

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**SENATE BILL 1283
Rules and Operations of the Senate Committee Substitute Adopted 10/1/02
Third Edition Engrossed 10/1/02
Corrected Copy 10/2/02**

Short Title: President Pro Tem and Speaker Appointments.

(Public)

Sponsors:

Referred to:

June 10, 2002

A BILL TO BE ENTITLED

1
2 AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE
3 RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE
4 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO
5 MAKE VARIOUS CHANGES TO THE APPOINTMENTS TO BOARDS AND
6 COMMISSIONS.

7 Whereas, G.S. 120-121 authorizes the General Assembly to make certain
8 appointments to public offices upon the recommendation of the President Pro Tempore
9 of the Senate and of the Speaker of the House of Representatives; and

10 Whereas, the President Pro Tempore of the Senate and the Speaker of the
11 House of Representatives have made recommendations; Now, therefore,
12 The General Assembly of North Carolina enacts:

13
14 **PART I. PRESIDENT PRO TEMPORE'S RECOMMENDATIONS**

15 **SECTION 1.1.** Ken Morehead of Durham County is appointed to the
16 Acupuncture Licensing Board for a term expiring on June 30, 2005.

17 **SECTION 1.2.** Ralph Brown of Iredell County is appointed to the Alarm
18 Systems Licensing Board for a term expiring on June 30, 2005.

19 **SECTION 1.3.** Henry Faircloth of Sampson County and Stephanie Simpson
20 of Wake County are appointed to the North Carolina Appraisal Board for terms expiring
21 on June 30, 2005.

22 **SECTION 1.4.** Gladys Brooks of Buncombe County is appointed to the
23 North Carolina Arboretum Board of Directors for a term expiring on June 30, 2006.

24 **SECTION 1.5.** Jennifer Lee Robinson of Mecklenburg County is appointed
25 to the Board of Directors for the North Carolina Center for Nursing for a term expiring
26 on June 30, 2005.

1 **SECTION 1.6.** Beth Rector of Columbus County and Margaret Biddle of
2 Wake County are appointed to the Child Care Commission for terms expiring on June
3 30, 2004.

4 **SECTION 1.6A.** The Honorable Johnnie Mosley of Lenoir County is
5 appointed to the Board of Trustees of the Clean Water Management Trust Fund for a
6 term expiring on July 1, 2004, to fill the unexpired term of Allen Hardison.

7 **SECTION 1.7.** Lisa Privette of Harnett County is appointed to the North
8 Carolina Code Officials Qualifications Board for a term expiring on June 30, 2006.

9 **SECTION 1.8.** Anna McCoy Smith of Forsyth County is appointed to the
10 North Carolina Board of Cosmetic Art Examiners for a term expiring on June 30, 2005.

11 **SECTION 1.9.** Dr. Barbara Ann Hughes of Wake County is appointed to the
12 North Carolina Board of Dietetics/Nutrition for a term expiring on June 30, 2005.

13 **SECTION 1.10.** Effective September 1, 2002, Barbara Arnold of Wayne
14 County, Dr. Deborah Weissman of Orange County, Lynn Bryant of Dare County, and
15 Jan Capps of Durham County are appointed to the Domestic Violence Commission for
16 terms expiring on August 31, 2005.

17 **SECTION 1.11.** The Honorable Dan Robinson of Jackson County is
18 appointed to the North Carolina Advisory Council of the Eastern Band of the Cherokee
19 for a term expiring on June 30, 2004.

20 **SECTION 1.12.** Effective September 1, 2002, Margaret Wingate of
21 Mecklenburg County is appointed to the North Carolina Board of Electrolysis
22 Examiners for a term expiring on August 31, 2005.

23 **SECTION 1.13.** Dr. Olson Huff of Buncombe County and Dr. Ed Monroe
24 of Pitt County are appointed to the Health and Wellness Trust Fund Commission for
25 terms expiring on June 30, 2006.

26 **SECTION 1.14.** Effective September 1, 2002, Mayor Gerald Holleman and
27 Jeanne Tedrow of Wake County, Joey Carpenter of Gaston County, Jeffrey Null of
28 Cumberland County, and Ed Moran of Craven County are appointed to the North
29 Carolina Housing Partnership for terms expiring on August 31, 2005.

30 **SECTION 1.15.** Carlene Fletcher of Granville County is appointed to the
31 North Carolina Human Relations Commission for a term expiring on June 30, 2006.

32 **SECTION 1.16.** Effective August 15, 2002, Don McCorquodale, Dwight
33 Allen, and Darleen Johns of Wake County and Janet Smith of Davie County are
34 appointed to the Joint Select Committee on Information Technology for terms expiring
35 on August 14, 2004.

36 **SECTION 1.17.** Linda Piron Foster of Dare County and Dennie Martin of
37 Buncombe County are appointed to the State Infrastructure Council for terms expiring
38 on June 30, 2004.

39 **SECTION 1.18.** The Honorable Charles Dannelly of Mecklenburg County,
40 the Honorable Kever Clark of New Hanover County, Dr. Lizette Sanchez-Lugo of
41 Guilford County, and Dr. Betty Alexander of Forsyth County are appointed to the
42 Minority Health Advisory Council for terms expiring on June 30, 2004.

1 **SECTION 1.19.** Effective January 1, 2003, The Honorable Gene Rogers of
2 Martin County is appointed to the Northeastern North Carolina Regional Economic
3 Development Commission for a term expiring on June 30, 2003.

4 **SECTION 1.20.** Cynthia Tart of Brunswick County and Edwin C. Holbrook
5 of Cleveland County are appointed to the North Carolina Parks and Recreation
6 Authority for terms expiring on June 30, 2005.

