

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 901
Second Edition Engrossed 5/10/95

Short Title: Pro Tem Appointments.

(Public)

Sponsors: Senator Rand.

Referred to: Rules and Operation of the Senate

May 1, 1995

A BILL TO BE ENTITLED

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

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;

- b. North Carolina Association of County Commissioners;
- c. North Carolina Chapter of the Daughters of the American Revolution;
- d. North Carolina Chapter of the Society of the Cincinnati;
- e. North Carolina Chapter of the Sons of the American Revolution;
- f. North Carolina Genealogical Society;
- g. North Carolina Historical Commission;
- h. North Carolina League of Municipalities;
- i. Society of the Colonial Dames of America in the State of North Carolina;
- j. Sons of Confederate Veterans;
- k. United Daughters of the Confederacy."

14 –NORTH CAROLINA CENTER FOR ADVANCEMENT OF TEACHING

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

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

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

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

30 –GOVERNOR'S ADVISORY COUNCIL ON AGING

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

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

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

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

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

24 The Governor shall have the power to remove any member of the Council from office
25 in accordance with the provisions of G.S. 143B-16 of the Executive Organization Act of
26 1973.

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

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

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

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

34

35 –NORTH CAROLINA AGRICULTURAL FINANCE AUTHORITY

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

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

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

- 1 (2) Three members appointed by the General Assembly upon the
2 recommendation of the President Pro Tempore of the Senate under G.S.
3 120-121; and
4 (3) Three members appointed by the Governor."
5

6 –COMMISSION ON AGRICULTURE, FORESTRY, AND SEAFOOD AWARENESS

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

8 "**§ 120-150. Creation; appointment of members.**

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

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

28 Members shall be appointed for two-year terms beginning October 1 of each odd-
29 numbered year. The cochairmen of the Commission shall be the chairmen of the Senate
30 and House Agriculture Committees respectively."
31

32 –ALARM SYSTEMS LICENSING BOARD

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

34 "(b) The Board shall consist of seven members: the Attorney General or his
35 designee; two persons appointed by the Governor, one of whom shall be licensed under
36 this Chapter and one of whom shall be a public member; two persons appointed by the
37 General Assembly upon the recommendation of the President Pro Tempore of the Senate
38 in accordance with G.S. 120-121, one of whom shall be licensed under this Chapter and
39 one of whom shall be a public member; and two persons appointed by the General
40 Assembly upon the recommendation of the Speaker of the House of Representatives in
41 accordance with G.S. 120-121, one of whom shall be licensed under this Chapter and one
42 of whom shall be a public member."
43

1 –ANDREW JACKSON HISTORIC MEMORIAL COMMITTEE

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

3 "(b) There is created an Andrew Jackson Historic Memorial Committee to consist
4 of 12 members, six appointed by the Speaker of the House of Representatives and six
5 appointed by the President Pro Tempore of the Senate. Members shall serve four-year
6 terms. Vacancies shall be filled by the appointing officer for the unexpired term."
7

8 –ART MUSEUM BOARD OF TRUSTEES

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

10 "(b) The Board of Trustees of the North Carolina Museum of Art shall consist of 28
11 members, chosen as follows:12 (1) The Governor shall appoint twelve members, one from each
13 congressional district in the State in accordance with G.S. 147-12(3b);

14 (2) The North Carolina Art Society, Incorporated, shall elect four members;

15 (3) The North Carolina Museum of Art Foundation, Incorporated, shall
16 elect four members;17 (4) The Board of Trustees of the North Carolina Museum of Art shall elect
18 four members;19 (5) The General Assembly shall appoint four members, two upon the
20 recommendation of the Speaker of the House of Representatives, and
21 two upon the recommendation of the President Pro Tempore of the
22 Senate in accordance with G.S. 120-121;

23 (6) Repealed by Session Laws 1981 (Regular Session, 1982), c. 1191, s. 49.

