more than two complete consecutive terms, except that each member shall serve  
2 until his successor is chosen and qualifies. The initial appointment of the General  
3 Assembly upon the recommendation of the President of the Senate shall be for a term to  
4 expire June 30, 1986, and the initial appointment of the General Assembly upon the  
5 recommendation of the Speaker of the House of Representatives shall be for a term to  
6 expire June 30, 1985, subsequent appointments upon the recommendation of the  
7 President of the Senate shall be for terms of three years, subsequent appointments upon  
8 the recommendation of the Speaker of the House of Representatives shall be for terms of  
9 two years.

10 (c) The Governor and General Assembly, respectively, may remove any member  
11 appointed by them for good cause shown. In addition, upon the request of the Speaker of  
12 the House of Representatives or the President Pro Tempore of the Senate concerning a  
13 person appointed by the General Assembly upon the recommendation of the Speaker of  
14 the House of Representatives or the President Pro Tempore of the Senate, respectively,  
15 the Governor may remove such appointee for good cause shown, if the request is made  
16 and removal occurs either (i) when the General Assembly has adjourned to a date certain,  
17 which date is more than 10 days after the date of adjournment, or (ii) after sine die  
18 adjournment of the regular session. The Governor may appoint persons to fill vacancies  
19 of persons appointed by him to fill unexpired terms. Vacancies in appointments made by  
20 the General Assembly shall be in accordance with G.S. 120-122."

21 Sec. 11.1. G.S. 90-140 reads as rewritten:

22 **"§ 90-140. Selection of chiropractic members of Board.**

23 The Governor and the General Assembly upon the recommendation of the President  
24 Pro Tempore of the Senate shall appoint chiropractic members of the Board for terms of  
25 three years from a list provided by the Board, and the General Assembly upon the  
26 recommendation of the Speaker of the House of Representatives shall appoint a  
27 chiropractic member of the Board for a term of two years from a list provided by the  
28 Board. For each vacancy, the Board must submit at least three names to the Governor,  
29 ~~Lieutenant Governor~~ President Pro Tempore of the Senate and Speaker of the House.

30 The Board shall establish procedures for the nomination and election of chiropractic  
31 members. These procedures shall be adopted under Article 2 of Chapter 150B of the  
32 General Statutes, and notice of the proposed procedures shall be given to all licensed  
33 chiropractors residing in North Carolina. These procedures shall not conflict with the  
34 provisions of this section. Every chiropractor with a current North Carolina license  
35 residing in this State shall be eligible to vote in all such elections, and the list of licensed  
36 chiropractors shall constitute the registration list for elections. Any decision of the Board  
37 relative to the conduct of such elections may be challenged by civil action in the Wake  
38 County Superior Court. A challenge must be filed not later than 30 days after the Board  
39 has rendered the decision in controversy, and all such cases shall be heard de novo."

40  
41 –NORTH CAROLINA CODE OFFICIALS QUALIFICATION BOARD

42 Sec. 12. (a) G.S. 143-151.9(a) reads as rewritten:

1       (a) There is hereby established the North Carolina Code Officials Qualification  
2 Board in the Department of Insurance. The Board shall be composed of 20 members  
3 appointed as follows:

- 4           (1) One member who is a city or county manager;
- 5           (2) Two members, one of whom is an elected official representing a city  
6 over 5,000 population and one of whom is an elected official  
7 representing a city under 5,000 population;
- 8           (3) Two members, one of whom is an elected official representing a county  
9 over 40,000 population and one of whom is an elected official  
10 representing a county under 40,000 population;
- 11           (4) Two members serving as building officials with the responsibility for  
12 administering building, plumbing, electrical and heating codes, one of  
13 whom serves a county and one of whom serves a city;
- 14           (5) One member who is a registered architect;
- 15           (6) One member who is a registered engineer;
- 16           (7) Two members who are licensed general contractors, at least one of  
17 whom specializes in residential construction;
- 18           (8) One member who is a licensed electrical contractor;
- 19           (9) One member who is a licensed plumbing or heating contractor;
- 20           (10) One member selected from the faculty of the North Carolina State  
21 University School of Engineering and one member selected from the  
22 faculty of the School of Engineering of the North Carolina Agricultural  
23 and Technical State University;
- 24           (11) One member selected from the faculty of the Institute of Government;
- 25           (12) One member selected from the Department of Community Colleges;
- 26           (13) One member selected from the Division of Engineering and Building  
27 Codes in the Department of Insurance; and,
- 28           (14) One member who is a local government fire prevention inspector and  
29 one member who is a citizen of the State.

30       The various categories shall be appointed as follows: (1), (2), (3), and (14) by the  
31 Governor; (4), (5), and (6) by the ~~Lieutenant Governor~~; General Assembly upon the  
32 recommendation of the President Pro Tempore in accordance with G.S. 120-121; (7), (8),  
33 and (9) by the General Assembly upon the recommendation of the Speaker of the House  
34 of Representatives; ~~Representatives in accordance with G.S. 120-121~~; (10) by the deans of  
35 the respective schools of engineering of the named universities; (11) by the Director of  
36 the Institute of Government; (12) by the President of the Community College System;  
37 and (13) by the Commissioner of Insurance."

38       (b) G.S. 120-123 is amended by adding a new subdivision to read:

39           "(63) The North Carolina Code Officials Qualification Board, as established  
40           by G.S. 143-151.9."

41  
42 –STATE BOARD OF COSMETIC ART EXAMINERS

43       Sec. 13. G.S. 88-13(b) reads as rewritten:

1       "(b) Cosmetologist members of the Board shall serve staggered three-year terms.  
2 In order to establish a staggered term system, the terms of those members currently  
3 serving on the Board shall expire as follows: the term of the member having served the  
4 longest time on the Board shall expire on June 30, 1981; the term of the member having  
5 served the least time on the Board shall expire on June 30, 1983; and the term of the  
6 remaining cosmetologist member shall expire on June 30, 1982. Thereafter, all  
7 cosmetologist members shall serve three-year terms. One of the additional cosmetologist  
8 members added to the Board on July 1, 1987, shall be appointed by the General  
9 Assembly on the recommendation of the Lieutenant Governor in accordance with G.S.  
10 120-121 and shall serve until June 30, ~~1990~~ 1990; provided that successors for terms  
11 beginning on or after July 1, 1997, shall be appointed by the General Assembly upon the  
12 recommendation of the President Pro Tempore of the Senate in accordance with G.S.  
13 120-121. The other additional cosmetologist member added to the Board on July 1, 1987,  
14 shall be appointed by the General Assembly on the recommendation of the Speaker of the  
15 House of Representatives in accordance with G.S. 120-121 and shall serve until June 30,  
16 1989.

17       The Governor shall appoint the public member not later than July 1, 1981, to serve a  
18 three-year term.

19       No Board member appointed on or after July 1, 1981, shall serve more than two  
20 complete consecutive three-year terms, except that each member shall serve until his  
21 successor is appointed and qualifies.

22

#### 23 –CRIME VICTIMS COMPENSATION COMMISSION

24       Sec. 14. G.S. 15B-3(a) reads as rewritten:

25       "(a) There is established the Crime Victims Compensation Commission of the  
26 Department of Crime Control and Public Safety, consisting of five members as follows:

- 27       (1) One member to be appointed by the Governor;
- 28       (2) One member to be appointed by the General Assembly upon the  
29 recommendation of the President Pro Tempore of the Senate under G.S.  
30 120-121;
- 31       (3) One member to be appointed by the General Assembly upon the  
32 recommendation of the Speaker of the House of Representatives under  
33 G.S. 120-121;
- 34       (4) The Attorney General or his designee; and
- 35       (5) The Secretary of the Department of Crime Control and Public Safety or  
36 his designee."

37

#### 38 –NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING 39 STANDARDS COMMISSION

40       Sec. 15. G.S. 17C-3(a) reads as rewritten:

41       "(a) There is established the North Carolina Criminal Justice Education and  
42 Training Standards Commission, hereinafter called 'the Commission,' in the Department  
43 of Justice. The Commission shall be composed of 26 members as follows:

- 1 (1) Police Chiefs. – Three police chiefs selected by the North Carolina  
2 Association of Chiefs of Police and one police chief appointed by the  
3 Governor.
- 4 (2) Police Officers. – Three police officials appointed by the North Carolina  
5 Police Executives Association and two criminal justice officers certified  
6 by the Commission as selected by the North Carolina Law-Enforcement  
7 Officers' Association.
- 8 (3) Departments. – The Attorney General of the State of North Carolina; the  
9 Secretary of the Department of Crime Control and Public Safety; the  
10 Secretary of the Department of Human Resources; the Secretary of the  
11 Department of Correction; the President of the Department of  
12 Community Colleges.
- 13 (4) At-large Groups. – One individual representing and appointed by each  
14 of the following organizations: one mayor selected by the League of  
15 Municipalities; one law-enforcement training officer selected by the  
16 North Carolina Law-Enforcement Training Officers' Association; one  
17 criminal justice professional selected by the North Carolina Criminal  
18 Justice Association; one sworn law-enforcement officer selected by the  
19 North State Law-Enforcement Officers' Association; one member  
20 selected by the North Carolina Law-Enforcement Women's Association;  
21 and one District Attorney selected by the North Carolina Association of  
22 District Attorneys.
- 23 (5) Citizens and Others. – The President of The University of North  
24 Carolina; the Director of the Institute of Government; and two citizens,  
25 one of whom shall be selected by the Governor and one of whom shall  
26 be selected by the Attorney General. The General Assembly shall  
27 appoint two persons, one upon the recommendation of the Speaker of  
28 the House of Representatives and one upon the recommendation of the  
29 President Pro Tempore of the Senate. Appointments by the General  
30 Assembly shall be made in accordance with G.S. 120-122.  
31 Appointments by the General Assembly shall serve two-year terms to  
32 conclude on June 30th in odd-numbered years."  
33

34 –NORTH CAROLINA BOARD OF DIETETICS/NUTRITION

35 Sec. 16. G.S. 90-354(a) reads as rewritten:

36 "(a) The members of the Board shall be appointed as follows:

- 37 (1) The Governor shall appoint the professional member described in G.S.  
38 90-353(a)(5) and the two public members described in G.S. 90-  
39 353(a)(6);
- 40 (2) The General Assembly upon the recommendation of the Speaker of the  
41 House of Representatives shall appoint the professional members  
42 described in G.S. 90-353(a)(1) and G.S. 90-353(a)(2) in accordance

1 with G.S. 120-121, one of whom shall be a nutritionist with a masters or  
2 higher degree in a nutrition-related discipline; and

- 3 (3) The General Assembly upon the recommendation of the President Pro  
4 Tempore of the Senate shall appoint the professional members described  
5 in G.S. 90-353(a)(3) and G.S. 90-353(a)(4) in accordance with G.S.  
6 120-121, one of whom shall be a nutritionist with a masters or higher  
7 degree in a nutrition-related discipline."  
8