7 **SECTION 1.21.** Richard Allen of Anson County is appointed to the Private
8 Protective Services Board for a term expiring on June 30, 2005.

9 **SECTION 1.22.** Effective September 1, 2002, David Corsetti of Wake
10 County, Catherine Sledge of Warren County, Libbie Hodges of Beaufort County, and
11 Loretta Fodrie of Mecklenburg County are appointed to the North Carolina Professional
12 Teaching Standards Commission for terms expiring on August 31, 2004.

13 **SECTION 1.23.** Effective August 1, 2002, Marsha Jordan of Lincoln
14 County and Janie Waff of Chowan County are appointed to the North Carolina Real
15 Estate Commission for terms expiring on July 31, 2005.

16 **SECTION 1.24.** The Honorable Bobby Owens, William Kealy, and JoAnn
17 Williams of Dare County are appointed to the Roanoke Island Commission for terms
18 expiring on June 30, 2004.

19 **SECTION 1.25.** Robert Saunders of Wake County is appointed to the Rules
20 Review Commission for a term expiring on June 30, 2004.

21 **SECTION 1.26.** Effective August 1, 2002, The Honorable Patricia Ferguson
22 of Bertie County, Dr. Donald Altieri of Anson County, William S. Wellons, Jr. of
23 Cumberland County, and John T. Killebrew, Jr. of Wake County are appointed to the
24 North Carolina Rural Internet Access Authority for terms expiring on July 31, 2003.

25 **SECTION 1.27.** Edward Hearn of Wake County is appointed to the North
26 Carolina Board for the Licensing of Soil Scientists for a term expiring on June 30, 2005.

27 **SECTION 1.28.** Willy E. Stewart of Wake County and Ladson Brearley of
28 Mecklenburg County are appointed to the State Building Commission for terms
29 expiring on June 30, 2005. Allen Lassiter of Perquimans County is appointed to the
30 State Building Commission for a term expiring on June 30, 2003, to fill the unexpired
31 term of Charles E. Truelove.

32 **SECTION 1.29.** Douglas A. Fox of New Hanover County is appointed to
33 the North Carolina State Ports Authority for a term expiring on June 30, 2004.

34 **SECTION 1.30.** William Tesh of Guilford County and Howard M. Nifong,
35 Jr. of Mecklenburg County are appointed to the Structural Pest Control Committee for
36 terms expiring on June 30, 2006.

37 **SECTION 1.31.** Glenn Marek of Orange County is appointed to the Board
38 of Trustees of the Teachers' and State Employees' Comprehensive Major Medical Plan
39 for a term expiring on June 30, 2004.

40 **SECTION 1.32.** Wayne Daves and Bob Philbeck of Wake County and
41 Kimberly Floyd of Guilford County are appointed to the Vocational Rehabilitation
42 Council for terms expiring on June 30, 2005.

1 **SECTION 1.33.** Wilson Martin of Iredell County and J. Michael Floyd of
2 Mecklenburg County are appointed to the Well Contractors Certification Commission
3 for terms expiring on June 30, 2005.

4 **SECTION 1.34.** Effective May 1, 2002, Brian Prevatte of New Hanover
5 County is appointed to the North Carolina Wildlife Resources Commission for a term
6 expiring on April 30, 2004.

7 **SECTION 1.35.** Chief Robert Cherry of Edgecombe County, Leigh Emick
8 Horner of Orange County, Neal Allen of Randolph County, Belinda Gurkins of Pitt
9 County, and William L. Tant, Jr. of Nash County are appointed to the Wireless 911
10 Board for terms expiring on June 30, 2006.

11 **SECTION 1.36.** Lloyd Mickey Meekins, Jr., of Robeson County is
12 appointed to the North Carolina Auctioneers Commission for a term of three years to
13 begin on January 1, 2003.

14 **SECTION 1.37.** Trudy Brown of Guilford County is appointed to the North
15 Carolina Board of Electrolysis Examiners for a term expiring on July 1, 2005.

16 17 **PART II. SPEAKER'S RECOMMENDATIONS**

18 19 **PART III. CORRECTION OF TERMS**

20 **SECTION 3.1.** Section 1A.4 of S.L. 2001-486 is repealed.

21 **SECTION 3.2.** Section 1A.7 of S.L. 2001-486 reads as rewritten:

22 "**SECTION 1A.7.** O. Temple Sloan and Don Beason of Wake County are
23 appointed to the Centennial Authority for terms expiring on ~~June 30, 2003~~June 30,
24 2005."

25 **SECTION 3.3.** Section 1A.27 of S.L. 2001-486 reads as rewritten:

26 "**SECTION 1A.27.** Notwithstanding G.S. 90-210.18(b1) and (b3), and S.L. 2001-
27 294, George S. Parrott of Carteret County is appointed to the North Carolina Board of
28 Mortuary Science for a term beginning on January 1, 2002, expiring on ~~December 31,~~
29 ~~2003,~~ June 30, 2006, to serve as the General Assembly's appointee upon the nomination
30 of the Speaker of the House of Representatives and to replace Mr. Stuart Cozort whose
31 term of office shall cease on January 1, 2002."

32 **SECTION 3.4.** Section 1A.32 of S.L. 2001-486 reads as rewritten:

33 "**SECTION 1A.32.** Russell Robinson of Guilford County and Dr. Kenneth M.
34 Sadler of Forsyth County are appointed to the North Carolina Parks and Recreation
35 Authority for terms expiring on ~~June 30, 2003~~June 30, 2004."