24 All regular appointments or elections except those by the General Assembly shall be for
25 terms of six years, except that each member shall serve until his successor is chosen and
26 qualifies. No person may be appointed or elected to more than two consecutive terms of
27 six years. All regular appointments by the General Assembly shall be for the then current
28 legislative term, and no appointee of the General Assembly may be appointed to more
29 than two consecutive terms of two years."
30

31 –ART MUSEUM BUILDING COMMISSION

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

33 "**§ 143B-59. Art Museum Building Commission – members; selection; quorum;
34 compensation.**35 The Art Museum Building Commission of the Department of Cultural Resources shall
36 consist of 15 members with nine appointed by the Governor, three persons who have
37 served in the State Senate to be appointed by the President Pro Tempore of the Senate,
38 and three persons who have served in the House of Representatives to be appointed by
39 the Speaker of the House of Representatives. The initial members of the Commission
40 shall be the members of the existing Art Museum Building Commission who shall serve
41 until the completion of the duties assigned to the Commission. Each vacancy occurring in
42 the membership shall be filled by appointment of the officer authorized to make the

1 initial appointment to the place vacated, and each appointee to fill a vacancy shall have
2 the same qualifications prescribed by this Article for the appointee whom he succeeds.

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

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

8 A majority of the Commission shall constitute a quorum for the transaction of
9 business.

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

12
13 –STATE BANKING COMMISSION

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

15 "**§ 53-92. Appointment of Commissioner of Banks; State Banking Commission.**

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

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

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

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

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

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

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

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

1 name of appellant).' It shall be placed on the civil issue docket of such court and shall
2 have precedence over other civil actions. In the event of an appeal the Commissioner
3 shall certify the record to the Clerk of Superior Court of Wake County within 15 days
4 thereafter."

5
6 –CHILD DAY-CARE COMMISSION

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

8 **"§ 143B-168.4. Child Day-Care Commission – members; selection; quorum.**

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

32 (b) Members shall be appointed as follows:

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

1 Appointments by the General Assembly shall be made in accordance with G.S. 120-121.
2 After the initial appointees' terms have expired, all members shall be appointed to serve
3 two-year terms. Any appointment to fill a vacancy on the Commission created by the
4 resignation, dismissal, death, or disability of a member shall be for the balance of the
5 unexpired term.

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

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

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

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

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

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

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

20 All clerical and other services required by the Commission shall be supplied by the
21 Secretary of Human Resources."
22

23 –STATE BOARD OF CHIROPRACTIC EXAMINERS

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

25 "**§ 90-139. Creation and membership of Board of Examiners.**

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

1 (b) All Board members serving on June 30, 1981, shall be eligible to complete
2 their respective terms. No member appointed to the Board on or after July 1, 1981, shall
3 serve more than two complete consecutive terms, except that each member shall serve
4 until his successor is chosen and qualifies. The initial appointment of the General
5 Assembly upon the recommendation of the President of the Senate shall be for a term to
6 expire June 30, 1986, and the initial appointment of the General Assembly upon the
7 recommendation of the Speaker of the House of Representatives shall be for a term to
8 expire June 30, 1985, subsequent appointments upon the recommendation of the
9 President of the Senate shall be for terms of three years, subsequent appointments upon
10 the recommendation of the Speaker of the House of Representatives shall be for terms of
11 two years.

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

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

24 "**§ 90-140. Selection of chiropractic members of Board.**

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

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

42
43 –NORTH CAROLINA CODE OFFICIALS QUALIFICATION BOARD

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

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

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

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

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

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

42
43 -STATE BOARD OF COSMETIC ART EXAMINERS

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

2 "(b) Cosmetologist members of the Board shall serve staggered three-year terms.
3 In order to establish a staggered term system, the terms of those members currently
4 serving on the Board shall expire as follows: the term of the member having served the
5 longest time on the Board shall expire on June 30, 1981; the term of the member having
6 served the least time on the Board shall expire on June 30, 1983; and the term of the
7 remaining cosmetologist member shall expire on June 30, 1982. Thereafter, all
8 cosmetologist members shall serve three-year terms. One of the additional cosmetologist
9 members added to the Board on July 1, 1987, shall be appointed by the General
10 Assembly on the recommendation of the Lieutenant Governor in accordance with G.S.
11 120-121 and shall serve until June 30, ~~1990~~-1990; provided that successors for terms
12 beginning on or after July 1, 1997, shall be appointed by the General Assembly upon the
13 recommendation of the President Pro Tempore of the Senate in accordance with G.S.
14 120-121. The other additional cosmetologist member added to the Board on July 1, 1987,
15 shall be appointed by the General Assembly on the recommendation of the Speaker of the
16 House of Representatives in accordance with G.S. 120-121 and shall serve until June 30,
17 1989.