9 –NORTH CAROLINA EDUCATIONAL FACILITIES FINANCE AGENCY

10 Sec. 17. (a) G.S. 115E-4(a) reads as rewritten:

11 "(a) There is hereby created a body politic and corporate to be known as 'North  
12 Carolina Educational Facilities Finance Agency' which shall be constituted a public  
13 agency and an instrumentality of the State for the performance of essential public  
14 functions. The agency shall be governed by a board of directors composed of seven  
15 members. Two of the members of said board shall be the State Treasurer and the State  
16 Auditor, both of whom shall serve ex officio. The remaining directors of the agency shall  
17 be residents of the State and shall not hold other public office. The General Assembly  
18 upon the recommendation of the President Pro Tempore of the Senate shall appoint one  
19 ~~director,~~ director in accordance with G.S. 120-121, the General Assembly upon the  
20 recommendation of the Speaker of the House shall appoint one ~~director,~~ director in  
21 accordance with G.S. 120-121, and the Governor shall appoint three of the directors of  
22 the agency. The five appointive directors of the agency shall be appointed for staggered  
23 four-year terms, two being appointed initially for one year by the President of the Senate  
24 and the Speaker of the House, respectively, and one for two years, one for three years and  
25 one for four years, respectively, as designated by the Governor, and each director shall  
26 continue in office until his successor shall be duly appointed and qualified, except that  
27 any person appointed to fill a vacancy shall serve only for the unexpired term. Any  
28 vacancy in a position held by an appointive member shall be filled by a new appointment  
29 made by the officer who originally made such appointment. Any member of the board of  
30 directors shall be eligible for reappointment. Each appointive member of the board of  
31 directors may be removed by the Governor for misfeasance, malfeasance or neglect of  
32 duty after reasonable notice and a public hearing, unless the same are in writing expressly  
33 waived. Each appointive member of the board of directors before entering upon his duties  
34 shall take an oath of office to administer the duties of his office faithfully and impartially  
35 and a record of such oath shall be filed in the office of the Secretary of State. The  
36 Governor shall designate from among the members of the board of directors a chairman  
37 and a vice-chairman. The terms of the chairman and vice-chairman shall extend to the  
38 earlier or either two years or the date of expiration of their then current terms as members  
39 of the board of directors of the agency. The board of directors shall elect and appoint and  
40 prescribe the duties of a secretary-treasurer and such other officers as it shall deem  
41 necessary or advisable, which officers need not be members of the board of directors."

42 (b) G.S. 120-123 is amended by adding a new subdivision to read:

1           "(64) The North Carolina Educational Facilities Finance Agency, as  
2           established by G.S. 115E-4."

3  
4 –ENVIRONMENTAL MANAGEMENT COMMISSION

5           Sec. 18. G.S. 143B-283(d) reads as rewritten:

6           "(d) In addition to the members designated by subsection (a), the General Assembly  
7 shall appoint four members, two upon the recommendation of the Speaker of the House  
8 of Representatives, and two upon the recommendation of the President Pro Tempore of  
9 the Senate. Appointments by the General Assembly shall be made in accordance with  
10 G.S. 120-121, and vacancies in those appointments shall be filled in accordance with G.S.  
11 120-122. The terms of initial appointees by the General Assembly shall expire on June  
12 30, 1983. Thereafter, these members shall serve two-year terms."

13  
14 –NORTH CAROLINA FARMWORKER COUNCIL

15           Sec. 19. G.S. 143B-426.25(b) reads as rewritten:

16           "(b) The North Carolina Farmworker Council shall consist of 13 members as  
17 follows:

- 18           (1) Four shall be appointed by the Governor.
- 19           (2) Two shall be appointed by the Speaker of the House of Representatives.
- 20           (3) Two shall be appointed by the ~~Lieutenant Governor.~~ President Pro  
21           Tempore of the Senate.
- 22           (4) The Secretary of the Department of Human Resources or the Deputy  
23           Secretary of the Department if designated by the Secretary shall serve  
24           ex officio.
- 25           (5) The Commissioner of Labor or the Deputy Commissioner of the  
26           Department if designated by the Commissioner shall serve ex officio.
- 27           (6) The Commissioner of Agriculture or the Deputy Commissioner of the  
28           Department if designated by the Commissioner shall serve ex officio.
- 29           (7) The Chairman of the Employment Security Commission or his designee  
30           shall serve ex officio.
- 31           (8) The Secretary of Environment, Health, and Natural Resources or his  
32           designee shall serve ex officio."

33  
34 –STATE FIRE AND RESCUE COMMISSION

35           Sec. 20. G.S. 58-78-1(a) reads as rewritten:

36           "(a) There is created the State Fire and Rescue Commission of the Department,  
37 which shall be composed of 14 voting members to be appointed as follows:

- 38           (1) The Commissioner shall appoint eleven members, two from  
39           nominations submitted by the North Carolina State Firemen's  
40           Association, one from nominations submitted by the North Carolina  
41           Association of Fire Chiefs, one from nominations submitted by the  
42           North Carolina Society of Fire Service Instructors, one from  
43           nominations submitted by the North Carolina Association of County

1 Fire Marshals, one from nominations submitted by the North Carolina  
2 Fire Marshal's Association, two from nominations submitted by the  
3 North Carolina Association of Rescue and Emergency Medical  
4 Services, Inc., one mayor or other elected city official nominated by the  
5 President of the League of Municipalities, one county commissioner  
6 nominated by the President of the Association of County  
7 Commissioners, and one from the public at large;

8 (2) The Governor shall appoint one member from the public at large; and

9 (3) The General Assembly shall appoint two members from the public at  
10 large, one upon the recommendation of the Speaker of the House of  
11 Representatives pursuant to G.S. 120-121, and one upon the  
12 recommendation of the President Pro Tempore of the Senate pursuant to  
13 G.S. 120-121.

14 Public members may not be employed in State government and may not be directly  
15 involved in fire fighting or rescue services."

16  
17 ~~–BOARD OF GOVERNORS OF THE NORTH CAROLINA HEALTH CARE EXCESS~~  
18 ~~LIABILITY FUND~~

19 Sec. 21. (a) G.S. 58-47-20(b) reads as rewritten:

20 "(b) The membership of and appointments to the Board shall be as follows:

21 (1) Two members to be appointed by the ~~Lieutenant Governor~~ General  
22 Assembly upon the recommendation of the President Pro Tempore of  
23 the Senate in accordance with G.S. 120-121 from a list of two nominees  
24 per appointment submitted by the North Carolina Medical Society;

25 (2) Two members to be appointed by the General Assembly upon the  
26 recommendation of the Speaker of the House in accordance with G.S.  
27 120-121 from a list of two nominees per appointment submitted by the  
28 North Carolina Hospital Association;

29 (3) One member to be appointed by the Governor from a list of two  
30 nominees submitted by the North Carolina Nurses' Association;

31 (4) One member to be appointed by the Governor from a list of two  
32 nominees submitted by the North Carolina Dental Society; and

33 (5) One member from a health care profession other than those enumerated  
34 in subdivisions (1) through (4) of this subsection to be appointed by the  
35 Governor."

36 (b) G.S. 120-123 is amended by adding a new subdivision to read:

37 "(65) The Board of Governors of the North Carolina Health Care Excess  
38 Liability Fund, as established by G.S. 58-47-20."

39  
40 ~~–HEALTH INSURANCE TRUST COMMISSION~~

41 Sec. 22. G.S. 58-68-15(b) reads as rewritten:

42 "(b) The Commission shall be appointed by the General Assembly, in accordance  
43 with G.S. 120-121, in the following manner:



- 1 (1) One representative of small business employers eligible to participate in  
2 the program shall be appointed for an initial term of three years;
- 3 (1a) One person who shall be a representative of the public shall be  
4 appointed for an initial term of one year;
- 5 (2) One domestic health care insurer licensed pursuant to Articles 65 and 66  
6 of this Chapter shall be appointed for an initial term of two years; and
- 7 (3) One physician licensed to practice medicine in North Carolina shall be  
8 appointed for an initial term of one year  
9 upon the recommendation of the Speaker of the House of Representatives; and
- 10 (1) One representative of an acute care hospital shall be appointed for an  
11 initial term of three years;
- 12 (2) One domestic health care insurer licensed pursuant to Articles 1 through  
13 64 of this Chapter shall be appointed for an initial term of two years;
- 14 (3) One representative of the business community whose company provides  
15 health insurance to its employees shall be appointed for an initial term  
16 of two years; and
- 17 (4) One representative who shall represent the public and who is familiar  
18 with health insurance issues to serve as an advocate for low and  
19 moderate income employees shall be appointed for an initial term of one  
20 year  
21 upon the recommendation of the President Pro Tempore of the Senate.

22 Initial one year terms shall expire June 30, 1988, initial two year terms shall expire  
23 June 30, 1989, and initial three year terms shall expire June 30, 1990.

24 After the initial terms expire, terms shall be for three years. Vacancies shall be filled  
25 in accordance with G.S. 120-122."

26  
27 –NORTH CAROLINA COUNCIL ON THE HOLOCAUST

28 Sec. 23. G.S. 143B-216.21 reads as rewritten:

29 "**§ 143B-216.21. Membership; selection; quorum.**

30 The Council shall consist of 24 members, six appointed by the Governor, six  
31 appointed by the President Pro Tempore of the Senate, six appointed by the Speaker of  
32 the House of Representatives, and six appointed by the other 18 members. Members shall  
33 be appointed in 1985 for two-year terms to begin July 1, 1985. In 1987 and biennially  
34 thereafter, successors shall be appointed for two-year terms. The six at-large  
35 appointments shall be made by the Council at its first meeting after July 1 of each odd-  
36 numbered year. To be eligible for appointment as an at-large member, a person must  
37 either be a survivor of the Holocaust or a first-generation lineal descendant of such  
38 person. A majority of the members shall constitute a quorum for the transaction of  
39 business."

40  
41 –NORTH CAROLINA HOUSING FINANCE AGENCY

42 Sec. 24. G.S. 122A-4(c) reads as rewritten:

1       "(c) The General Assembly shall appoint eight directors, four upon the  
2 recommendation of the Speaker of the House of Representatives (at least one of whom  
3 shall have had experience with a mortgage-servicing institution and one of whom shall be  
4 experienced as a licensed real estate broker), and four upon the recommendation of the  
5 President Pro Tempore of the Senate (at least one of whom shall be experienced with a  
6 savings and loan institution and one of whom shall be experienced in home building).  
7 Appointments by the General Assembly shall be made in accordance with G.S. 120-121,  
8 and vacancies in those appointments shall be filled in accordance with G.S. 120-122.  
9 Notwithstanding any other provision of law, the terms of the four noncategorical  
10 appointments by the General Assembly shall expire on June 30, 1983. Subsequent  
11 noncategorical appointments shall be for terms of two years each. The terms of the initial  
12 categorical appointees by the General Assembly upon the recommendation of the  
13 Speaker shall expire on June 30, 1983; the terms of subsequent appointees shall be two  
14 years. The term of one of the initial categorical appointees by the General Assembly upon  
15 the recommendation of the President of the Senate shall expire on June 30, 1983, and the  
16 other on June 30, 1985; the terms of subsequent appointees shall be four years."