36 37 **PART IV. STATUTORY AND SESSION LAW CHANGES**

38 **--MOTOR VEHICLE DEALERS' ADVISORY BOARD ABOLISHED**

39 **SECTION 4.1.(a)** G.S. 20-305.4 is repealed.

40 **SECTION 4.1.(b)** G.S. 20-305.5 reads as rewritten:

41 "**§ 20-305.5.** Sections 20-305, subdivisions (4) through (28), and 20-305.1 to
42 ~~20-305.4~~20-305.3 not applicable to certain manufacturers and dealers.

1 The provisions of G.S. 20-305(4) through G.S. 20-305(28) and 20-305.1 to
2 ~~20-305.4~~20-305.3 shall not apply to manufacturers of, or dealers in, mobile or
3 manufactured type housing or recreational trailers."
4

5 --NORTH CAROLINA REAL ESTATE COMMISSION

6 **SECTION 4.3.** G.S. 93A-3(a) reads as rewritten:

7 "(a) There is hereby created the North Carolina Real Estate Commission,
8 hereinafter called the Commission. The Commission shall consist of ~~nine~~eleven
9 members, seven members to be appointed by the Governor, ~~one member~~two members
10 to be appointed by the General Assembly upon the recommendation of the President Pro
11 Tempore of the Senate in accordance with G.S. 120-121, and ~~one member~~two members
12 to be appointed by the General Assembly upon the recommendation of the Speaker of
13 the House of Representatives in accordance with G.S. 120-121. At least three members
14 of the Commission shall be licensed real estate brokers or real estate salespersons. At
15 least two members of the Commission shall be persons who are not involved directly or
16 indirectly in the real estate or real estate appraisal business. Members of the
17 Commission shall serve three-year terms, so staggered that the terms of three members
18 expire in one year, the terms of three members expire in the next year, and the terms of
19 three members expire in the third year of each three-year period. The members of the
20 Commission shall elect one of their members to serve as chairman of the Commission
21 for a term of one year. The Governor may remove any member of the Commission for
22 misconduct, incompetency, or willful neglect of duty. The Governor shall have the
23 power to fill all vacancies occurring on the Commission, except vacancies in legislative
24 appointments shall be filled under G.S. 120-122."
25

26 --NORTH CAROLINA APPRAISAL BOARD

27 **SECTION 4.4.** G.S. 93E-1-5(a) reads as rewritten:

28 "(a) There is created the North Carolina Appraisal Board for the purposes set forth
29 in this Chapter. The Board shall consist of ~~seven~~nine members. The Governor shall
30 appoint five members of the Board, and the General Assembly shall appoint ~~two~~four
31 members in accordance with G.S. 120-121, ~~one~~two upon the recommendation of the
32 President Pro Tempore of the Senate and ~~one~~two upon the recommendation of the
33 Speaker of the House of Representatives. Members appointed by the Governor shall be
34 appointed from geographically diverse areas of the State. The ~~appointee~~appointees
35 recommended by the Speaker of the House of Representatives and the appointees of the
36 Governor shall be persons who have been engaged in the business of real estate
37 appraising in this State for at least five years immediately preceding their appointment
38 and are also State-licensed or State-certified real estate appraisers. No more than three
39 of the appointees may be members of the same appraiser trade organization at any one
40 time. The ~~appointee~~appointees recommended by the President Pro Tempore of the
41 Senate shall be ~~a person~~persons not involved directly or indirectly in the real estate, real
42 estate appraisal, or the real estate lending industry. Members of the Board shall serve
43 three-year terms, so staggered that the terms of three members expire in one year, the
44 terms of two members expire in the next year, and the terms of two members expire in

1 the third year of each three-year period. The members of the Board shall elect one of
2 their members to serve as chairman of the Board for a term of one year. The Governor
3 may remove any member of the Board appointed by the Governor for misconduct,
4 incompetency, or neglect of duty. The General Assembly may remove any member
5 appointed by it for the same reasons. Successors shall be appointed by the appointing
6 authority making the original appointment. All vacancies occurring on the Board shall
7 be filled, for the unexpired term, by the appointing authority making the original
8 appointment. Vacancies in appointments made by the General Assembly shall be filled
9 in accordance with G.S. 120-122. Initial terms of office commenced July 1, 1994."

10
11 --STRUCTURAL PEST CONTROL COMMITTEE

12 **SECTION 4.5.** G.S. 106-65.23(c) reads as rewritten:

13 "(c) There is hereby created a Structural Pest Control Committee to be composed
14 of the following members. The Commissioner shall appoint one member of the
15 Committee who is not in the structural pest control business for a four-year term. The
16 Commissioner of Agriculture shall designate an employee of the Department of
17 Agriculture and Consumer Services to serve on the Committee at the pleasure of the
18 Commissioner. The dean of the School of Agriculture of North Carolina State
19 University at Raleigh shall appoint one member of the Committee who shall serve for
20 one term of two years and who shall be a member of the entomology faculty of the
21 University. The vacancy occurring on the Committee by the expired term of the member
22 from the entomology faculty of the University shall be filled by the dean of the School
23 of Agriculture of North Carolina State University at Raleigh who shall designate any
24 person of the dean's choice from the entomology faculty of the University to serve on
25 the Committee at the pleasure of the dean. The Secretary of Health and Human Services
26 shall appoint one member of the Committee who shall be an epidemiologist and who
27 shall serve at the pleasure of the Secretary. The Governor shall appoint two members of
28 the Committee who are actively engaged in the pest control industry, who are licensed
29 in at least two phases of structural pest control as provided under G.S. 106-65.25(a), and
30 who are residents of the State of North Carolina but not affiliates of the same company.