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

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

23
24 **–CRIME VICTIMS COMPENSATION COMMISSION**

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

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

- 28 (1) One member to be appointed by the Governor;
29 (2) One member to be appointed by the General Assembly upon the
30 recommendation of the President Pro Tempore of the Senate under G.S.
31 120-121;
32 (3) One member to be appointed by the General Assembly upon the
33 recommendation of the Speaker of the House of Representatives under
34 G.S. 120-121;
35 (4) The Attorney General or his designee; and
36 (5) The Secretary of the Department of Crime Control and Public Safety or
37 his designee."
38

39 **–NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING**
40 **STANDARDS COMMISSION**

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

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

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

36
37 –NORTH CAROLINA BOARD OF DIETETICS/NUTRITION

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

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

- 40 (1) The Governor shall appoint the professional member described in G.S.
41 90-353(a)(5) and the two public members described in G.S. 90-
42 353(a)(6);

- 1 (2) The General Assembly upon the recommendation of the Speaker of the
2 House of Representatives shall appoint the professional members
3 described in G.S. 90-353(a)(1) and G.S. 90-353(a)(2) in accordance
4 with G.S. 120-121, one of whom shall be a nutritionist with a masters or
5 higher degree in a nutrition-related discipline; and
6 (3) The General Assembly upon the recommendation of the President Pro
7 Tempore of the Senate shall appoint the professional members described
8 in G.S. 90-353(a)(3) and G.S. 90-353(a)(4) in accordance with G.S.
9 120-121, one of whom shall be a nutritionist with a masters or higher
10 degree in a nutrition-related discipline."

11
12 –NORTH CAROLINA EDUCATIONAL FACILITIES FINANCE AGENCY

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

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

1 prescribe the duties of a secretary-treasurer and such other officers as it shall deem
2 necessary or advisable, which officers need not be members of the board of directors."

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

4 "(64) The North Carolina Educational Facilities Finance Agency, as
5 established by G.S. 115E-4."
6

7 –ENVIRONMENTAL MANAGEMENT COMMISSION

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

9 "(d) In addition to the members designated by subsection (a), the General Assembly
10 shall appoint four members, two upon the recommendation of the Speaker of the House
11 of Representatives, and two upon the recommendation of the President Pro Tempore of
12 the Senate. Appointments by the General Assembly shall be made in accordance with
13 G.S. 120-121, and vacancies in those appointments shall be filled in accordance with G.S.
14 120-122. The terms of initial appointees by the General Assembly shall expire on June
15 30, 1983. Thereafter, these members shall serve two-year terms."
16

17 –NORTH CAROLINA FARMWORKER COUNCIL

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

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

- 21 (1) Four shall be appointed by the Governor.
- 22 (2) Two shall be appointed by the Speaker of the House of Representatives.
- 23 (3) Two shall be appointed by the ~~Lieutenant Governor.~~ President Pro
24 Tempore of the Senate.
- 25 (4) The Secretary of the Department of Human Resources or the Deputy
26 Secretary of the Department if designated by the Secretary shall serve
27 ex officio.
- 28 (5) The Commissioner of Labor or the Deputy Commissioner of the
29 Department if designated by the Commissioner shall serve ex officio.
- 30 (6) The Commissioner of Agriculture or the Deputy Commissioner of the
31 Department if designated by the Commissioner shall serve ex officio.
- 32 (7) The Chairman of the Employment Security Commission or his designee
33 shall serve ex officio.
- 34 (8) The Secretary of Environment, Health, and Natural Resources or his
35 designee shall serve ex officio."
36