17  
18 –NORTH CAROLINA HOUSING PARTNERSHIP

19       Sec. 25. G.S. 122E-4(b) reads as rewritten:

20       "(b) The Partnership shall consist of 13 members as follows:

- 21       (1) The Executive Director of the North Carolina Housing Finance Agency  
22       shall serve ex officio;
- 23       (2) The Secretary of the Department of Commerce or his designee shall  
24       serve ex officio;
- 25       (3) The State Treasurer or his designee shall serve ex officio;
- 26       (4) In accordance with G.S. 120-121, five members shall be appointed by  
27       the General Assembly upon the recommendation of the President Pro  
28       Tempore of the Senate, provided that one member shall be a  
29       representative of the homebuilding industry, one member shall be a low  
30       income housing advocate, and one member shall be a representative of  
31       the League of Municipalities;
- 32       (5) In accordance with G.S. 120-121, five members shall be appointed by  
33       the General Assembly upon the recommendation of the Speaker of the  
34       House of Representatives, provided that one member shall be a  
35       representative of the real estate lending industry; one member shall be a  
36       representative of a non-profit housing development corporation; and one  
37       member shall be a resident of low income housing.

38       The members of the Partnership shall elect one of their members to serve as Chairman  
39 for a term of one year. Seven members of the Partnership shall constitute a quorum. All  
40 members shall have the right to vote on all issues before the Partnership."

41  
42 –NORTH CAROLINA HUMAN RELATIONS COMMISSION

43       Sec. 26. G.S. 143B-392(a) reads as rewritten:

1       "(a) The Human Relations Commission of the Department of Administration shall  
2 consist of 21 members. The Governor shall appoint one member from each of the 12  
3 congressional districts, plus five members at large, including the chairperson. The  
4 Speaker of the North Carolina House of Representatives shall appoint two members to  
5 the Commission. The ~~Lieutenant Governor~~ President Pro Tempore of the Senate shall  
6 appoint two members to the Commission. The terms of four of the members appointed by  
7 the Governor shall expire June 30, 1988. The terms of four of the members appointed by  
8 the Governor shall expire June 30, 1987. The terms of four of the members appointed by  
9 the Governor shall expire June 30, 1986. The terms of four of the members appointed by  
10 the Governor shall expire June 30, 1985. The terms of the members appointed by the  
11 Speaker of the North Carolina House of Representatives shall expire June 30, 1986. The  
12 terms of the members appointed by the Lieutenant Governor shall expire June 30, 1986.  
13 The initial term of office of the person appointed to represent the 12th Congressional  
14 District shall commence on January 3, 1993, and expire on June 30, 1996. At the end of  
15 the respective terms of office of the initial members of the Commission, the appointment  
16 of their successors shall be for terms of four years. No member of the commission shall  
17 serve more than two consecutive terms. A member having served two consecutive terms  
18 shall be eligible for reappointment one year after the expiration of his second term. Any  
19 appointment to fill a vacancy on the Commission created by the resignation, dismissal,  
20 death, or disability of a member shall be filled in the manner of the original appointment  
21 for the unexpired term."

22  
23 ~~–~~NORTH CAROLINA STATE COMMISSION OF INDIAN AFFAIRS

24       Sec. 27. G.S. 143B-407(a) reads as rewritten:

25       "(a) The State Commission of Indian Affairs shall consist of two persons appointed  
26 by the General Assembly, the Secretary of Human Resources, the Director of the State  
27 Employment Security Commission, the Secretary of Administration, the Secretary of  
28 Environment, Health, and Natural Resources, the Commissioner of Labor or their  
29 designees and 18 representatives of the Indian community. These Indian members shall  
30 be selected by tribal or community consent from the Indian groups that are recognized by  
31 the State of North Carolina and are principally geographically located as follows: the  
32 Coharie of Sampson and Harnett Counties; the Eastern Band of Cherokees; the Haliwa of  
33 Halifax, Warren, and adjoining counties; the Lumbees of Robeson, Hoke and Scotland  
34 Counties; the Meherrin of Hertford County; the Waccamaw-Siouan from Columbus and  
35 Bladen Counties; and the Native Americans located in Cumberland, Guilford and  
36 Mecklenburg Counties. The Coharie shall have two members; the Eastern Band of  
37 Cherokees, two; the Haliwa, two; the Lumbees, three; the Meherrin, one; the Waccamaw-  
38 Siouan, two; the Cumberland County Association for Indian People, two; the Guilford  
39 Native Americans, two; the Metrolina Native Americans, two. Of the two appointments  
40 made by the General Assembly, one shall be made upon the recommendation of the  
41 Speaker, and one shall be made upon recommendation of the President Pro Tempore of  
42 the Senate. Appointments by the General Assembly shall be made in accordance with  
43 G.S. 120-121 and vacancies shall be filled in accordance with G.S. 120-122."

1  
2 –NORTH CAROLINA INTERNSHIP COUNCIL

3 Sec. 28. G.S. 143B-418 reads as rewritten:

4 **"§ 143B-418. North Carolina Internship Council – members; selection; quorum;**  
5 **compensation; clerical, etc., services.**

6 The North Carolina Internship Council shall consist of 17 members, including the  
7 Secretary of Administration or his designee, one member to be designated by and to serve  
8 at the pleasure of the ~~Lieutenant Governor,~~ President Pro Tempore of the Senate, one  
9 member to be designated by and to serve at the pleasure of the Speaker of the House of  
10 Representatives and the following 14 members to be appointed by the Governor to a two-  
11 year term commencing on July 1 of odd-numbered years: two representatives of  
12 community colleges; four representatives of The University of North Carolina system;  
13 two representatives of private colleges or universities; three representatives of colleges or  
14 universities with an enrollment of less than 5,000 students; and three former interns.

15 At the end of the respective terms of office of the 14 members of the Council  
16 appointed by the Governor, the appointment of their successors shall be for terms of two  
17 years and until their successors are appointed and qualify. The Governor may remove any  
18 member appointed by the Governor.

19 Any appointment to fill a vacancy on the Council created by the resignation,  
20 dismissal, death, or disability of a member shall be for the balance of the unexpired term.

21 The Council shall meet at the call of the chairman or upon written request of at least  
22 five members.

23 The Governor shall designate a member of the Council as chairman to serve at the  
24 pleasure of the Governor.

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

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

28 All clerical and other services required by the Council shall be supplied by the  
29 Secretary of Administration."  
30

31 –LEGISLATIVE INTERN PROGRAM COUNCIL

32 Sec. 29. G.S. 120-56 reads as rewritten:

33 **"§ 120-56. Legislative Intern Program Council created.**

34 There is hereby created the Legislative Intern Program Council which shall consist of  
35 the President Pro Tempore of the ~~Senate,~~ Senate or the designee of that person, the  
36 Speaker of the House of Representatives or the designee of that person, and the chairman  
37 of the department of politics at North Carolina State University. Such Council shall  
38 establish a program for legislative interns for both houses of the General Assembly."  
39

40 –LOCAL GOVERNMENT COMMISSION

41 Sec. 30. (a) G.S. 159-3(a) reads as rewritten:

42 "(a) The Local Government Commission consists of nine members. The State  
43 Treasurer, the State Auditor, the Secretary of State, and the Secretary of Revenue each

1 serve ex officio; the remaining five members are appointed to four-year terms as follows:  
2 three by the Governor, one by the ~~Lieutenant Governor~~, General Assembly upon the  
3 recommendation of the President Pro Tempore in accordance with G.S. 120-121, and one  
4 by the General Assembly upon the recommendation of the Speaker of the House.~~House~~  
5 in accordance with G.S. 120-121. Of the three members appointed by the Governor, one  
6 shall be or have been the mayor or a member of the governing board of a city and one  
7 shall be or have been a member of a county board of commissioners. The State Treasurer  
8 is chairman ex officio of the Local Government Commission. Membership on the  
9 Commission is an office that may be held concurrently with one other office, as permitted  
10 by G.S. 128-1.1."

11 (b) G.S. 120-123 is amended by adding a new subdivision to read:

12 "(66) The Local Government Commission, as established by G.S. 159-3."  
13

14 –ADVISORY COMMITTEE TO THE NORTH CAROLINA MEMBERS OF THE  
15 LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT COMMISSION

16 Sec. 31. G.S. 104F-4 reads as rewritten:

17 "**§ 104F-4. Advisory Committee.**

18 The Advisory Committee to the North Carolina Members of the Low-Level  
19 Radioactive Waste Management Compact Commission is hereby created. It shall consist  
20 of seven voting members, two to be appointed by the Governor, who shall be members of  
21 the Radiation Protection Commission, two by the President Pro Tempore of the Senate,  
22 and two by the Speaker of the House of Representatives. The Chief of the Radiation  
23 Protection Section of the Division of Facility Services of the Department of Environment,  
24 Health, and Natural Resources shall be an ex officio member. The members shall serve  
25 for two-year terms. A vacancy in membership shall be filled by the appointing authority  
26 who made the initial appointment. A member whose term expires may be reappointed.

27 It shall be the duty of the Committee to consult with and advise the State's  
28 representatives to the Compact Commission concerning technical and policy matters.

29 The Governor shall appoint the Committee chairman and he may be reappointed. The  
30 Committee shall meet at such times and places as the chairman shall designate. The  
31 facilities of the State Legislative Building and the Legislative Office Building shall be  
32 available to the Committee, subject to approval of the Legislative Services Commission.  
33 Legislative members of the Committee shall be reimbursed for subsistence and travel  
34 expenses at the rates set out in G.S. 120-3.1. Members of the Committee who are not  
35 officers or employees of the State shall receive compensation and reimbursement for  
36 travel and subsistence expenses at the rates specified in G.S. 138-5. Members of the  
37 Committee who are officers or employees of the State shall receive reimbursement for  
38 travel and subsistence expenses at the rate set out in G.S. 138-6.

39 Subject to the approval of the Legislative Services Commission, the staff resources of  
40 the Legislative Services Commission shall be available to the Committee without cost  
41 except for travel, subsistence, supplies, and materials. The Committee may solicit,  
42 employ, or contract for technical assistance and clerical assistance and may purchase or  
43 contract for the materials and services it needs."

