

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 815

Rules and Operations of the Senate Committee Substitute Adopted 8/26/97

Short Title: Pro Tem Appointments.

(Public)

Sponsors:

Referred to:

April 14, 1997

A BILL TO BE ENTITLED

**AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE
RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE.**

Whereas, G.S. 120-121 authorizes the General Assembly to make certain appointments to public offices upon the recommendation of the President Pro Tempore of the Senate; and Whereas, the President Pro Tempore of the Senate has made recommendations; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Charles Hayes of Guilford County is appointed to the North Carolina Global TransPark Authority for a term to expire on June 30, 1999. Frank Holding of Mecklenburg County and Howard Chapin of Beaufort County are appointed to the North Carolina Global TransPark Authority for terms expiring on June 30, 2001.

Section 2. Russell Mohn Hull, Jr., of Pasquotank County, Eugene Price of Wayne County, and John Edward Pechmann of Cumberland County, are appointed to the North Carolina Wildlife Resources Commission for terms expiring on April 24, 1999.

Section 3. Anita C. McCorkle of Mecklenburg County and Rebekah Beerbower of Catawba County are appointed to the Child Day-Care Commission for terms expiring on June 30, 1999.

1 Section 4. William F. Forsyth of Cherokee County, Sam Neill of Henderson
2 County, and David Reeves of Henderson County are appointed to the Western North
3 Carolina Regional Economic Development Commission for terms expiring on June 30,
4 2001.

5 Section 5. Thomas J. Burgin, Jr., of Lincoln County and William A. Allen of
6 Pasquotank County are appointed to the Private Protective Services Board for terms
7 expiring on June 30, 1999.

8 t Section 6. Dr. Patricia A. Chamings of Guilford County is appointed to the
9 North Carolina Center for Nursing for a term expiring June 30, 1999. Barbara Morris of
10 Cumberland County and Henson Barnes of Bladen County are appointed to the North
11 Carolina Center for Nursing for terms expiring on June 30, 2000.

12 Section 7. Thomas Mehder of Mecklenburg County, Douglas E. Howey of
13 Wake County, Anne Coan of Wake County, Bill Weatherspoon of Wake County, and
14 Russ Stephenson of Wake County are appointed to the North Carolina Petroleum
15 Underground Storage Tank Funds Council for terms expiring on June 30, 1999.

16 Section 8. Margaret Arbuckle of Guilford County and Mayor Jerry Campbell
17 of Lincoln County are appointed to the Watershed Protection Advisory Council for terms
18 expiring on June 30, 1999.

19 Section 9. Wayne Louis Lofton of New Hanover County and Anthony M.
20 Copeland of Wake County are appointed to the North Carolina Agency for Public
21 Telecommunications for terms expiring on June 30, 1999.

22 Section 10. John Phillips of Wake County is appointed to the North Carolina
23 Board for Licensing of Soil Scientists for a term to expire on June 30, 1999.

24 Section 11. Paul Brooks of Robeson County is appointed to the North Carolina
25 State Commission of Indian Affairs for a term to expire on June 30, 1999.

26 Section 12. John H. Cilley, IV, of Catawba County is appointed to the Board
27 of Trustees Teachers' and State Employees' Retirement System for a term to expire on
28 June 30, 1999.

29 Section 13. The Honorable Terry Sanford of Durham County and Linda
30 Godwin Murphy of Duplin County are appointed to the Board of Trustees of the North
31 Carolina Museum of Art for terms expiring on June 30, 1999.

32 Section 14. Rick Lee of Haywood County is appointed to the North Carolina
33 Code Officials Qualification Board for a term to expire on June 30, 2001.

34 Section 15. Lisa Eberhart of Wake County and Sheila Garner of Carteret
35 County are appointed to the North Carolina Board of Dietetics/Nutrition for terms to
36 expire on June 30, 2000.

37 Section 16. Robert Epting of Orange County and Jeffrey V. Morse of Burke
38 County are appointed to the Environmental Management Commission for terms expiring
39 on June 30, 1999.

40 Section 17. Russell Howard Langley of Dare County is appointed to the North
41 Carolina Seafood Industrial Park Authority for a term to expire on June 30, 1999.

1 Section 18. Richard Lee Frye of Alamance County is appointed to the North
2 Carolina Sheriffs' Education and Training Standards Commission for a term to expire on
3 June 30, 2000.

4 Section 19. Stewart Bryan Coleman of Buncombe County is appointed to the
5 North Carolina State Ports Authority for a term to expire on June 30, 1999.