31 The Governor's initial appointees from the pest control industry shall be appointed as
32 follows: one for a two-year term and one for a three-year term. The Governor shall
33 appoint one member of the Committee who is a public member and who is unaffiliated
34 with the structural pest control industry, the pesticide industry, the Department of
35 Agriculture and Consumer Services, the Department of Health and Human Services and
36 the School of Agriculture at North Carolina State University at Raleigh. The initial
37 public member shall be appointed for a term of two years, commencing July 1, 1991.
38 After the initial appointments by the Governor, all ensuing appointments by the
39 Governor shall be for terms of four years. Any vacancy occurring on the Committee by
40 reason of death, resignation, or otherwise shall be filled by the Governor or the
41 Commissioner of Agriculture, as the case may be, for the unexpired term of the member
42 whose seat is vacant.

43 ~~One member~~ Two members of the Committee shall be appointed by the General
44 Assembly upon the recommendation of the Speaker of the House of Representatives in

1 accordance with G.S. 120-121, and ~~one member~~two members of the Committee shall be
2 appointed by the General Assembly upon the recommendation of the President Pro
3 Tempore of the Senate in accordance with G.S. 120-121. The ~~member~~members
4 appointed by the General Assembly upon the recommendation of the Speaker of the
5 House of Representatives shall be actively engaged in the pest control industry, licensed
6 in at least two phases of structural pest control as provided under G.S. 106-65.25(a), and
7 ~~a resident~~residents of the State of North Carolina but not ~~an affiliate~~affiliates of the
8 same company as either of the two members from the industry appointed by the
9 Governor. Appointments made by the General Assembly shall be for terms of four
10 years. Vacancies in such appointments shall be filled in accordance with G.S. 120-122."

11
12 --CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES

13 **SECTION 4.6.(a)** G.S. 113-145.5 reads as rewritten:

14 "**§ 113-145.5. Clean Water Management Trust Fund: Board of Trustees**
15 **established; membership qualifications; vacancies; meetings and meeting**
16 **facilities.**

17 (a) Board of Trustees Established. – There is established the Clean Water
18 Management Trust Fund Board of Trustees. The Clean Water Management Trust Fund
19 Board of Trustees shall be ~~independent, but for administrative purposes shall be~~
20 administratively located under within the Department of Environment and Natural
21 ~~Resources.~~Resources but shall be independent of the Department.

22 (b) Membership. – The Clean Water Management Trust Fund Board of Trustees
23 shall be composed of ~~18 members. Six members shall be appointed by the Governor, six~~
24 ~~by the General Assembly upon the recommendation of the President Pro Tempore of the~~
25 ~~Senate in accordance with G.S. 120-121, and six by the General Assembly upon the~~
26 ~~recommendation of the Speaker of the House of Representatives in accordance with~~
27 G.S. 120-121. 21 members appointed to four-year terms as follows:

28 (1) One member appointed by the Governor to a term that expires on 1
29 July of years that precede by one year those years that are evenly
30 divisible by four.

31 (2) One member appointed by the Governor to a term that expires on 1
32 July of years that precede by one year those years that are evenly
33 divisible by four.

34 (3) One member appointed by the Governor to a term that expires on 1
35 July of years that are evenly divisible by four.

36 (4) One member appointed by the Governor to a term that expires on 1
37 July of years that are evenly divisible by four.

38 (5) One member appointed by the Governor to a term that expires on 1
39 July of years that follow by one year those years that are evenly
40 divisible by four.

41 (6) One member appointed by the Governor to a term that expires on 1
42 July of years that follow by two years those years that are evenly
43 divisible by four.

- 1 (6a) One member appointed by the Governor to a term that expires on 1
2 July of years that follow by two years those years that are evenly
3 divisible by four.
- 4 (7) One member appointed by the General Assembly upon the
5 recommendation of the President Pro Tempore of the Senate to a term
6 that expires on 1 July of years that precede by one year those years that
7 are evenly divisible by four.
- 8 (8) One member appointed by the General Assembly upon the
9 recommendation of the President Pro Tempore of the Senate to a term
10 that expires on 1 July of years that are evenly divisible by four.
- 11 (9) One member appointed by the General Assembly upon the
12 recommendation of the President Pro Tempore of the Senate to a term
13 that expires on 1 July of years that follow by one year those years that
14 are evenly divisible by four.
- 15 (10) One member appointed by the General Assembly upon the
16 recommendation of the President Pro Tempore of the Senate to a term
17 that expires on 1 July of years that follow by one year those years that
18 are evenly divisible by four.
- 19 (11) One member appointed by the General Assembly upon the
20 recommendation of the President Pro Tempore of the Senate on 1 July
21 of years that follow by two years those years that are evenly divisible
22 by four.
- 23 (12) One member appointed by the General Assembly upon the
24 recommendation of the President Pro Tempore of the Senate on 1 July
25 of years that follow by two years those years that are evenly divisible
26 by four.
- 27 (12a) One member appointed by the General Assembly upon the
28 recommendation of the President Pro Tempore of the Senate on 1 July
29 of years that follow by two years those years that are evenly divisible
30 by four.
- 31 (13) One member appointed by the General Assembly upon the
32 recommendation of the Speaker of the House of Representatives to a
33 term that expires on 1 July of years that precede by one year those
34 years that are evenly divisible by four.
- 35 (14) One member appointed by the General Assembly upon the
36 recommendation of the Speaker of the House of Representatives to a
37 term that expires on 1 July of years that precede by one year those
38 years that are evenly divisible by four.
- 39 (15) One member appointed by the General Assembly upon the
40 recommendation of the Speaker of the House of Representatives to a
41 term that expires on 1 July of years that are evenly divisible by four.
- 42 (16) One member appointed by the General Assembly upon the
43 recommendation of the Speaker of the House of Representatives to a

1 term that expires on 1 July of years that follow by one year those years
2 that are evenly divisible by four.