1  
2 –NORTH CAROLINA LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT  
3 AUTHORITY

4 Sec. 32. G.S. 104G-5(c) reads as rewritten:

5 "(c) Appointment. – Appointments to the Authority shall be made as follows:

- 6 (1) The General Assembly shall appoint 10 members in accordance with  
7 G.S. 120-121, five upon recommendation of the Speaker of the House  
8 of Representatives and five upon recommendation of the President Pro  
9 Tempore of the Senate. Successors shall be made upon the  
10 recommendation of the officer who recommended the original  
11 appointment.  
12 (2) The Governor shall appoint five members.  
13 (3) Vacancies in appointments shall be filled for the unexpired term.  
14 Vacancies in appointments made by the General Assembly shall be  
15 filled in accordance with G.S. 120-122.  
16 (4) Members of the Authority shall include persons with technical and legal  
17 expertise in low-level radioactive waste management and shall  
18 represent, insofar as practicable, the diverse interests of the State and,  
19 initially, each geographic region of the State.  
20 (5) Initial appointments shall be made on or before 1 October 1987. Initial  
21 appointments to be made by the General Assembly shall be made as  
22 though vacancies had occurred in unexpired terms and in accordance  
23 with G.S. 120-122.  
24 (6) The Authority shall begin operation upon the appointment of all of its  
25 members, provided that the Authority shall begin operation by 1  
26 November 1987, notwithstanding the failure of any of the appointing  
27 authorities to make appointments."  
28

29 –NORTH CAROLINA MEDICAL DATABASE COMMISSION

30 Sec. 33. (a) G.S. 131E-211(b) reads as rewritten:

31 "(b) The North Carolina Medical Database Commission shall consist of nine  
32 members. The appointments shall be made as follows:

- 33 (1) One representative of an employer of 200 or more employees in a  
34 business that is unrelated to a health care provider or third-party payor  
35 shall be appointed by the General Assembly upon the recommendation  
36 of the Speaker of the House of Representatives in accordance with G.S.  
37 120-121.  
38 (2) One representative of an employer of less than 200 employees in a  
39 business that is unrelated to a health care provider or third-party payor  
40 shall be appointed by the General Assembly upon the recommendation  
41 of the President Pro Tempore of the Senate in accordance with G.S.  
42 120-121.

- 1 (3) One physician shall be appointed by the General Assembly upon the  
2 recommendation of the Speaker of the House of Representatives in  
3 accordance with G.S. 120-121.
- 4 (4) One hospital administrator shall be appointed by the General Assembly  
5 upon the recommendation of the President Pro Tempore of the Senate in  
6 accordance with G.S. 120-121.
- 7 (5) One representative of a commercial insurance company providing  
8 health insurance in North Carolina shall be appointed by the General  
9 Assembly upon the recommendation of the Speaker of the House of  
10 Representatives in accordance with G.S. 120-121.
- 11 (6) One representative of Blue Cross and Blue Shield of North Carolina  
12 shall be appointed by the General Assembly upon the recommendation  
13 of the President Pro Tempore of the Senate in accordance with G.S.  
14 120-121.
- 15 (7) One representative of State government at large shall be appointed by  
16 the Governor.
- 17 (8) One nurse who provides raw data to the Commission pursuant to this  
18 Article or who is employed by a health care provider who provides raw  
19 data to the Commission pursuant to this Article shall be appointed by  
20 the General Assembly upon the recommendation of the Speaker of the  
21 House in accordance with G.S. 120-121.
- 22 (9) One health care provider that provides raw data to the Commission  
23 pursuant to this Article shall be appointed by the General Assembly  
24 upon the recommendation of the President Pro Tempore of the Senate in  
25 accordance with G.S. 120-121.

26 The Insurance Commissioner, the Secretary of Human Resources, and the Secretary  
27 of the Department of Environment, Health, and Natural Resources shall be ex officio  
28 members of the Commission without voting power. Any member of the Commission  
29 shall be automatically removed from the Commission upon certification by the  
30 Commission to the recommending authority that such member no longer satisfies the  
31 requirements for appointment to the Commission set forth in subdivisions (b)(1) through  
32 (b)(9) of this subsection.

33 Vacancies in appointments made by the General Assembly shall be filled in  
34 accordance with G.S. 120-122. Other vacancies in appointive terms shall be filled for the  
35 unexpired portion of the terms by appointment by the Governor."

36 (b) This section is effective only if the expiration of G.S. 131E-211 currently  
37 provided by Section 208(d) of Chapter 757 of the 1985 Session Laws, as amended by  
38 Chapter 480 of the 1991 Session Laws, is extended past January 1, 1997.

39  
40 –COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES,  
41 AND SUBSTANCE ABUSE SERVICES

42 Sec. 34. G.S. 143B-148(a) reads as rewritten:

1       "(a) The Commission for Mental Health, Developmental Disabilities, and  
2 Substance Abuse Services of the Department of Human Resources shall consist of 26  
3 members:

4           (1) Four of whom shall be appointed by the General Assembly, two upon  
5 the recommendation of the Speaker of the House of Representatives,  
6 and two upon the recommendation of the President Pro Tempore of the  
7 Senate in accordance with G.S. 120-121. These members shall have  
8 concern for the problems of mental illness, developmental disabilities,  
9 alcohol and drug abuse. Members shall serve for two-year terms  
10 beginning July 1 of odd-numbered years. Vacancies in appointments  
11 made by the General Assembly shall be filled in accordance with G.S.  
12 120-122;

13           (2) Twenty-two of whom shall be appointed by the Governor, one from  
14 each congressional district in the State in accordance with G.S. 147-  
15 12(3)b, and 10 at-large members.

16           a. Of these 22 members, three shall have a special interest in mental  
17 health, three shall have a special interest in mental retardation,  
18 three shall have a special interest in developmental disabilities  
19 other than mental retardation, three shall have a special interest in  
20 alcohol abuse and alcoholism and three shall have a special  
21 interest in drug abuse. Each group of three shall be made up of  
22 one member who is a consumer representative; one other who is  
23 a representative of a local or State citizen organization or  
24 association; and one other who is a professional in the field.

25           b. The remaining seven members shall be appointed from the  
26 general public, other citizen groups, area mental health,  
27 developmental disabilities, and substance abuse authorities, or  
28 from other related agencies.

29           c. Of these 22 appointments, at least one shall be a licensed  
30 physician and at least one other shall be a licensed attorney.

31           d. The Governor shall appoint members to the Commission in  
32 accordance with the foregoing provisions. The terms of all  
33 Commission members appointed by the Governor shall be four  
34 years. The initial term of the person representing the 12th  
35 Congressional District shall begin January 3, 1993, and expire  
36 June 30, 1996. All Commission members shall serve their  
37 designated terms and until their successors are duly appointed  
38 and qualified. All Commission members may succeed  
39 themselves.

40           (3) All appointments shall be made pursuant to current federal rules and  
41 regulations, when not inconsistent with State law, which prescribe the  
42 selection process and demographic characteristics as a necessary  
43 condition to the receipt of federal aid."



1  
2 –MILK COMMISSION

3           Sec. 35. G.S. 106-266.7(a) reads as rewritten:

4           "(a) There is hereby continued a Milk Commission of the Department of  
5 Commerce, consisting of 10 members, three of whom shall be appointed by the  
6 Governor, four of whom shall be appointed by the General Assembly in accordance with  
7 G.S. 120-121 (two upon the recommendation of the President Pro Tempore of the Senate  
8 and two upon the recommendation of the Speaker of the House of Representatives) and  
9 three of whom shall be appointed by the Commissioner of Agriculture. Appointments by  
10 the General Assembly shall be in accordance with G.S. 120-121.11           The three members appointed by the Governor shall be two public members and a  
12 person who operates a store or other establishment for the sale of fluid milk at retail for  
13 consumption off the premises. The two members appointed by the General Assembly  
14 upon the recommendation of the President Pro Tempore of the Senate shall be a Grade A  
15 producer, who primarily markets with a cooperative plant and whose primary interest is  
16 operating a dairy farm, and a public member. The two members appointed by the General  
17 Assembly upon the recommendation of the Speaker of the House of Representatives shall  
18 be a dairy processor-distributor or an employee of a dairy processor-distributor, who  
19 primarily operates a proprietary plant, and a public member. The three members  
20 appointed by the Commissioner of Agriculture shall be a dairy processor-distributor or  
21 an employee of a dairy processor-distributor who primarily operates a cooperative plant  
22 and a Grade A producer who primarily markets with a proprietary plant and whose  
23 primary interest is operating a dairy farm, and a public member.24           The public members appointed pursuant to this subsection shall have no financial  
25 interest in, or be directly or indirectly involved in, the production, processing or  
26 distribution of milk or products derived therefrom.27           Of the Commission members appointed following March 27, 1975, the Commissioner  
28 of Agriculture shall appoint three for a term ending June 30, 1976, the Governor shall  
29 appoint three for a term ending June 30, 1977, the General Assembly shall appoint upon  
30 the recommendation of the Speaker of the House of Representatives one for a term  
31 ending June 30, 1984 and one for a term ending June 30, 1985, and the General  
32 Assembly shall appoint upon the recommendation of the President of the Senate one for a  
33 term ending June 30, 1986, and one for a term ending June 30, 1987. Thereafter  
34 appointments of Commission members shall be made by the same appointing authorities  
35 for terms of four years, ending on June 30 of the appropriate year: provided that  
36 subsequent appointments by the General Assembly upon the recommendation of the  
37 Speaker of the House of Representatives shall be for terms of two years, ending on June  
38 30 of the appropriate year. Provided, however, that all members appointed pursuant to  
39 this subsection shall serve until either they are reappointed and requalified or their  
40 successors are appointed and qualified. Any member of the Milk Commission may be  
41 removed for physical or mental incapacity, or for misfeasance or nonfeasance. In cases of  
42 removal from the Commission, the removal must be initiated by the person holding the  
43 office that originally made the appointment of such member, and subsequent

1 appointments to fill such vacancies will be made in the normally prescribed manner for  
2 the remainder of the unexpired term by the person holding the office that originally made  
3 the appointment. If the office that originally made the appointment is vacant, the  
4 successor to such office shall fill such vacancy. In case of death, resignation,  
5 disqualification, or other physical or mental incapacity which prevents a Commission  
6 member from performing his official duties prior to the expiration of his term of office,  
7 his successor shall be appointed as provided in this subsection to fill out the unexpired  
8 term. Notwithstanding the above, persons appointed by the General Assembly may be  
9 removed by the General Assembly, and vacancies in appointments made by the General  
10 Assembly shall be filled in accordance with G.S. 120-122."

11  
12 –MOTOR VEHICLE DEALERS' ADVISORY BOARD

13 Sec. 36. G.S. 20-305.4 reads as rewritten:

14 **"§ 20-305.4. Motor Vehicle Dealers' Advisory Board.**

15 (a) The Motor Vehicle Dealers' Advisory Board shall consist of six members;  
16 three of which shall be appointed by the Speaker of the House of Representatives, and  
17 three of which shall be appointed by the ~~Lieutenant Governor~~ President Pro Tempore of  
18 the Senate to consult with and advise the Commissioner with respect to matters brought  
19 before the Commissioner under the provisions of G.S. 20-304 through 20-305.4.