6 Section 20. Ann McArthur of Dare County and Carol Newman of
7 Mecklenburg County are appointed to the North Carolina Center for the Advancement of
8 Teaching Board of Trustees for terms expiring on June 30, 2001.

9 Section 21. Jimmy Hughes of Pitt County is appointed to the North Carolina
10 Home Inspector Licensure Board for a term to expire on July 1, 1998.

11 Section 22. Kathy Weeks of Harnett County and Virginia Adams of New
12 Hanover County are appointed to the North Carolina Nursing Scholars Commission for
13 terms expiring on June 30, 2001.

14 Section 23. Kenneth Robinette of Richmond County, Jane Smith of Robeson
15 County, and William Phipps of Columbus County are appointed to the Southeastern
16 North Carolina Regional Economic Development Commission for terms expiring on June
17 30, 2001.

18 Section 24. R. B. Heater of Wake County and Ingram Walters of Union
19 County are appointed to the North Carolina Low-Level Radioactive Waste Management
20 Authority for terms expiring on June 30, 2001.

21 Section 25. Dr. Leroy Walker of Durham County is appointed to the North
22 Carolina Teaching Fellows Commission for a term to expire on June 30, 2001.

23 Section 26. Jeffrey A. Nelson of Martin County is appointed to the Local
24 Government Commission for a term to expire on June 30, 2001.

25 Section 27. Terry Waterfield of Pasquotank County is appointed to the North
26 Carolina Criminal Justice Education and Training Standards Commission for a term to
27 expire on June 30, 1999.

28 Section 28. William Earl Antone, Sr., of Robeson County and Walter Clark of
29 Lincoln County are appointed to the North Carolina Housing Finance Agency for terms
30 expiring on June 30, 1999.

31 Section 29. Randy Gregory of Cumberland County is appointed to the North
32 Carolina School of Science and Mathematics Board of Trustees for a term that expires on
33 June 30, 2001.

34 Section 30. Clay Ferebee of Camden County and Reef Ivey of Wake County
35 are appointed to the Centennial Authority for terms expiring on June 30, 2001.

36 Section 31. Mary Lilley of Martin County is appointed to the Northeastern
37 North Carolina Regional Economic Development Commission for a term that expires on
38 June 30, 1999. Ray Hollowell of Dare County is appointed to the Northeastern North
39 Carolina Regional Economic Development Commission for a term that expires on June
40 30, 2001. Bob Spivey of Bertie County (county commissioner) is appointed to the
41 Northeastern North Carolina Regional Economic Development Commission for a term
42 that expires on June 30, 2001. Charlie Shaw of Chowan County is appointed to the
43 Northeastern North Carolina Regional Economic Development Commission for a term

1 expiring June 30, 1999, in accordance with G.S. 158-8.2(b)(2). Ernie Bowden of
2 Currituck County is appointed to the Northeastern North Carolina Regional Economic
3 Development Commission for a term expiring June 30, 2001.

4 Section 32. Hank Debnam of Cumberland County is appointed to the North
5 Carolina State Board of Therapeutic Recreation Certification for a term that expires on
6 June 30, 2001.

7 Section 33. Jo Anne Jeffries of Hertford County (at large), Richard Clark of
8 Buncombe County, Jim Scarborough of Wake County, Nancy McKeel of Buncombe
9 County, Bobby Bollinger of Mecklenburg County, Emily Moore of Lenoir County (at
10 large), Donald Hines of Mecklenburg County (representative of persons with mental
11 illness) are appointed to the Governor's Advocacy Council for Persons with Disabilities
12 for terms expiring on June 30, 1999.

13 Section 34. Christie Knittel Mabry of Wake County and Althea Calloway of
14 Mecklenburg County are appointed to the Board of Trustees of the Teachers' and State
15 Employees' Comprehensive Major Medical Plan for terms expiring on June 30, 1999.

16 Section 35. Jim Funderburke of Gaston County and David Ray Twiddy of
17 Chowan County are appointed to the Rules Review Commission for terms expiring on
18 June 30, 1999.

19 Section 36. Drew King, Sr., of Durham County is appointed to the Board of
20 Trustees of the North Carolina Public Employee Deferred Compensation Plan for a term
21 that expires on June 30, 1999.

22 Section 37. Beverly McCracken of Guilford County is appointed to the Board
23 of Trustees of the University of North Carolina Center for Public Television for a term
24 that expires on June 30, 1999.

25 Section 38. Charles E. Truelove, Jr., of Wake County is appointed to the State
26 Building Commission for a term that expires June 30, 2000.

27 Section 39. Martha Smith Ragsdale of Lee County is appointed to the State
28 Health Plan Purchasing Alliance Board for a term that expires on July 1, 2001.