37 –STATE FIRE AND RESCUE COMMISSION

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

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

- 41 (1) The Commissioner shall appoint eleven members, two from
42 nominations submitted by the North Carolina State Firemen's
43 Association, one from nominations submitted by the North Carolina

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

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

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

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

19
20 –BOARD OF GOVERNORS OF THE NORTH CAROLINA HEALTH CARE EXCESS
21 LIABILITY FUND

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

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

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

28 (2) Two members to be appointed by the General Assembly upon the
29 recommendation of the Speaker of the House in accordance with G.S.
30 120-121 from a list of two nominees per appointment submitted by the
31 North Carolina Hospital Association;

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

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

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

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

40 "(65) The Board of Governors of the North Carolina Health Care Excess
41 Liability Fund, as established by G.S. 58-47-20."
42

43 –HEALTH INSURANCE TRUST COMMISSION

1 Sec. 22. G.S. 58-68-15(b) reads as rewritten:
2 "(b) The Commission shall be appointed by the General Assembly, in accordance
3 with G.S. 120-121, in the following manner:

- 4 (1) One representative of small business employers eligible to participate in
5 the program shall be appointed for an initial term of three years;
6 (1a) One person who shall be a representative of the public shall be
7 appointed for an initial term of one year;
8 (2) One domestic health care insurer licensed pursuant to Articles 65 and 66
9 of this Chapter shall be appointed for an initial term of two years; and
10 (3) One physician licensed to practice medicine in North Carolina shall be
11 appointed for an initial term of one year

12 upon the recommendation of the Speaker of the House of Representatives; and

- 13 (1) One representative of an acute care hospital shall be appointed for an
14 initial term of three years;
15 (2) One domestic health care insurer licensed pursuant to Articles 1 through
16 64 of this Chapter shall be appointed for an initial term of two years;
17 (3) One representative of the business community whose company provides
18 health insurance to its employees shall be appointed for an initial term
19 of two years; and
20 (4) One representative who shall represent the public and who is familiar
21 with health insurance issues to serve as an advocate for low and
22 moderate income employees shall be appointed for an initial term of one
23 year

24 upon the recommendation of the President Pro Tempore of the Senate.

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

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

29
30 –NORTH CAROLINA COUNCIL ON THE HOLOCAUST

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

32 **"§ 143B-216.21. Membership; selection; quorum.**

33 The Council shall consist of 24 members, six appointed by the Governor, six
34 appointed by the President Pro Tempore of the Senate, six appointed by the Speaker of
35 the House of Representatives, and six appointed by the other 18 members. Members shall
36 be appointed in 1985 for two-year terms to begin July 1, 1985. In 1987 and biennially
37 thereafter, successors shall be appointed for two-year terms. The six at-large
38 appointments shall be made by the Council at its first meeting after July 1 of each odd-
39 numbered year. To be eligible for appointment as an at-large member, a person must
40 either be a survivor of the Holocaust or a first-generation lineal descendant of such
41 person. A majority of the members shall constitute a quorum for the transaction of
42 business."
43

1 –NORTH CAROLINA HOUSING FINANCE AGENCY

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

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

19
20 –NORTH CAROLINA HOUSING PARTNERSHIP

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

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

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

40 The members of the Partnership shall elect one of their members to serve as Chairman
41 for a term of one year. Seven members of the Partnership shall constitute a quorum. All
42 members shall have the right to vote on all issues before the Partnership."
43

1 –NORTH CAROLINA HUMAN RELATIONS COMMISSION

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

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

24
25 –NORTH CAROLINA STATE COMMISSION OF INDIAN AFFAIRS

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

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

1 the Senate. Appointments by the General Assembly shall be made in accordance with
2 G.S. 120-121 and vacancies shall be filled in accordance with G.S. 120-122."