3 (17) One member appointed by the General Assembly upon the
4 recommendation of the Speaker of the House of Representatives to a
5 term that expires on 1 July of years that follow by one year those years
6 that are evenly divisible by four.

7 (18) One member appointed by the General Assembly upon the
8 recommendation of the Speaker of the House of Representatives on 1
9 July of years that follow by two years those years that are evenly
10 divisible by four.

11 (18a) One member appointed by the General Assembly upon the
12 recommendation of the Speaker of the House of Representatives on 1
13 July of years that follow by two years those years that are evenly
14 divisible by four.

15 (b1) Qualifications. – The office of Trustee is declared to be an office that may be
16 held concurrently with any other executive or appointive office, under the authority of
17 Article VI, Section 9, of the North Carolina Constitution. Persons appointed shall be
18 knowledgeable in one of the following areas:

- 19 (1) Acquisition and management of natural areas.
- 20 (2) Conservation and restoration of water quality.
- 21 (3) Wildlife and fisheries habitats and resources.
- 22 (4) Environmental management.

23 (c) ~~Initial Appointments.~~ Chair. – ~~Each appointing officer shall designate two of~~
24 ~~the officer's initial appointments to serve two year terms, two to serve four year terms,~~
25 ~~and two to serve six year terms. Thereafter, all appointments shall be for four years,~~
26 ~~subject to reappointment. All initial appointments shall be made on or before January 1,~~
27 ~~1997. The Governor shall appoint one Trustee member to serve as Chair of the~~
28 ~~Board.~~ Board of Trustees.

29 (d) ~~Vacancies.~~ – ~~If a vacancy occurs, other than by the expiration of term, of a~~
30 ~~member subject to appointment by the General Assembly upon the recommendation of~~
31 ~~the Speaker of the House of Representatives or the President Pro Tempore of the~~
32 ~~Senate, the vacancy shall be filled in accordance with G.S. 120-122. All other vacancies~~
33 ~~shall be filled by the appointing official in the original manner.~~ An appointment to fill a
34 vacancy on the Board of Trustees created by the resignation, removal, disability, or
35 death of a member shall be for the balance of the unexpired term. Vacancies in
36 appointments made by the General Assembly shall be as provided in G.S. 120-122.

37 (e) Frequency of Meetings. – The Board of Trustees shall meet at least twice
38 each year and may hold special meetings at the call of the Chair or a majority of the
39 members.

40 (f) Per Diem and Expenses. – ~~The Trustees~~ Each member shall receive per diem
41 and necessary travel and subsistence expenses in accordance with the provisions of G.S.
42 138-5. Per diem, subsistence, and travel expenses of the Trustees shall be paid from the
43 Fund.

1 (g) Meeting Facilities. – The Secretary of Environment and Natural Resources
2 shall provide meeting facilities for the Board of Trustees and its staff as requested by
3 the Chair."

4 **SECTION 4.6.(b)** In order to alter the schedule of staggered terms of four
5 years for the Board of Trustees of the Clean Water Management Trust Fund so that, as
6 nearly as possible, the same number of terms will expire each year and to provide for an
7 orderly transition in membership of the Board of Trustees to the terms specified in G.S.
8 113-145.5, as amended by Section 4.6(a) of this act, the following provisions shall
9 apply:

- 10 (1) William McPhatter, Sr. shall serve in the position established by G.S.
11 113-145.5(b)(1) through 1 July 2003.
- 12 (2) Joseph M. Hester, Jr. shall serve in the position established by G.S.
13 113-145.5(b)(2) through 1 July 2003.
- 14 (3) John McMillan shall serve in the position established by G.S.
15 113-145.5(b)(3) through 1 July 2004.
- 16 (4) Caroline B. Ansbacher shall serve in the position established by G.S.
17 113-145.5(b)(4) through 1 July 2004.
- 18 (5) Leland McKinley Simmons shall serve in the position established by
19 G.S. 113-145.5(b)(5) through 1 July 2005.
- 20 (6) Edwin G. Wilson, Jr. shall serve in the position established by G.S.
21 113-145.5(b)(6) through 1 July 2006.
- 22 (7) Jerry W. Wright shall serve in the position established by G.S.
23 113-145.5(b)(7) through 1 July 2003.
- 24 (8) Johnnie Mosley of Lenoir is appointed to serve in the position
25 established by G.S. 113-145.5(b)(8) to fill the unexpired term of Allen
26 Maynard Hardison through 1 July 2004.
- 27 (9) William E. Hollan, Jr. shall serve in the position established by G.S.
28 113-145.5(b)(9) through 1 July 2005.
- 29 (10) Dickson Mclean, Jr. shall serve in the position established by G.S.
30 113-145.5(b)(10) through 1 July 2005.
- 31 (11) Claudette Weston shall serve in the position established by G.S.
32 113-145.5(b)(11) through 1 July 2006.
- 33 (12) William J. Brooks, III shall serve in the position established by G.S.
34 113-145.5(b)(12) through 1 July 2006.
- 35 (12a) Alex MacFadyen of Wake County is appointed to serve in the position
36 established by G.S. 113-145.5(b)(12a) through 1 July 2006.
- 37 (13) Karen Cragolin shall serve in the position established by G.S.
38 113-145.5(b)(13) through 1 July 2003.
- 39 (14) Allen Holt Gwyn shall serve in the position established by G.S.
40 113-145.5(b)(14) through 1 July 2003.
- 41 (15) C. Leroy Smith shall serve in the position established by G.S.
42 113-145.5(b)(15) through 1 July 2004.
- 43 (16) Charles R. Wakild shall serve in the position established by G.S.
44 113-145.5(b)(16) through 1 July 2005.