20 (b) Each member of the Motor Vehicle Dealers' Advisory Board shall be a resident  
21 of North Carolina. Three members of the Board shall be franchised dealers in new  
22 automobiles or trucks, duly licensed and engaged in business as such in North Carolina,  
23 provided that no two of such dealers may be franchised to sell automobiles or trucks  
24 manufactured or distributed by the same person or a subsidiary or affiliate of the same  
25 person. Three members of the Board shall not be motor vehicle dealers or employees of a  
26 motor vehicle dealer.

27 (c) The Speaker shall appoint two of the dealer members and one of the public  
28 members and shall fill any vacancy in said positions and the ~~Lieutenant Governor~~ President  
29 Pro Tempore of the Senate shall appoint one of the dealer members and two of the public  
30 members and shall fill any vacancy in said positions. In making the initial appointments  
31 the Speaker shall designate that the two dealer members shall serve for one and three  
32 years respectively and the public member shall serve for two years, and in making the  
33 initial appointments the Lieutenant Governor shall designate that the dealer member shall  
34 serve for two years and the two public members shall serve for one and three years  
35 respectively.

36 (d) Two members of the first Board appointed shall serve for a period of three  
37 years, two members of the first Board shall serve for a period of two years, and two  
38 members of the first Board shall serve for a period of one year. Subsequent appointments  
39 shall be for terms of three years, except appointments to fill vacancies which shall be for  
40 the unexpired terms. Members of the Board shall meet at the call of the Commissioner  
41 and shall receive as compensation for their services seven dollars (\$7.00) for each day  
42 actually engaged in the exercise of the duties of the Board and such travel expenses and  
43 subsistence allowances as are generally allowed other State commissions and boards."

1  
2 –NATURAL HERITAGE TRUST FUND BOARD OF TRUSTEES

3 Sec. 37. (a) G.S. 113-77.8(a) reads as rewritten:

4 "(a) Expenditures from the Fund shall be authorized by a nine-member Board of  
5 Trustees. Three members shall be appointed by the Governor, three by the ~~Lieutenant~~  
6 ~~Governor, General Assembly upon the recommendation of the President Pro Tempore of~~  
7 ~~the Senate in accordance with G.S. 120-121, and three by the General Assembly upon the~~  
8 ~~recommendation of the Speaker of the House of Representatives. Representatives in~~  
9 ~~accordance with G.S. 120-121. Persons appointed shall be knowledgeable in the~~  
10 acquisition and management of natural areas. Each appointing officer shall designate one  
11 of his initial appointments to serve a two-year term, one to serve a four-year term, and  
12 one to serve a six-year term. Thereafter, all appointments shall be for six years, subject to  
13 reappointment. All initial appointments shall be made on or before January 1, 1988. The  
14 Governor shall appoint one Trustee to serve as Chairman of the Board. The Secretary  
15 shall provide the Trustees with staff support and meeting facilities using expenditures  
16 from the Fund. The office of Trustee is declared to be an office that may be held  
17 concurrently with any other executive or appointive office, under the authority of Article  
18 VI, Section 9, of the North Carolina Constitution."

19 (b) G.S. 120-123 is amended by adding a new subdivision to read:

20 "(67) The Board of Trustees of the Natural Heritage Trust Fund, as  
21 established by G.S. 113-77.8."  
22

23 –GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES

24 Sec. 38. G.S. 143B-403.2(a) reads as rewritten:

25 "(a) The Governor's Advocacy Council for Persons with Disabilities of the  
26 Department of Administration shall consist of 21 members, appointed as follows:

27 (1) Seven members appointed by the Governor;

28 (2) Seven members appointed by the General Assembly upon the  
29 recommendation of the President Pro Tempore of the Senate;

30 (3) Seven members appointed by the General Assembly upon the  
31 recommendation of the Speaker of the House of Representatives."  
32

33 –PRIVATE PROTECTIVE SERVICES BOARD

34 Sec. 39. G.S. 74C-4(b) reads as rewritten:

35 "(b) The Board shall consist of 10 members: the Attorney General or his designated  
36 representative, two persons appointed by the Attorney General, one person appointed by  
37 the Governor, ~~two persons appointed by the General Assembly upon the recommendation of the~~  
38 ~~President of the Senate, one person~~ three persons appointed by the General Assembly upon  
39 the recommendation of the President Pro Tempore of the Senate, and three persons  
40 appointed by the General Assembly upon the recommendation of the Speaker of the  
41 House of Representatives. All appointments by the General Assembly shall be subject to  
42 the provisions of G.S. 120-121, and vacancies in the positions filled by those  
43 appointments shall be filled pursuant to G.S. 120-122. Those persons appointed by the

1 General Assembly upon the recommendation of the President Pro Tempore of the Senate  
2 and the Speaker of the House of Representatives shall be licensees under this Chapter; all  
3 other appointees may not be licensees of the Board nor licensed by the Board while  
4 serving as Board members. All persons appointed shall serve terms of three years. With  
5 the exception of the Attorney General or his designated representative, no person shall  
6 serve more than eight consecutive years on the Board, including years of service prior  
7 and subsequent to July 1, 1983. Board members may continue to serve until their  
8 successors have been appointed."  
9

10 –BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE  
11 DEFERRED COMPENSATION PLAN

12 Sec. 40. G.S. 143B-426.24(b) reads as rewritten:

13 "(b) The Board shall consist of seven voting members, as follows:

- 14 (1) Three persons shall be appointed by the Governor who shall have  
15 experience with taxation, finance and investments, and one of whom  
16 shall be a State employee;
- 17 (2) One member shall be appointed by the General Assembly upon  
18 recommendation of the Speaker of the House of Representatives under  
19 G.S. 120-121;
- 20 (3) One member shall be appointed by the General Assembly upon  
21 recommendation of the President Pro Tempore of the Senate under G.S.  
22 120-121;
- 23 (4) The State Treasurer, ex officio; and
- 24 (5) The Secretary of Administration, ex officio, chairman."  
25

26 –PUBLIC OFFICERS AND EMPLOYEES LIABILITY INSURANCE COMMISSION

27 Sec. 41. G.S. 58-32-1 reads as rewritten:

28 "**§ 58-32-1. Commission created; membership.**

29 There is hereby created within the Department a Public Officers and Employees  
30 Liability Insurance Commission. The Commission shall consist of 11 members who  
31 shall be appointed as follows: the Commissioner shall appoint six members as follows:  
32 two members who are members of the insurance industry who may be chosen from a list  
33 of three nominees submitted to the Commissioner by the Independent Insurance Agents  
34 of North Carolina, Inc., and a list of three nominees submitted by the Carolinas  
35 Association of Professional Insurance Agents, North Carolina Division; one member who  
36 is employed by a police department who may be chosen from a list of three nominees  
37 submitted to the Commissioner jointly by the North Carolina Police Chiefs Association  
38 and North Carolina Police Executives Association, and one member who is employed by  
39 a sheriff's department who may be chosen from a list of three nominees submitted to the  
40 Commissioner by the North Carolina Sheriff's Association; one member representing city  
41 government who may be chosen from a list of three nominees submitted to the  
42 Commissioner by the North Carolina League of Municipalities; and one member  
43 representing county government who may be chosen from a list of three nominees

1 submitted to the Commissioner by the North Carolina Association of County  
2 Commissioners; and the General Assembly shall appoint two persons, one upon the  
3 recommendation of the Speaker of the House of Representatives, and one upon the  
4 recommendation of the President Pro Tempore of the Senate. The Commissioner or his  
5 designate shall be an ex officio member. Appointments by the General Assembly shall  
6 be made in accordance with G.S. 120-121, and vacancies in those appointments shall be  
7 filled in accordance with G.S. 120-122. The terms of the initial appointees by the  
8 General Assembly shall expire on June 30, 1983. The Secretary of the Department of  
9 Crime Control and Public Safety or his designate shall be an ex officio member. The  
10 Attorney General or his designate shall be an ex officio member. One insurance industry  
11 member appointed by the Commissioner shall be appointed to a term of two years and  
12 one insurance industry member shall be appointed to a term of four years. The police  
13 department member shall be appointed to a term of two years and the sheriff's department  
14 member shall be appointed to a term of four years. The representative of county  
15 government shall be appointed to a term of two years and the representative of city  
16 government to a term of four years. Beginning July 1, 1983, the appointment made by  
17 the General Assembly upon the recommendation of the Speaker shall be for two years,  
18 and the appointment made by the General Assembly upon the recommendation of the  
19 President Pro Tempore of the Senate shall be for four years. Except as provided in this  
20 section, if any vacancy occurs in the membership of the Commission, the appointing  
21 authority shall appoint another person to fill the unexpired term of the vacating member.  
22 After the initial terms established herein have expired, all appointees to the Commission  
23 shall be appointed to terms of four years.

24 The Commission members shall elect the chairman and vice-chairman of the  
25 Commission. The Commission may, by majority vote, remove any member of the  
26 Commission for chronic absenteeism, misfeasance, malfeasance or other good cause."  
27

#### 28 –NORTH CAROLINA AGENCY FOR PUBLIC TELECOMMUNICATIONS

29 Sec. 42. G.S. 143B-426.9 reads as rewritten:

30 "**§ 143B-426.9. North Carolina Agency for Public Telecommunications – creation;**  
31 **membership; appointments, terms and vacancies; officers; meetings and**  
32 **quorum; compensation.**

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

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

- 1 (4) Two members appointed by the General Assembly upon the
- 2 recommendation of the President Pro Tempore of the Senate in
- 3 accordance with G.S. 120-121;
- 4 (5) The Secretary of Administration, ex officio;
- 5 (6) The Chairman of the Board of Trustees of The University of North
- 6 Carolina Center for Public Television (if and when established), ex
- 7 officio;
- 8 (7) The Chairman of the State Board of Education, ex officio;
- 9 (8) The Chairman of the OPEN/net Committee, ex officio, so long as such
- 10 person is not a State employee;
- 11 (9) The Chairman of the North Carolina Utilities Commission, ex officio;
- 12 (10) The Director of the Public Staff of the North Carolina Utilities
- 13 Commission, ex officio;
- 14 (11) The Chairman of the Public Radio Advisory Committee of the North
- 15 Carolina Agency for Public Telecommunications, ex officio;
- 16 (12) The Superintendent of Public Instruction, ex officio;
- 17 (13) The President of the University of North Carolina, ex officio;
- 18 (14) The President of the Department of Community Colleges, ex officio;
- 19 and
- 20 (15) Two members ex officio who shall rotate from among the remaining
- 21 heads of departments enumerated in G.S. 143A-11 or G.S. 143B-6,
- 22 appointed by the Governor.

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

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

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

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

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

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

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

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

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

12 A majority of the Board members shall constitute a quorum for the transaction of  
13 business."

#### 14 15 –RULES REVIEW COMMISSION

16 Sec. 43. G.S. 143B-30.1(a) reads as rewritten:

17 "(a) The Rules Review Commission is created. The Commission shall consist of  
18 eight members to be appointed by the General Assembly, four upon the recommendation  
19 of the President Pro Tempore of the Senate, and four upon the recommendation of the  
20 Speaker of the House of Representatives. These appointments shall be made in  
21 accordance with G.S. 120-121, and vacancies in these appointments shall be filled in  
22 accordance with G.S. 120-122. Except as provided in subsection (b) of this section, all  
23 appointees shall serve two-year terms.