3
4 –NORTH CAROLINA INTERNSHIP COUNCIL

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

6 **"§ 143B-418. North Carolina Internship Council – members; selection; quorum;
7 compensation; clerical, etc., services.**

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

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

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

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

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

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

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

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

32
33 –LEGISLATIVE INTERN PROGRAM COUNCIL

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

35 **"§ 120-56. Legislative Intern Program Council created.**

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

41
42 –LOCAL GOVERNMENT COMMISSION

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

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

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

14 "(66) The Local Government Commission, as established by G.S. 159-3."
15

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

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

19 "**§ 104F-4. Advisory Committee.**

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

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

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

41 Subject to the approval of the Legislative Services Commission, the staff resources of
42 the Legislative Services Commission shall be available to the Committee without cost
43 except for travel, subsistence, supplies, and materials. The Committee may solicit,

1 employ, or contract for technical assistance and clerical assistance and may purchase or
2 contract for the materials and services it needs."

3
4 –NORTH CAROLINA LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT
5 AUTHORITY

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

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

- 8 (1) The General Assembly shall appoint 10 members in accordance with
9 G.S. 120-121, five upon recommendation of the Speaker of the House
10 of Representatives and five upon recommendation of the President Pro
11 Tempore of the Senate. Successors shall be made upon the
12 recommendation of the officer who recommended the original
13 appointment.
14 (2) The Governor shall appoint five members.
15 (3) Vacancies in appointments shall be filled for the unexpired term.
16 Vacancies in appointments made by the General Assembly shall be
17 filled in accordance with G.S. 120-122.
18 (4) Members of the Authority shall include persons with technical and legal
19 expertise in low-level radioactive waste management and shall
20 represent, insofar as practicable, the diverse interests of the State and,
21 initially, each geographic region of the State.
22 (5) Initial appointments shall be made on or before 1 October 1987. Initial
23 appointments to be made by the General Assembly shall be made as
24 though vacancies had occurred in unexpired terms and in accordance
25 with G.S. 120-122.
26 (6) The Authority shall begin operation upon the appointment of all of its
27 members, provided that the Authority shall begin operation by 1
28 November 1987, notwithstanding the failure of any of the appointing
29 authorities to make appointments."
30

31 –NORTH CAROLINA MEDICAL DATABASE COMMISSION

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

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

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

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

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

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

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

41
42 –COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES,
43 AND SUBSTANCE ABUSE SERVICES

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

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

5 (1) Four of whom shall be appointed by the General Assembly, two upon
6 the recommendation of the Speaker of the House of Representatives,
7 and two upon the recommendation of the President Pro Tempore of the
8 Senate in accordance with G.S. 120-121. These members shall have
9 concern for the problems of mental illness, developmental disabilities,
10 alcohol and drug abuse. Members shall serve for two-year terms
11 beginning July 1 of odd-numbered years. Vacancies in appointments
12 made by the General Assembly shall be filled in accordance with G.S.
13 120-122;

14 (2) Twenty-two of whom shall be appointed by the Governor, one from
15 each congressional district in the State in accordance with G.S. 147-
16 12(3)b, and 10 at-large members.

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

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

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

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

41 (3) All appointments shall be made pursuant to current federal rules and
42 regulations, when not inconsistent with State law, which prescribe the

1 selection process and demographic characteristics as a necessary
2 condition to the receipt of federal aid."

3
4 –MILK COMMISSION

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

6 "(a) There is hereby continued a Milk Commission of the Department of
7 Commerce, consisting of 10 members, three of whom shall be appointed by the
8 Governor, four of whom shall be appointed by the General Assembly in accordance with
9 G.S. 120-121 (two upon the recommendation of the President Pro Tempore of the Senate
10 and two upon the recommendation of the Speaker of the House of Representatives) and
11 three of whom shall be appointed by the Commissioner of Agriculture. Appointments by
12 the General Assembly shall be in accordance with G.S. 120-121.

