

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 117
House Committee Substitute Favorable 7/21/99
Third Edition Engrossed 7/21/99

Short Title: Gov Ops/Tech Corr.

(Public)

Sponsors:

Referred to:

February 17, 1999

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE APPOINTMENTS BILL.
The General Assembly of North Carolina enacts:

Section 1. If Senate Bill 437, 1999 Regular Session, becomes law, then G.S. 120-74, as rewritten by that act, reads as rewritten:

"§ 120-74. Appointment of members; terms of office.

The Commission shall consist of ~~34~~36 members. The President pro tempore of the Senate, the Speaker pro tempore of the House, the Deputy President pro tempore of the Senate, the Majority Leader of the House of Representatives, and the Majority Leader of the Senate and the Speaker of the House shall serve as ex officio members of the Commission. The Speaker of the House of Representatives shall appoint 15 members from the House. The President pro tempore of the Senate shall appoint 15 members from the Senate. Vacancies created by resignation or otherwise shall be filled by the original appointing authority. Members shall serve two-year terms beginning and ending on January 15 of the odd-numbered years. Members shall not be disqualified from completing a term of service on the Commission because they fail to run or are defeated for reelection. Resignation or removal from the General Assembly shall constitute resignation or removal from membership on the Commission."

1 Section 2. If Senate Bill 437, 1999 Regular Session, becomes law, then G.S.
2 93A-3(a), as rewritten by that act, reads as rewritten:

3 "(a) There is hereby created the North Carolina Real Estate Commission,
4 hereinafter called the Commission. The Commission shall consist of nine members,
5 seven members to be appointed by the Governor, one member to be appointed by the
6 General Assembly upon the recommendation of the President Pro Tempore of the Senate
7 in accordance with G.S. 120-121, and one member to be appointed by the General
8 Assembly upon the recommendation of the ~~President Pro Tempore of the Senate~~ Speaker of
9 the House of Representatives in accordance with G.S. 120-121. At least three members of
10 the Commission shall be licensed real estate brokers or real estate salesmen. At least two
11 members of the Commission shall be persons who are not involved directly or indirectly
12 in the real estate or real estate appraisal business. Members of the Commission shall
13 serve three-year terms, so staggered that the terms of two members expire in one year, the
14 terms of two members expire in the next year, and the terms of three members expire in
15 the third year of each three-year period. The members of the Commission shall elect one
16 of their members to serve as chairman of the Commission for a term of one year. The
17 Governor may remove any member of the Commission for misconduct, incompetency, or
18 willful neglect of duty. The Governor shall have the power to fill all vacancies occurring
19 on the Commission, except vacancies in legislative appointments shall be filled under
20 G.S. 120-122."

21 Section 3. If Senate Bill 437, 1999 Regular Session, becomes law, then G.S.
22 90-139(a), as rewritten by that act, reads as rewritten:

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

41 Section 4. If Senate Bill 437, 1999 Regular Session, becomes law, then
42 Section 2.11 of that act reads as rewritten:

1 "Section 2.11. Gary Eichelberger of ~~Wake~~-Wayne County is appointed to the Crime
2 Victims Compensation Commission for a term expiring June 30, 2003."

3 Section 5. If Senate Bill 437, 1999 Regular Session, becomes law, then
4 Section 2.26 of that act reads as rewritten:

5 "Section 2.26. Fred Yates of ~~Hertford~~-Perquimans County, Edmond Buckman of
6 Beaufort County, and G.B. Warner of ~~Pasquotank~~-Hyde County are appointed to the
7 Northeastern North Carolina Regional Economic Development Commission for terms
8 expiring June 30, 2003."

9 Section 6. Upon the recommendation of the Speaker of the House of
10 Representatives, William Lackey of Mecklenburg County is appointed to the North
11 Carolina Real Estate Commission for a term expiring June 30, 2002.

12 Section 7. If Senate Bill 437, 1999 Regular Session, becomes law, then
13 Section 1.11 of that act reads as rewritten:

14 "Section 1.11. ~~Michael Weisel of Wake County and~~ Thomas P. Dillion of Union County
15 ~~are~~-is appointed to the Board of Directors of the North Carolina Railroad for ~~terms~~-a term
16 expiring June 30, 2001. Robert F. Bleeker of Cumberland County and Michael Weisel of
17 Wake County ~~are~~ is-appointed to the Board of Directors of the North Carolina Railroad
18 for ~~a term~~-terms expiring June 30, 2003."

19 Section 7.1. If Senate Bill 968 becomes law, then the amendments made by
20 that act to G.S. 143-53(a)(1), 143-53(a)(5), and 143-57 do not apply to Special
21 Responsibility Constituent Institutions as designated by the Board of Governors of The
22 University of North Carolina pursuant to G.S. 116-30.1.

23 Section 8. This act is effective when it becomes law.