#### 24 25 –COMMISSION ON SCHOOL FACILITY NEEDS

26 Sec. 44. G.S. 115C-489.4(a) reads as rewritten:

27 "(a) There is created the Commission on School Facility Needs. The Commission  
28 shall be located administratively in the Department of Public Instruction but shall  
29 exercise all its prescribed statutory powers independently of the State Board of Education  
30 and the Department of Public Instruction.

31 The Commission shall consist of five members appointed by the General Assembly  
32 upon the recommendation of the President Pro Tempore of the Senate in accordance with  
33 G.S. 120-121, one of whom shall be recommended by the President of the Senate to serve  
34 as cochairman, and five members appointed by the General Assembly upon the  
35 recommendation of the Speaker of the House of Representatives in accordance with G.S.  
36 120-121, one of whom shall be recommended by the Speaker of the House of  
37 Representatives to serve as cochairman.

38 The initial terms of members shall expire July 1, 1991. Their successors shall serve  
39 for four-year terms. A vacancy shall be filled for the remainder of the unexpired term in  
40 accordance with G.S. 120-122.

41 The initial meeting of the Commission shall be called jointly by the cochairmen.

42 Members of the Commission who are not State officers or employees shall receive per  
43 diem and necessary travel and subsistence expenses in accordance with G.S. 138-5.

1 Members who are State officers or employees shall be reimbursed for travel and  
2 subsistence in accordance with G.S. 138-6.

3 The Department of Public Instruction shall provide requested professional and clerical  
4 staff to the Commission. The Commission may also employ professional and clerical  
5 staff and may hire outside consultants to assist it in its work."  
6

7 –BOARD OF TRUSTEES, NORTH CAROLINA SCHOOL OF SCIENCE AND  
8 MATHEMATICS

9 Sec. 45. G.S. 116-233(a) reads as rewritten:

10 "(a) There shall be a Board of Trustees of the School, which shall consist of 26  
11 members:

- 12 (1) Twelve members who shall be appointed by the Board of Governors of  
13 The University of North Carolina, one from each congressional district;
- 14 (2) Four members without regard to residency who shall be appointed by  
15 the Board of Governors of The University of North Carolina;
- 16 (3) Three members, ex officio, who shall be the chief academic officers,  
17 respectively, of constituent institutions. The Board of Governors shall in  
18 1985 and quadrennially thereafter designate the three constituent  
19 institutions whose chief academic officers shall so serve, such  
20 designations to expire on June 30, 1989, and quadrennially thereafter;
- 21 (4) The chief academic officer of a college or university in North Carolina  
22 other than a constituent institution, ex officio. The Board of Governors  
23 shall designate in 1985 and quadrennially thereafter which college or  
24 university whose chief academic officer shall so serve, such designation  
25 to expire on June 30, 1989, and quadrennially thereafter;
- 26 (5) Two members appointed by the General Assembly upon the  
27 recommendation of the President Pro Tempore of the Senate in  
28 accordance with G.S. 120-121;
- 29 (6) Two members appointed by the General Assembly upon the  
30 recommendation of the Speaker of the House of Representatives in  
31 accordance with G.S. 120-121; and
- 32 (7) Two members appointed by the Governor."  
33

34 –NORTH CAROLINA BOARD OF SCIENCE AND TECHNOLOGY

35 Sec. 46. G.S. 143B-426.31(a) reads as rewritten:

36 "(a) The North Carolina Board of Science and Technology consists of the  
37 Governor, the Science Advisor to the Governor, and 17 members appointed as follows:  
38 the Governor shall appoint one member from the University of North Carolina at Chapel  
39 Hill, one member from North Carolina State University at Raleigh, and two members  
40 from other components of the University of North Carolina, all nominated by the  
41 President of the University of North Carolina; one member from Duke University,  
42 nominated by the President of Duke University; one member from a private college or  
43 university, other than Duke University, in North Carolina, nominated by the President of



1 the Association of Private Colleges and Universities; one member from the Research  
2 Triangle Institute, nominated by the executive committee of the board of that institute;  
3 one member from the Microelectronics Center of North Carolina, nominated by the  
4 executive committee of the board of that center; one member from the North Carolina  
5 Biotechnology Center, nominated by the executive committee of the board of that center;  
6 four members from private industry in North Carolina, at least one of whom shall be a  
7 professional engineer registered pursuant to Chapter 89C of the General Statutes or a  
8 person who holds at least a bachelors degree in engineering from an accredited college or  
9 university; and two members from public agencies in North Carolina. Two members  
10 shall be appointed by the General Assembly, one shall be appointed upon the  
11 recommendation of the President Pro Tempore of the Senate, and one shall be appointed  
12 upon the recommendation of the Speaker of the House of Representatives in accordance  
13 with G.S. 120-121. The nominating authority for any vacancy on the Board among  
14 members appointed by the Governor shall submit to the Governor two nominations for  
15 each position to be filled, and the persons so nominated shall represent different  
16 disciplines."

17

18 –SEAFOOD INDUSTRIAL PARK AUTHORITY

19 Sec. 47. G.S. 113-315.25(d) reads as rewritten:

20 "(d) The General Assembly shall appoint two persons, one upon the  
21 recommendation of the Speaker of the House of Representatives, and one upon the  
22 recommendation of the President Pro Tempore of the Senate. Appointments by the  
23 General Assembly shall be made in accordance with G.S. 120-121, and vacancies in  
24 those appointments shall be filled in accordance with G.S. 120-122. The terms of the  
25 initial appointees by the General Assembly shall expire on June 30, 1983. The terms of  
26 subsequent appointees by the General Assembly shall be two years."

27

28 –NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS  
29 COMMISSION

30 Sec. 48. G.S. 17E-3(a) reads as rewritten:

31 "(a) There is hereby established the North Carolina Sheriffs' Education and  
32 Training Standards Commission. The Commission shall be composed of 16 members as  
33 follows:

34 (1) Sheriffs. – Eleven sheriffs representing each of the Congressional  
35 districts appointed by the North Carolina Sheriffs' Association, in such  
36 manner as shall be prescribed by the Constitution or bylaws of such  
37 Association.

38 (2) Appointees of the General Assembly. – One person appointed by the  
39 Speaker of the House of Representatives pursuant to Article 16, G.S.  
40 120-121, and one person appointed by the ~~Lieutenant Governor pursuant~~  
41 ~~to Article 16, G.S.~~ General Assembly upon the recommendation of the  
42 President Pro Tempore of the Senate in accordance with G.S. 120-121.

- 1 (3) County Commissioners. – One county commissioner appointed by the  
2 Governor as recommended from three nominees from the North  
3 Carolina Association of County Commissioners.  
4 (4) Others. – The President of the Department of Community Colleges or  
5 his designee and the Director of the Institute of Government or his  
6 designee shall be ex officio, nonvoting members of the Commission."  
7

8 –SOUTHEASTERN FARMERS MARKET COMMISSION

9 Sec. 49. G.S. 106-727(b) reads as rewritten:

10 "(b) The Commission shall consist of nine members, as follows:

- 11 (1) The Commissioner of Agriculture;  
12 (2) Four members appointed by the General Assembly upon the  
13 recommendation of the President Pro Tempore of the Senate in  
14 accordance with G.S. 120-121, one of whom shall be designated to  
15 serve as chairman as provided in subsection (d) of this section; and  
16 (3) Four members appointed by the General Assembly upon the  
17 recommendation of the Speaker of the House of Representatives in  
18 accordance with G.S. 120-121."  
19

20 –SOUTHERN GROWTH POLICIES BOARD

21 Sec. 50. G.S. 143-492(b) reads as rewritten:

22 "(b) The Board shall consist of five members from each party state, as follows:

- 23 (1) The governor.  
24 (2) Two members of the state legislature, one appointed by the presiding  
25 officer of each house of the legislature or in such other manner as the  
26 legislature may provide. For the Senate of North Carolina, the General  
27 Assembly provides that the appointment shall be made by the President  
28 Pro Tempore of the Senate.  
29 (3) Two residents of the state who shall be appointed by the governor to  
30 serve at his pleasure."  
31

32 –DISCIPLINARY HEARING COMMISSION

33 Sec. 51. G.S. 84-28.1(a) reads as rewritten:

34 "(a) There shall be a disciplinary hearing commission of the North Carolina State  
35 Bar which shall consist of 15 members. Ten of these members shall be members of the  
36 North Carolina State Bar, and shall be appointed by the council. The other five shall be  
37 citizens of North Carolina not licensed to practice law in this or any other state, three of  
38 whom shall be appointed by the Governor, one by the ~~Lieutenant Governor,~~ General  
39 Assembly upon the recommendation of the President Pro Tempore of the Senate in  
40 accordance with G.S. 120-121, and one by the General Assembly upon the  
41 recommendation of the Speaker of the House of Representatives. ~~Representatives in~~  
42 accordance with G.S. 120-121. The council shall designate one of its appointees as  
43 chairman and another as vice-chairman. The chairman shall have actively practiced law

1 in the courts of the State for at least 10 years. When the commission is first selected, five  
2 members, including three appointed by the council, one appointed by the Governor and  
3 the one appointed by the Speaker of the House of Representatives, shall be appointed for  
4 terms of one year; five members, including three appointed by the council, one appointed  
5 by the Governor and the one appointed by the Lieutenant Governor, shall be appointed  
6 for terms of two years; and the remaining five members shall be appointed for terms of  
7 three years. All such initial terms shall commence July 1, 1975. Thereafter five members  
8 shall be appointed each year to three-year terms to fill the positions of the terms then  
9 expiring. The council, the Governor, ~~the Lieutenant Governor and the Speaker of the House~~  
10 ~~of Representatives,~~ and the General Assembly respectively, shall appoint members to fill  
11 the unexpired term when any vacancy is created by resignation, disqualification,  
12 disability or ~~death.~~ death, except that vacancies in appointments made by the General  
13 Assembly may also be filled as provided by G.S. 120-122. No member may serve more  
14 than a total of seven years or a one-year term and two consecutive three-year terms:  
15 Provided, that any member or former member who is designated chairman may serve one  
16 additional three-year term in that capacity. No member of the council may be appointed  
17 to the commission."  
18

19 –STATE BUILDING COMMISSION

20 Sec. 52. G.S. 143-135.25(c) reads as rewritten:

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

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

1 of Electrical Contractors, and the Carolinas Electrical Contractors'  
2 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 among  
8 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 three  
14 persons nominated by the Board of Governors of The University of  
15 North Carolina, appointed by the Governor.