13 The three members appointed by the Governor shall be two public members and a
14 person who operates a store or other establishment for the sale of fluid milk at retail for
15 consumption off the premises. The two members appointed by the General Assembly
16 upon the recommendation of the President Pro Tempore of the Senate shall be a Grade A
17 producer, who primarily markets with a cooperative plant and whose primary interest is
18 operating a dairy farm, and a public member. The two members appointed by the General
19 Assembly upon the recommendation of the Speaker of the House of Representatives shall
20 be a dairy processor-distributor or an employee of a dairy processor-distributor, who
21 primarily operates a proprietary plant, and a public member. The three members
22 appointed by the Commissioner of Agriculture shall be a dairy processor-distributor or
23 an employee of a dairy processor-distributor who primarily operates a cooperative plant
24 and a Grade A producer who primarily markets with a proprietary plant and whose
25 primary interest is operating a dairy farm, and a public member.

26 The public members appointed pursuant to this subsection shall have no financial
27 interest in, or be directly or indirectly involved in, the production, processing or
28 distribution of milk or products derived therefrom.

29 Of the Commission members appointed following March 27, 1975, the Commissioner
30 of Agriculture shall appoint three for a term ending June 30, 1976, the Governor shall
31 appoint three for a term ending June 30, 1977, the General Assembly shall appoint upon
32 the recommendation of the Speaker of the House of Representatives one for a term
33 ending June 30, 1984 and one for a term ending June 30, 1985, and the General
34 Assembly shall appoint upon the recommendation of the President of the Senate one for a
35 term ending June 30, 1986, and one for a term ending June 30, 1987. Thereafter
36 appointments of Commission members shall be made by the same appointing authorities
37 for terms of four years, ending on June 30 of the appropriate year: provided that
38 subsequent appointments by the General Assembly upon the recommendation of the
39 Speaker of the House of Representatives shall be for terms of two years, ending on June
40 30 of the appropriate year. Provided, however, that all members appointed pursuant to
41 this subsection shall serve until either they are reappointed and requalified or their
42 successors are appointed and qualified. Any member of the Milk Commission may be
43 removed for physical or mental incapacity, or for misfeasance or nonfeasance. In cases of

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

13
14 –MOTOR VEHICLE DEALERS' ADVISORY BOARD

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

16 "**§ 20-305.4. Motor Vehicle Dealers' Advisory Board.**

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

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

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

38 (d) Two members of the first Board appointed shall serve for a period of three
39 years, two members of the first Board shall serve for a period of two years, and two
40 members of the first Board shall serve for a period of one year. Subsequent appointments
41 shall be for terms of three years, except appointments to fill vacancies which shall be for
42 the unexpired terms. Members of the Board shall meet at the call of the Commissioner
43 and shall receive as compensation for their services seven dollars (\$7.00) for each day

1 actually engaged in the exercise of the duties of the Board and such travel expenses and
2 subsistence allowances as are generally allowed other State commissions and boards."

3
4 –NATURAL HERITAGE TRUST FUND BOARD OF TRUSTEES

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

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

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

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

24
25 –GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES

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

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

29 (1) Seven members appointed by the Governor;

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

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

34
35 –PRIVATE PROTECTIVE SERVICES BOARD

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

37 "(b) The Board shall consist of 10 members: the Attorney General or his designated
38 representative, two persons appointed by the Attorney General, one person appointed by
39 the Governor, ~~two persons appointed by the General Assembly upon the recommendation of the~~
40 ~~President of the Senate, one person~~ three persons appointed by the General Assembly upon
41 the recommendation of the President Pro Tempore of the Senate, and three persons
42 appointed by the General Assembly upon the recommendation of the Speaker of the
43 House of Representatives. All appointments by the General Assembly shall be subject to

1 the provisions of G.S. 120-121, and vacancies in the positions filled by those
2 appointments shall be filled pursuant to G.S. 120-122. ~~These~~ One of those persons
3 appointed by the General Assembly upon the recommendation of the President Pro
4 Tempore of the Senate and all three persons appointed by the General Assembly upon the
5 recommendation of the Speaker of the House of Representatives shall be licensees under
6 this Chapter; all other appointees may not be licensees of the Board nor licensed by the
7 Board while serving as Board members. All persons appointed shall serve terms of three
8 years. With the exception of the Attorney General or his designated representative, no
9 person shall serve more than eight consecutive years on the Board, including years of
10 service prior and subsequent to July 1, 1983. Board members may continue to serve until
11 their successors have been appointed."
12