1 (17) Robert Dare Howard shall serve in the position established by G.S.
2 113-145.5(b)(17) through 1 July 2005.

3 (18) Margaret B. Markey shall serve in the position established by G.S.
4 113-145.5(b)(18) through 1 July 2006.

5
6 --TASK FORCE ON SCHOOL-BASED MANAGEMENT ABOLISHED

7 **SECTION 4.7.** G.S. 115C-105.31 is repealed.
8

9 --JOINT SELECT COMMITTEE ON INFORMATION TECHNOLOGY

10 **SECTION 4.8.(a)** G.S. 120-232(a) reads as rewritten:

11 "(a) The Committee shall consist of ~~16~~18 members as follows:

12 (1) Five members of the Senate at the time of their appointment, appointed
13 by the President Pro Tempore of the Senate.

14 (2) Five members of the House of Representatives at the time of their
15 appointment, appointed by the Speaker of the House of
16 Representatives.

17 (3) ~~Three~~Four members of the public, appointed by the President Pro
18 Tempore of the Senate.

19 (4) ~~Three~~Four members of the public, appointed by the Speaker of the
20 House of Representatives."

21 **SECTION 4.8.(b)** G.S. 120-232(b) reads as rewritten:

22 "(b) Members of the Committee shall serve terms of two years beginning on
23 ~~August 15 of each odd-numbered year,~~August 15, with no prohibition against being
24 reappointed, except initial appointments shall be for terms as follows:

25 (1) The public members shall serve terms of three years.

26 (2) The members who are members of the General Assembly shall serve
27 terms of two years.

28 Initial terms shall commence on August 15, 1999."
29

30 --STATE BUILDING COMMISSION

31 **SECTION 4.9.** G.S. 143-135.25(c) reads as rewritten:

32 "(c) The Commission shall consist of ~~nine~~eleven members qualified and
33 appointed as follows:

34 (1) A licensed architect whose primary practice is or was in the design of
35 buildings, chosen from among not more than three persons nominated
36 by the North Carolina Chapter of the American Institute of Architects,
37 appointed by the Governor.

38 (2) A registered engineer whose primary practice is or was in the design of
39 engineering systems for buildings, chosen from among not more than
40 three persons nominated by the Consulting Engineers Council and the
41 Professional Engineers of North Carolina, appointed by the General
42 Assembly upon the recommendation of the President Pro Tempore of
43 the Senate in accordance with G.S. 120-121.

- 1 (3) A licensed building contractor whose primary business is or was in the
2 construction of buildings, or an employee of a company holding a
3 general contractor's license, chosen from among not more than three
4 persons nominated by the Carolinas AGC (Associated General
5 Contractors), appointed by the General Assembly upon the
6 recommendation of the Speaker of the House of Representatives in
7 accordance with G.S. 120-121.
- 8 (4) A licensed electrical contractor whose primary business is or was in
9 the installation of electrical systems for buildings, chosen from among
10 not more than three persons nominated by the North Carolina
11 Association of Electrical Contractors, and the Carolinas Electrical
12 Contractors' Association, appointed by the Governor.
- 13 (5) ~~A public member~~ Two public members appointed by the General
14 Assembly upon the recommendation of the President Pro Tempore of
15 the Senate in accordance with G.S. 120-121.
- 16 (5a) One public member appointed by the General Assembly upon the
17 recommendation of the Speaker of the House of Representatives in
18 accordance with G.S. 120-121.
- 19 (6) A licensed mechanical contractor whose primary business is or was in
20 the installation of mechanical systems for buildings, chosen from
21 among not more than three persons nominated by the North Carolina
22 Association of Plumbing, Heating, Cooling Contractors, appointed by
23 the General Assembly upon the recommendation of the Speaker of the
24 House of Representatives in accordance with G.S. 120-121.
- 25 (7) An employee of the university system currently involved in the capital
26 facilities development process, chosen from among not more than
27 three persons nominated by the Board of Governors of The University
28 of North Carolina, appointed by the Governor.
- 29 (8) A public member who is knowledgeable in the building construction
30 or building maintenance area, appointed by the General Assembly
31 upon the recommendation of the President Pro Tempore of the Senate
32 in accordance with G.S. 120-121.
- 33 (9) A representative of local government, chosen from among not more
34 than two persons nominated by the North Carolina Association of
35 County Commissioners and two persons nominated by the North
36 Carolina League of Municipalities, appointed by the General
37 Assembly upon recommendation of the Speaker of the House of
38 Representatives in accordance with G.S. 120-121.

39 The members shall be appointed for staggered three-year terms: The initial
40 appointments to the Commission shall be made within 15 days of the effective date of
41 this act [April 14, 1987]. The initial terms of members appointed pursuant to
42 subdivisions (1), (2), and (3) shall expire June 30, 1990; the initial terms of members
43 appointed pursuant to (4), (5), and (6) shall expire June 30, 1989; and the initial terms of
44 members appointed pursuant to (7), (8), and (9) shall expire June 30, 1988. Members

1 may serve no more than six consecutive years. In making new appointments or filling
2 vacancies, the Governor shall ensure that minorities and women are represented on the
3 Commission.

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

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

10
11 --NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

12 **SECTION 4.10.(a)** G.S. 143-240(a) reads as rewritten:

13 "(a) There is hereby created the Wildlife Resources Commission of the
14 Department of Environment and Natural Resources which shall consist of ~~19~~21 citizens
15 of North Carolina who shall be appointed as is provided in G.S. 143-241.