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

26 The members shall be appointed for staggered three-year terms: The initial  
27 appointments to the Commission shall be made within 15 days of the effective date of  
28 this act [April 14, 1987]. The initial terms of members appointed pursuant to subdivisions  
29 (1), (2), and (3) shall expire June 30, 1990; the initial terms of members appointed  
30 pursuant to (4), (5), and (6) shall expire June 30, 1989; and the initial terms of members  
31 appointed pursuant to (7), (8), and (9) shall expire June 30, 1988. Members may serve no  
32 more than six consecutive years. In making new appointments or filling vacancies, the  
33 Governor shall ensure that minorities and women are represented on the Commission.

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

38 The chairman of the Commission shall be elected by the Commission. The Secretary  
39 of State shall serve as chairman until a chairman is elected."  
40

41 –STATE LIBRARY COMMISSION

42 Sec. 53. G.S. 143B-91(a) reads as rewritten:

1       "(a) The State Library Commission shall consist of 15 members. All members  
2 shall have an interest in the development of library and information services in North  
3 Carolina. Eight members shall be appointed by the Governor. One member shall be  
4 appointed by the ~~Lieutenant Governor~~ President Pro Tempore of the Senate. One member  
5 shall be appointed by the Speaker of the North Carolina House of Representatives. Three  
6 members shall be appointed by the North Carolina Public Library Directors Association.  
7 Two members shall be the President and the President-elect of the North Carolina Library  
8 Association or two appointees as determined by the North Carolina Library Association's  
9 Board of Directors. The State Librarian shall be an ex officio member and act as  
10 secretary to the Commission.

11       All appointments shall be for four-year terms with eight of the commissioners taking  
12 office on the first four-year cycle and seven commissioners taking office on the second  
13 four-year cycle. Any appointment to fill a vacancy in one of the positions appointed by  
14 the Governor, ~~Lieutenant Governor~~, President Pro Tempore or Speaker of the House of  
15 Representatives shall be for the remainder of the unexpired term. Appointees shall not  
16 serve more than two successive four-year terms.

17       The Governor shall choose a chairperson from among the gubernatorial appointees.  
18 The chairperson shall serve not more than two successive two-year terms as chair.

19       Members of the Commission shall receive per diem and necessary travel and  
20 subsistence expenses as provided in G.S. 138-5.

21       A majority of the Commission shall constitute a quorum for the transaction of  
22 business.

23       All clerical and other services required by the Commission shall be supplied by the  
24 Secretary of Cultural Resources.

25       The Commission shall meet at least twice a year."  
26

#### 27 –STATE PORTS AUTHORITY

28       Sec. 54. G.S. 143B-452 reads as rewritten:

#### 29 **"§ 143B-452. Creation of Authority – membership; appointment, terms and** 30 **vacancies; officers; meetings and quorum; compensation.**

31       The North Carolina State Ports Authority is hereby created. It shall be governed by a  
32 board composed of nine members and hereby designated as the Authority. Effective July  
33 1, 1983, it shall be governed by a board composed of 11 members and hereby designated  
34 as the Authority. The General Assembly suggests and recommends that no person be  
35 appointed to the Authority who is domiciled in the district of the North Carolina House of  
36 Representatives or the North Carolina Senate in which a State port is located. The  
37 Governor shall appoint seven members to the Authority, and the General Assembly shall  
38 appoint two members of the Authority. Effective July 1, 1983, the Authority shall consist  
39 of seven persons appointed by the Governor, and four persons appointed by the General  
40 Assembly. Effective July 1, 1989, the Governor shall appoint six members to the  
41 Authority, in addition to the Secretary of Commerce, who shall serve as a voting member  
42 of the Authority by virtue of his office. The Secretary of Commerce shall fill the first

1 vacancy occurring after July 1, 1989, in a position on the Authority over which the  
2 Governor has appointive power.

3 The initial appointments by the Governor shall be made on or after March 8, 1977,  
4 two terms to expire July 1, 1979; two terms to expire July 1, 1981; and three terms to  
5 expire July 1, 1983. Thereafter, at the expiration of each stipulated term of office all  
6 appointments made by the Governor shall be for a term of six years.

7 To stagger further the terms of members:

- 8 (1) Of the members appointed by the Governor to replace the members  
9 whose terms expire on July 1, 1991, one member shall be appointed to a  
10 term of five years, to expire on June 30, 1996; the other member shall  
11 be appointed for a term of six years, to expire on June 30, 1997;
- 12 (2) Of the members appointed by the Governor to replace the members  
13 whose terms expire on July 1, 1993, one member shall be appointed to a  
14 term of five years, to expire on June 30, 1998; the other member shall  
15 be appointed to a term of six years, to expire on June 30, 1999;
- 16 (3) Of those members appointed by the Governor to replace the members  
17 whose terms expire on July 1, 1995, one member shall be appointed to a  
18 term of five years, to expire on June 30, 2000; the other member shall  
19 be appointed to a term of six years, to expire on June 30, 2001.

20 Thereafter, at the expiration of each stipulated term of office all appointments made  
21 by the governor shall be for a term of six years.

22 The members of the Authority appointed by the Governor shall be selected from the  
23 State-at-large and insofar as practicable shall represent each section of the State in all of  
24 the business, agriculture, and industrial interests of the State. Any vacancy occurring in  
25 the membership of the Authority appointed by the Governor shall be filled by the  
26 Governor for the unexpired term. The Governor may remove a member appointed by the  
27 Governor only for reasons provided by G.S. 143B-13.

28 The General Assembly shall appoint two persons to serve terms expiring June 30,  
29 1983. The General Assembly shall appoint four persons to serve terms beginning July 1,  
30 1983, to serve until June 30, 1985, and successors shall serve for two-year terms. Of the  
31 two appointments to be made in 1982, one shall be made upon the recommendation of the  
32 Speaker, and one shall be made upon the recommendation of the President of the Senate.  
33 Of the four appointments made in 1983 and biennially thereafter, two shall be made upon  
34 the recommendation of the President of the Senate, and two shall be made upon the  
35 recommendation of the Speaker. To stagger further the terms of members:

- 36 (1) Of the members appointed upon the recommendation of the Speaker to  
37 replace the members whose terms expire on June 30, 1991, one member  
38 shall be appointed to a term of one year, to expire on June 30, 1992; the  
39 other member shall be appointed to a term of two years, to expire on  
40 June 30, 1993;
- 41 (2) Of the members appointed upon the recommendation of the President of  
42 the Senate to replace the members whose terms expire on June 30, 1991,  
43 one member shall be appointed to a term of one year, to expire on June

1 30, 1992; the other member shall be appointed to a term of two years, to  
2 expire on June 30, 1993. Successors to these persons for terms  
3 beginning on or after January 1, 1997, shall be appointed by the General  
4 Assembly upon the recommendation of the President Pro Tempore of  
5 the Senate.

6 Thereafter, at the expiration of each stipulated term of office all appointments made  
7 by the General Assembly shall be for terms of two years.

8 Appointments by the General Assembly shall be made in accordance with G.S. 120-  
9 121, and vacancies in those appointments shall be filled in accordance with G.S. 120-122.  
10 Members appointed by the General Assembly may be removed only for reasons provided  
11 by G. S. 143B-13.

12 The Governor shall appoint from the members of the Authority the chairman and  
13 vice-chairman of the Authority. The members of the Authority shall appoint a treasurer  
14 and secretary of the Authority.

15 The Authority shall meet once in each 60 days at such regular meeting time as the  
16 Authority by rule may provide and at any place within the State as the Authority may  
17 provide, and shall also meet upon the call of its chairman or a majority of its members. A  
18 majority of its members shall constitute a quorum for the transaction of business. The  
19 members of the Authority shall not be entitled to compensation for their services, but  
20 they shall receive per diem and necessary travel and subsistence expense in accordance  
21 with G.S. 138-5."  
22

#### 23 –SUBSTANCE ABUSE ADVISORY COUNCIL

24 Sec. 55. G.S. 143B-270(b) reads as rewritten:

25 "(b) The Council shall be composed of nine members. Three members shall be  
26 appointed by the Speaker of the House of Representatives, three members by the  
27 ~~Lieutenant Governor~~, President Pro Tempore of the Senate, and three members by the  
28 Governor. Of each set of three members, the appointing authority shall appoint one  
29 person who is a member of the recovering community, one other person who is a  
30 professional in the field of substance abuse services, and one other person who is a  
31 member of the public at large. Vacancies shall be filled by the office making the initial  
32 appointment and for the remainder of the unexpired term only. The Council shall elect its  
33 chairman annually."  
34

#### 35 –BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' 36 COMPREHENSIVE MAJOR MEDICAL PLAN

37 Sec. 56. G.S. 135-39(d) reads as rewritten:

38 "(d) Three members shall be appointed by the General Assembly upon the  
39 recommendation of the President Pro Tempore of the Senate in accordance with G.S.  
40 120-121. Of the initial members, two shall serve terms expiring June 30, 1983, and one  
41 shall serve a term expiring June 30, 1984. Vacancies shall be filled in accordance with  
42 G.S. 120-122.

1 One of the members appointed by the General Assembly upon the recommendation of  
2 the President of the Senate for a term beginning July 1, 1985, shall be an employee  
3 enrolled in the Plan. Any successor to such member shall also be an employee enrolled in  
4 the Plan."

5  
6 –BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES'  
7 RETIREMENT SYSTEM

8 Sec. 57. G.S. 135-6(b) reads as rewritten:

9 "(b) Membership of Board; Terms. – The Board shall consist of 14 members, as  
10 follows:

- 11 (1) The State Treasurer, ex officio;
- 12 (2) The Superintendent of Public Instruction, ex officio;
- 13 (3) Ten members to be appointed by the Governor and confirmed by the  
14 Senate of North Carolina. One of the appointive members shall be a  
15 member of the teaching profession of the State; one of the appointive  
16 members shall be an employee of the Board of Transportation, who  
17 shall be appointed by the Governor for a term of four years commencing  
18 April 1, 1947, and quadrennially thereafter; one of the appointive  
19 members shall be a representative of higher education appointed by the  
20 Governor for a term of four years commencing July 1, 1969, and  
21 quadrennially thereafter; one of the appointive members shall be a  
22 retired teacher who is drawing a retirement allowance, appointed by the  
23 Governor for a term of four years commencing July 1, 1969, and  
24 quadrennially thereafter; one shall be a retired State employee who is  
25 drawing a retirement allowance, appointed by the Governor for a term  
26 of four years commencing July 1, 1977, and quadrennially thereafter;  
27 one to be a general State employee, and three who are not members of  
28 the teaching profession or State employees; two to be appointed for a  
29 term of two years, two for a term of three years and one for a term of  
30 four years; one appointive member shall be a law-enforcement officer  
31 employed by the State, appointed by the Governor, for a term of four  
32 years commencing April 1, 1985. At the expiration of these terms of  
33 office the appointment shall be for a term of four years;
- 34 (4) Two members appointed by the General Assembly, one appointed upon  
35 the recommendation of the Speaker of the House of Representatives,  
36 and one appointed upon the recommendation of the President Pro  
37 Tempore of the Senate in accordance with G.S. 120-121. Neither of  
38 these members may be an active or retired teacher or State employee or  
39 an employee of a unit of local government. The initial members  
40 appointed by the General Assembly shall serve for terms expiring June  
41 30, 1983. Thereafter, their successors shall serve for two-year terms  
42 beginning July 1 of odd-numbered years. Vacancies in appointments



1 made by the General Assembly shall be filled in accordance with G.S.  
2 120-122."  
3

4 –NORTH CAROLINA TEACHING FELLOWS COMMISSION

5 Sec. 58. G.S. 115C-363.23(a) reads as rewritten:

6 "(a) The Commission shall consist of 11 nonlegislative members as follows:

7 (1) The Chairman of the State Board of Education, or his designee;

8 (2) The Lieutenant Governor, or his designee;

9 (3) Three persons appointed by the Governor;

10 (4) Three persons appointed by the General Assembly on the  
11 recommendation of the President Pro Tempore of the Senate, as  
12 provided in G.S. 120-121; and

13 (5) Three persons appointed by the General Assembly on the  
14 recommendation of the Speaker of the House of Representatives, as  
15 provided in G.S. 120-121.