13 –BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE
14 DEFERRED COMPENSATION PLAN

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

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

- 17 (1) Three persons shall be appointed by the Governor who shall have
18 experience with taxation, finance and investments, and one of whom
19 shall be a State employee;
- 20 (2) One member shall be appointed by the General Assembly upon
21 recommendation of the Speaker of the House of Representatives under
22 G.S. 120-121;
- 23 (3) One member shall be appointed by the General Assembly upon
24 recommendation of the President Pro Tempore of the Senate under G.S.
25 120-121;
- 26 (4) The State Treasurer, ex officio; and
- 27 (5) The Secretary of Administration, ex officio, chairman."
28

29 –PUBLIC OFFICERS AND EMPLOYEES LIABILITY INSURANCE COMMISSION

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

31 "**§ 58-32-1. Commission created; membership.**

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

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

27 The Commission members shall elect the chairman and vice-chairman of the
28 Commission. The Commission may, by majority vote, remove any member of the
29 Commission for chronic absenteeism, misfeasance, malfeasance or other good cause."
30

31 –NORTH CAROLINA AGENCY FOR PUBLIC TELECOMMUNICATIONS

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

33 **"§ 143B-426.9. North Carolina Agency for Public Telecommunications – creation;
34 membership; appointments, terms and vacancies; officers; meetings and
35 quorum; compensation.**

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

- 39 (1) A Chairman appointed by, and serving at the pleasure of, the Governor;
- 40 (2) Ten at-large members, appointed by the Governor from the general
41 public;

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

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

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

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

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

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

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

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

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

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

14 A majority of the Board members shall constitute a quorum for the transaction of
15 business."

16 17 -RULES REVIEW COMMISSION

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

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

26 27 -COMMISSION ON SCHOOL FACILITY NEEDS

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

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

33 The Commission shall consist of five members appointed by the General Assembly
34 upon the recommendation of the President Pro Tempore of the Senate in accordance with
35 G.S. 120-121, one of whom shall be recommended by the President of the Senate to serve
36 as cochairman, and five members appointed by the General Assembly upon the
37 recommendation of the Speaker of the House of Representatives in accordance with G.S.
38 120-121, one of whom shall be recommended by the Speaker of the House of
39 Representatives to serve as cochairman.

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

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

1 Members of the Commission who are not State officers or employees shall receive per
2 diem and necessary travel and subsistence expenses in accordance with G.S. 138-5.
3 Members who are State officers or employees shall be reimbursed for travel and
4 subsistence in accordance with G.S. 138-6.

5 The Department of Public Instruction shall provide requested professional and clerical
6 staff to the Commission. The Commission may also employ professional and clerical
7 staff and may hire outside consultants to assist it in its work."
8

9 –BOARD OF TRUSTEES, NORTH CAROLINA SCHOOL OF SCIENCE AND
10 MATHEMATICS

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

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

- 14 (1) Twelve members who shall be appointed by the Board of Governors of
15 The University of North Carolina, one from each congressional district;
- 16 (2) Four members without regard to residency who shall be appointed by
17 the Board of Governors of The University of North Carolina;
- 18 (3) Three members, ex officio, who shall be the chief academic officers,
19 respectively, of constituent institutions. The Board of Governors shall in
20 1985 and quadrennially thereafter designate the three constituent
21 institutions whose chief academic officers shall so serve, such
22 designations to expire on June 30, 1989, and quadrennially thereafter;
- 23 (4) The chief academic officer of a college or university in North Carolina
24 other than a constituent institution, ex officio. The Board of Governors
25 shall designate in 1985 and quadrennially thereafter which college or
26 university whose chief academic officer shall so serve, such designation
27 to expire on June 30, 1989, and quadrennially thereafter;
- 28 (5) Two members appointed by the General Assembly upon the
29 recommendation of the President Pro Tempore of the Senate in
30 accordance with G.S. 120-121;
- 31 (6) Two members appointed by the General Assembly upon the
32 recommendation of the Speaker of the House of Representatives in
33 accordance with G.S. 120-121; and
- 34 (7) Two members appointed by the Governor."
35