16 Each member of the Commission shall be an experienced hunter, fisherman, farmer,
17 or biologist, who shall be generally informed on wildlife conservation and restoration
18 problems.

19 Members of the Commission shall receive per diem and necessary travel and
20 subsistence expenses in accordance with the provisions of G.S. 138-5 or G.S. 138-6 as
21 the case may be, which shall be paid from fees collected by the Wildlife Resources
22 Commission."

23 **SECTION 4.10.(b)** G.S. 143-241 reads as rewritten:

24 "**§ 143-241. Appointment and terms of office of Commission members; filling of**
25 **vacancies.**

26 The members of the North Carolina Wildlife Resources Commission shall be
27 appointed as follows:

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

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

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

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

35 The General Assembly shall appoint ~~eight~~10 members of the Commission to serve
36 two-year terms, ~~four~~five upon the recommendation of the Speaker of the House, ~~four~~
37 five upon the recommendation of the President Pro Tempore of the Senate, in
38 accordance with G.S. 120-121. Of the members appointed upon the recommendation of
39 the Speaker of the House and upon the recommendation of the President Pro Tempore
40 of the Senate, at least one of each shall be a member of the political party to which the
41 largest minority of the members of the General Assembly belongs.

42 Thereafter as the terms of office of the members of the Commission appointed by
43 the Governor from the several wildlife districts expire, their successors shall be
44 appointed for terms of six years each. As the terms of office of the members of the

1 Commission appointed by the General Assembly expire, their successors shall be
2 appointed for terms of two years each. All members appointed by the Governor serve at
3 the pleasure of the Governor that appointed them and they may be removed by that
4 Governor at any time. A successor to the appointing Governor may remove a
5 Commission member only for cause as provided in G.S. 143B-13. Members appointed
6 by the General Assembly serve at the pleasure of that body and may be removed by law
7 at any time. In the event that a Commission member is removed, the member appointed
8 to replace the removed member shall serve only for the unexpired term of the removed
9 member."

10
11 --NORTH CAROLINA PARKS AND RECREATION AUTHORITY

12 **SECTION 4.12.** G.S. 143B-313.2(a) reads as rewritten:

13 "(a) Membership. – The North Carolina Parks and Recreation Authority shall
14 consist of ~~11~~13 members. The members shall include persons who are knowledgeable
15 about park and recreation issues in North Carolina or with expertise in finance. In
16 making appointments, each appointing authority shall specify under which subdivision
17 of this subsection the person is appointed. Members shall be appointed as follows:

- 18 (1) One member appointed by the Governor.
- 19 (2) One member appointed by the Governor.
- 20 (3) One member appointed by the Governor.
- 21 (4) One member appointed by the General Assembly upon the
22 recommendation of the Speaker of the House of Representatives, as
23 provided in G.S. 120-121.
- 24 (5) One member appointed by the General Assembly upon the
25 recommendation of the Speaker of the House of Representatives, as
26 provided in G.S. 120-121.
- 27 (6) One member appointed by the General Assembly upon the
28 recommendation of the Speaker of the House of Representatives, as
29 provided in G.S. 120-121.
- 30 (7) One member appointed by the General Assembly upon the
31 recommendation of the Speaker of the House of Representatives, as
32 provided in G.S. 120-121.
- 33 (8) One member appointed by the General Assembly upon the
34 recommendation of the President Pro Tempore of the Senate, as
35 provided in G.S. 120-121.
- 36 (9) One member appointed by the General Assembly upon the
37 recommendation of the President Pro Tempore of the Senate, as
38 provided in G.S. 120-121.
- 39 (10) ~~One member~~Two members appointed by the General Assembly upon
40 the recommendation of the President Pro Tempore of the Senate, as
41 provided in G.S. 120-121.
- 42 (11) ~~One member~~Two members appointed by the General Assembly upon
43 the recommendation of the President Pro Tempore of the Senate, as
44 provided in G.S. 120-121."

1
2 --ECONOMIC DEVELOPMENT BOARD

3 **SECTION 4.14.** 143B-434(b) reads as rewritten:

4 "(b) Membership. – The Economic Development Board shall consist of ~~37~~38
5 members. The Secretary of Commerce shall serve ex officio as a member and as the
6 secretary of the Economic Development Board. The Secretary of Revenue shall serve as
7 an ex officio, nonvoting member. Four members of the House of Representatives
8 appointed by the Speaker of the House of Representatives, four members of the Senate
9 appointed by the President Pro Tempore of the Senate, the President of The University
10 of North Carolina, or designee, the President of the North Carolina Community College
11 System, or designee, the Secretary of State, and the President of the Senate (or the
12 designee of the President of the Senate), shall serve as members of the Board. The
13 Governor shall appoint the remaining ~~23~~24 members of the Board. ~~Effective with the~~
14 ~~terms beginning July 1, 1997, one of~~ Of the Governor's ~~appointees~~appointees, ~~one~~
15 be a representative of a nonprofit organization involved in economic ~~development~~
16 ~~and development~~, ~~two of the Governor's appointees~~ shall be county economic
17 development ~~representatives~~representatives, and one shall be the president of the North
18 Carolina Economic Developers' Association, who shall serve ex officio. The Governor
19 shall designate a chair and a vice-chair from among the members of the Board.
20 ~~Appointments~~ All appointments to the Board ~~made by the Governor for terms beginning~~
21 ~~July 1, 1997, and appointments to the Board made by the Speaker of the House of~~
22 ~~Representatives and the President Pro Tempore of the Senate for terms beginning July~~
23 ~~9, 1993, should reflect the ethnic and gender diversity of the State as nearly as practical.~~

24 ~~The initial appointments to the Board shall be for terms beginning on July 9, 1993.~~
25 ~~Of the initial appointments made by the Governor, the terms shall expire July 1, 1997.~~
26 ~~Of the initial appointments made by the Speaker of the House of Representatives and by~~
27 ~~the President Pro Tempore of the Senate two appointments of each shall be designated~~
28 ~~to expire on July 1, 1995; the remaining terms shall expire July 1, 1997. Thereafter,~~
29 ~~all~~ All appointments shall be for a term of four years.