16 Terms of commission members appointed under this section expire on June 30 of the  
17 year of expiration. In 1990, three members shall be appointed by the General Assembly  
18 upon the recommendation of the Speaker of the House of Representatives, one for a term  
19 to expire June 30, 1992, one for a term to expire June 30, 1993, and one for a term to  
20 expire June 30, 1994. In 1990, three members shall be appointed by the General  
21 Assembly upon the recommendation of the President of the Senate, one for a term to  
22 expire June 30, 1991, one for a term to expire June 30, 1992, and one for a term to expire  
23 June 30, 1993. In 1990, three members shall be appointed by the Governor, one for a  
24 term to expire June 30, 1992, one for a term to expire June 30, 1993, and one for a term  
25 to expire June 30, 1994. Subsequent appointments are for a term of four years."  
26

27 –STATE BOARD OF THERAPEUTIC RECREATION CERTIFICATION

28 Sec. 59. G.S. 90C-5(b) reads as rewritten:

29 "(b) Composition. – The Board shall consist of seven members appointed as  
30 follows:

31 (1) Three practicing therapeutic recreation specialists, one each appointed  
32 by the Governor, the General Assembly upon the recommendation of  
33 the President Pro Tempore of the Senate, and the General Assembly  
34 upon the recommendation of the Speaker of the House of  
35 Representatives;

36 (2) One therapeutic recreation specialist who is engaged primarily in  
37 providing training for therapeutic recreation specialists or therapeutic  
38 recreation assistants and one therapeutic recreation assistant, each  
39 appointed by the Governor; and

40 (3) Two public members, one appointed by the General Assembly upon the  
41 recommendation of the President Pro Tempore of the Senate and one  
42 appointed by the General Assembly upon the recommendation of the  
43 Speaker of the House of Representatives.

1 The Governor shall make his initial appointments after consultation with the North  
2 Carolina Recreation and Park Society and other interested persons and thereafter shall  
3 make his appointments after consultation with the Board."  
4

5 –BOARD OF TRANSPORTATION

6 Sec. 60. G.S. 143B-350(d) reads as rewritten:

7 "(d) The Board of Transportation shall have two members appointed by the General  
8 Assembly. One of these members shall be appointed upon the recommendation of the  
9 Speaker of the House of Representatives, and one shall be appointed upon the  
10 recommendation of the President Pro Tempore of the Senate in accordance with G.S.  
11 120-121. The initial members appointed by the General Assembly shall serve for terms  
12 expiring June 30, 1983. Thereafter, their successors shall serve for two-year terms  
13 beginning July 1 of odd-numbered years. Vacancies in appointments made by the  
14 General Assembly shall be filled in accordance with G.S. 120-122."  
15

16 –BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA CENTER  
17 FOR PUBLIC TELEVISION

18 Sec. 61. G.S. 116-37.1(b)(1) reads as rewritten:

19 "(1) The Board of Trustees of the University of North Carolina Center for  
20 Public Television shall be composed of the following membership: 11  
21 persons appointed by the Board of Governors; four persons appointed  
22 by the Governor; two members appointed by the General Assembly, one  
23 upon the recommendation of the Speaker of the House of  
24 Representatives, and one upon the recommendation of the President Pro  
25 Tempore of the Senate in accordance with G.S. 120-121; and ex officio,  
26 the Secretary of the Department of Cultural Resources, the Secretary of  
27 the Department of Human Resources, the Superintendent of Public  
28 Instruction, the President of the Community College System, and the  
29 President of the University of North Carolina. In making initial  
30 appointments to the Board of Trustees, the Board of Governors shall  
31 designate six persons for two-year terms and five persons for four-year  
32 terms, and the Governor shall designate two persons for two-year terms  
33 and two persons for four-year terms. The initial members appointed to  
34 the Board of Trustees by the General Assembly shall serve for terms  
35 expiring June 30, 1983, and notwithstanding anything else in this  
36 section, their successors shall be appointed in 1983 and biennially  
37 thereafter for two-year terms. Thereafter, the term of office of appointed  
38 members of the Board of Trustees of the Center shall be four years. In  
39 making appointments to the Board of Trustees the appointing authorities  
40 shall give consideration to promoting diversity among the membership,  
41 to the end that, in meeting the responsibilities delegated to it, the Board  
42 of Trustees will reflect and be responsive to the diverse needs, interests,  
43 and concerns of the citizens of North Carolina."

1  
2 –VETERANS' MEMORIAL COMMISSION

3 Sec. 62. G.S. 143B-133(b) reads as rewritten:

4 "(b) The Veterans' Memorial Commission shall consist of 15 members, none of  
5 whom shall be members of the North Carolina General Assembly. The appointments  
6 shall be made as follows:7 (1) Five persons shall be appointed by the General Assembly upon the  
8 recommendation of the Speaker of the House of Representatives in  
9 accordance with G.S. 120-121.10 (2) Five persons shall be appointed by the General Assembly upon the  
11 recommendation of the President Pro Tempore of the Senate in  
12 accordance with G.S. 120-121.

13 (3) Five persons shall be appointed by the Governor.

14 Vacancies in appointments made by the General Assembly shall be filled in  
15 accordance with G.S. 120-122. Other vacancies in appointive terms shall be filled by  
16 appointment by the Governor."  
17

## 18 –BOARD OF DIRECTORS OF THE NORTH CAROLINA ARBORETUM

19 Sec. 63. G.S. 116-243 reads as rewritten:

20 **"§ 116-243. Board of directors established; appointments.**21 A board of directors to govern the operation of the Arboretum is established, to be  
22 appointed as follows:23 (1) Two by the Governor, initially, one for a two-year term, and one for a  
24 four-year term. Successors shall be appointed for four-year terms;25 (2) Two by the General Assembly, in accordance with G.S. 120-121, upon  
26 the recommendation of the President Pro Tempore of the Senate,  
27 initially, one for a two-year term, and one for a four-year term.  
28 Successors shall be appointed for four-year terms;29 (3) Two by the General Assembly, in accordance with G.S. 120-121, upon  
30 the recommendation of the Speaker of the House of Representatives,  
31 initially, one for a two-year term, and one for a four-year term.  
32 Successors shall be appointed for four-year terms;33 (4) The President of The University of North Carolina or his designee to  
34 serve ex officio;35 (5) The chancellors, chief executive officers, or their designees of the  
36 following institutions of higher education: North Carolina State  
37 University, Western Carolina University, The University of North  
38 Carolina at Asheville, Mars Hill College, and Warren Wilson College,  
39 to serve ex officio;40 (6) The President of Western North Carolina Arboretum, Inc., to serve ex  
41 officio;42 (7) Six by the Board of Governors of The University of North Carolina,  
43 initially, three for one-year terms, and three for three-year terms.

1 Successors shall be appointed for four-year terms. One shall be an  
2 active grower of nursery stock, and one other shall represent the State's  
3 garden clubs;

- 4 (8) The executive director of the Arboretum and the Executive Vice  
5 President of Western North Carolina Development Association shall  
6 serve ex officio as nonvoting members of the board of directors.

7 All appointed members may serve two full four-year terms following the initial  
8 appointment and then may not be reappointed until they have been absent for at least four  
9 years. Members serve until their successors have been appointed. Appointees to fill  
10 vacancies serve for the remainder of the unexpired term. Vacancies in appointments  
11 made by the General Assembly shall be filled in accordance with G.S. 120-122. Initial  
12 terms begin July 1, 1986.

13 The chairman of the board of directors shall be elected biennially by majority vote of  
14 the directors.

15 The executive director of the Arboretum shall report to the board of directors."  
16

#### 17 –WILDLIFE RESOURCES COMMISSION

18 Sec. 64. G.S. 143-241 reads as rewritten:

19 "**§ 143-241. Appointment and terms of office of Commission members; filling of**  
20 **vacancies.**

21 The members of the North Carolina Wildlife Resources Commission shall be  
22 appointed as follows:

23 The Governor shall appoint one member each from the first, fourth, and seventh  
24 wildlife districts to serve six-year terms;

25 The Governor shall appoint one member each from the second, fifth, and eighth  
26 wildlife districts to serve two-year terms;

27 The Governor shall appoint one member each from the third, sixth, and ninth wildlife  
28 districts to serve four-year terms;

29 The Governor shall also appoint two at-large members to serve four-year terms.

30 The General Assembly shall appoint six members of the Commission to serve two-  
31 year terms, three upon the recommendation of the Speaker of the House, ~~one~~ three upon  
32 the recommendation of the ~~President of the Senate~~, and two upon the recommendation of the  
33 President Pro Tempore of the Senate, in accordance with G.S. 120-121. Of the members  
34 appointed upon the recommendation of the Speaker of the House and upon the  
35 recommendation of the President Pro Tempore of the Senate, at least one of each shall be  
36 a member of the political party to which the largest minority of the members of the  
37 General Assembly belongs.

38 Thereafter as the terms of office of the members of the Commission appointed by the  
39 Governor from the several wildlife districts expire, their successors shall be appointed for  
40 terms of six years each. As the terms of office of the members of the Commission  
41 appointed by the General Assembly expire, their successors shall be appointed for terms  
42 of two years each. All members appointed by the Governor serve at the pleasure of the  
43 Governor that appointed them and they may be removed by that Governor at any time. A

1 successor to the appointing Governor may remove a Commission member only for cause  
2 as provided in G.S. 143B-13. Members appointed by the General Assembly serve at the  
3 pleasure of that body and may be removed by law at any time. In the event that a  
4 Commission member is removed, the member appointed to replace the removed member  
5 shall serve only for the unexpired term of the removed member."

6           Sec. 65. This act applies with respect to terms beginning on or after January 1,  
7 1997, and to vacancies occurring on or after that date regardless of the date the term  
8 began.