36 –NORTH CAROLINA BOARD OF SCIENCE AND TECHNOLOGY

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

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

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

19
20 –SEAFOOD INDUSTRIAL PARK AUTHORITY

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

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

29
30 –NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS
31 COMMISSION

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

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

- 36 (1) Sheriffs. – Eleven sheriffs representing each of the Congressional
37 districts appointed by the North Carolina Sheriffs' Association, in such
38 manner as shall be prescribed by the Constitution or bylaws of such
39 Association.
40 (2) Appointees of the General Assembly. – One person appointed by the
41 Speaker of the House of Representatives pursuant to Article 16, G.S.
42 120-121, and one person appointed by the ~~Lieutenant Governor~~ pursuant

1 ~~to Article 16, G.S.~~ General Assembly upon the recommendation of the
2 President Pro Tempore of the Senate in accordance with G.S. 120-121.

3 (3) County Commissioners. – One county commissioner appointed by the
4 Governor as recommended from three nominees from the North
5 Carolina Association of County Commissioners.

6 (4) Others. – The President of the Department of Community Colleges or
7 his designee and the Director of the Institute of Government or his
8 designee shall be ex officio, nonvoting members of the Commission."
9

10 –SOUTHEASTERN FARMERS MARKET COMMISSION

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

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

13 (1) The Commissioner of Agriculture;

14 (2) Four members appointed by the General Assembly upon the
15 recommendation of the President Pro Tempore of the Senate in
16 accordance with G.S. 120-121, one of whom shall be designated to
17 serve as chairman as provided in subsection (d) of this section; and

18 (3) Four members appointed by the General Assembly upon the
19 recommendation of the Speaker of the House of Representatives in
20 accordance with G.S. 120-121."
21

22 –SOUTHERN GROWTH POLICIES BOARD

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

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

25 (1) The governor.

26 (2) Two members of the state legislature, one appointed by the presiding
27 officer of each house of the legislature or in such other manner as the
28 legislature may provide. For the Senate of North Carolina, the General
29 Assembly provides that the appointment shall be made by the President
30 Pro Tempore of the Senate.

31 (3) Two residents of the state who shall be appointed by the governor to
32 serve at his pleasure."
33

34 –DISCIPLINARY HEARING COMMISSION

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

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

1 accordance with G.S. 120-121. The council shall designate one of its appointees as
2 chairman and another as vice-chairman. The chairman shall have actively practiced law
3 in the courts of the State for at least 10 years. When the commission is first selected, five
4 members, including three appointed by the council, one appointed by the Governor and
5 the one appointed by the Speaker of the House of Representatives, shall be appointed for
6 terms of one year; five members, including three appointed by the council, one appointed
7 by the Governor and the one appointed by the Lieutenant Governor, shall be appointed
8 for terms of two years; and the remaining five members shall be appointed for terms of
9 three years. All such initial terms shall commence July 1, 1975. Thereafter five members
10 shall be appointed each year to three-year terms to fill the positions of the terms then
11 expiring. The council, the Governor, ~~the Lieutenant Governor and the Speaker of the House~~
12 ~~of Representatives, and the General Assembly~~ respectively, shall appoint members to fill
13 the unexpired term when any vacancy is created by resignation, disqualification,
14 disability or ~~death~~, except that vacancies in appointments made by the General
15 Assembly may also be filled as provided by G.S. 120-122. No member may serve more
16 than a total of seven years or a one-year term and two consecutive three-year terms:
17 Provided, that any member or former member who is designated chairman may serve one
18 additional three-year term in that capacity. No member of the council may be appointed
19 to the commission."
20

21 -STATE BUILDING COMMISSION

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

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

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

1 more than three persons nominated by the North Carolina Association
2 of Electrical Contractors, and the Carolinas Electrical Contractors'
3 Association, appointed by the Governor.

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

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

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

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

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

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

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

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

41
42 –STATE LIBRARY COMMISSION

43 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.