30 The appointing officer shall make a replacement appointment to serve for the
31 unexpired term in the case of a vacancy.

32 The members of the Economic Development Board shall receive per diem and
33 necessary travel and subsistence expenses payable to members of State Boards and
34 agencies generally pursuant to G.S. 138-5 and G.S. 138-6, as the case may be. The
35 members of the Economic Development Board who are members of the General
36 Assembly shall not receive per diem but shall receive necessary travel and subsistence
37 expenses at rates prescribed by G.S. 120-3.1."

38
39 --NORTHEASTERN NORTH CAROLINA REGIONAL ECONOMIC
40 DEVELOPMENT COMMISSION

41 **SECTION 4.15.** G.S. 158-8.2(b) reads as rewritten:

42 "(b) The Commission shall consist of 18 appointed members and one ex officio
43 member, as provided below. Each appointed member shall be an experienced business

1 person who resides for most of the year in one or more of the counties that are members
2 of the Commission.

3 (1) Six members shall be appointed by the Governor.

4 (2) Six members shall be 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 (3) Six members 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 (4) The Secretary of Commerce, or a designee.

11 (5) Repealed by Session Laws 1999-237, s. 16.6(a).

12 Any person appointed to the Commission who is also a county commissioner or
13 other local elected official may hold that office in addition to the offices permitted by
14 G.S. 128-1.1. The appointing authorities are encouraged to discuss and coordinate their
15 appointments in an effort to ensure as many counties served by the Commission are
16 represented among the membership of the Commission."
17

18 --NORTH CAROLINA AUCTIONEERS COMMISSION

19 **SECTION 4.16.** G.S. 85B-3 reads as rewritten:

20 "**§ 85B-3. Auctioneers Commission.**

21 (a) There shall be a ~~five-member~~ seven-member North Carolina Auctioneers
22 Commission having the powers and responsibilities set out in this Chapter. The
23 Governor shall appoint ~~the five~~ members of the Commission, at least three of whom,
24 and their successors, shall be from nominations submitted by the Auctioneers
25 Association of North Carolina. The President Pro Tempore of the Senate shall appoint
26 one member upon the recommendation of the Senate. The Speaker of the House of
27 Representatives shall appoint one member upon the recommendation of the House of
28 Representatives. The Auctioneers Association shall submit, within 45 days of when the
29 vacancy occurs, at least three names for each position for which it is entitled to make a
30 nomination. Of the initial five members of the Commission one shall be appointed for a
31 one-year term, two shall be appointed for two-year terms and two for three-year terms;
32 thereafter, each new member shall be appointed for a term of three years. Any vacancy
33 shall be filled for the remainder of the unexpired term only. Each member shall continue
34 in office until his successor is appointed and qualified. No member shall serve more
35 than two complete consecutive terms.

36 (b) At least three members of the Commission appointed by the Governor shall
37 be experienced auctioneers who are licensed under this Chapter. One member appointed
38 by the Governor shall be a person who shall represent the public at large and shall not
39 be licensed under this Chapter.

40 (c) The Commission shall employ an executive director and other employees as
41 needed to carry out the duties of this Chapter. All employees shall serve at the pleasure
42 of the Commission.

43 (d) Any action that may be taken by the Commission may be taken by vote of
44 any ~~three~~ four of its members.

1 (e) The members of the Commission shall elect from among themselves a
2 chairman to serve a one-year term. No person shall serve more than two consecutive
3 terms as chairman.

4 (f) Repealed by Session Laws 1999-142, s. 1.

5 (g) Members of the Commission shall receive the compensation set for members
6 of occupational licensing boards by G.S. 93B-5."

7
8 --NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS

9 **SECTION 4.17.** G.S. 88A-5(a) reads as rewritten:

10 "(a) The North Carolina Board of Electrolysis Examiners is created. The Board
11 shall consist of five members as follows:

12 (1) ~~Three~~ Five electrologists who have engaged in the practice of
13 electrolysis for at least five years, ~~one~~ two of whom shall be appointed
14 by the General Assembly upon the recommendation of the Speaker of
15 the House of Representatives, ~~one~~ two of whom shall be appointed by
16 the General Assembly upon the recommendation of the President Pro
17 Tempore of the Senate, and one of whom shall be appointed by the
18 Governor.

19 (2) A physician licensed under Chapter 90 of the General Statutes, who
20 shall be nominated by the North Carolina Medical Board and
21 appointed by the Governor.

22 (3) A public member, appointed by the Governor, who has not practiced
23 electrolysis, who is not in training to become an electrologist, and who
24 is not related to anyone who would be prohibited by this subdivision
25 from serving on the Board as a public member."

26
27 **PART V. EFFECTIVE DATES AND HEADINGS**

28 **SECTION 5.1.** The headings to the parts and sections of this act are a
29 convenience to the reader and are for reference only.

30 **SECTION 5.2.** Unless otherwise provided for in this act, appointments are
31 for terms to begin July 1, 2002.

32 **SECTION 5.3.** This act is effective when it becomes law.