29 Section 40. Dr. Larry W. Watson of Wake County is appointed to the North
30 Carolina Board of Science and Technology for a term that expires on June 30, 1999.

31 Section 40.1. Henry E. Faircloth of Sampson County is appointed to the North
32 Carolina Appraisal Board for a term that expires June 30, 1999.

33 Section 40.2. Rick Proctor of Davidson County and Florence C. Moses of
34 Wake County are appointed to the North Carolina Board of Athletic Trainer Examiners
35 for terms to expire July 31, 2000. Dr. Donald D'Allesandro of Mecklenburg County is
36 appointed to the North Carolina Board of Athletic Trainer Examiners for a term to expire
37 July 31, 1998.

38 ECONOMIC DEVELOPMENT COMMISSIONS

39 Section 41. Article 2 of Chapter 158 of the General Statutes is amended by
40 adding a new section to read:

41 **"§ 158-8.4. Removal of commission members.**

42 A commission created under G.S. 158-8.1, 158-8.2, or 158-8.3 may, by majority vote,
43 remove a member of the commission if that member does not attend at least eighty

1 percent (80%) of the regularly scheduled meetings of the commission during any full
2 year of service of that member on the board, except that absences excused by the
3 commission due to serious medical or family circumstances shall not be considered. If
4 the commission votes to remove a member under this section, the vacancy will be filled
5 in the same manner as the original appointment."

6 Section 42. (a) G.S. 158-8.2(b) reads as rewritten:

7 "(b) The Commission shall consist of ~~17-18 members appointed~~ appointed members
8 and two ex officio members, as follows:

9 (1) ~~Five-Six~~ Six members shall be appointed by the Governor, including one
10 developer of northeastern North Carolina, one banker, one county
11 commissioner from Camden, Currituck, Pasquotank, or Perquimans
12 Counties, or from the county or counties assigned to the Commission by
13 the Department of Commerce as authorized by law, and one county
14 commissioner from Beaufort, Bertie, Chowan, or Martin Counties, or
15 from the county or counties assigned to the Commission by the
16 Department of Commerce as authorized by ~~law~~; law.

17 (2) ~~Five-Six~~ Six members shall be appointed by the General Assembly upon the
18 recommendation of the President Pro Tempore of the Senate in
19 accordance with G.S. 120-121, including one developer of northeastern
20 North Carolina, one banker, and one county commissioner from Dare,
21 Hyde, Tyrrell, or Washington ~~Counties~~; Counties.

22 (3) ~~Five-Six~~ Six members shall be appointed by the General Assembly upon the
23 recommendation of the Speaker of the House of Representatives in
24 accordance with G.S. 120-121, including one developer of northeastern
25 North Carolina, one banker, and one county commissioner from
26 Halifax, Hertford, Gates, or Northampton ~~Counties~~; Counties.

27 (4) The Secretary of ~~Commerce or a designee~~; and Commerce, or a designee.

28 (5) The Secretary of ~~Environment, Health, and Natural~~ Cultural Resources, or
29 a designee.

30 Any person appointed to the Commission in a categorical appointment as a county
31 commissioner may hold such office in addition to the offices permitted by G.S. 128-1.1.
32 The appointing authorities are encouraged to discuss and coordinate their appointments in
33 an effort to ensure as many counties served by the Commission are represented among
34 the membership of the Commission."

35 (b) The additional appointments made under subsection (a) of this section shall
36 be for initial terms expiring June 30, 1999.

37 BOARD OF TRANSPORTATION

38 Section 43. (a) G.S. 143B-350(d) reads as rewritten:

39 "(d) The Board of Transportation shall have ~~two~~ four members appointed by the
40 General Assembly. ~~One~~ Two of these members shall be appointed upon the
41 recommendation of the Speaker of the House of Representatives, and ~~one~~ two shall be
42 appointed upon the recommendation of the President Pro Tempore of the Senate in
43 accordance with G.S. 120-121. The initial members appointed by the General Assembly

1 shall serve for terms expiring June 30, 1983. Thereafter, their successors shall serve for
2 two-year terms beginning July 1 of odd-numbered years. Vacancies in appointments
3 made by the General Assembly shall be filled in accordance with G.S. 120-122."

4 (b) The additional two members appointed by the General Assembly under this
5 section shall serve for terms expiring June 30, 1999.

6 (c) Michael Mills of Columbus County is appointed to the Board of
7 Transportation for a term expiring June 30, 1999.

8 TRAVEL AND TOURISM BOARD

9 Section 44. (a) G.S. 143B-434.1(c) reads as rewritten:

10 "(c) The Board shall consist of ~~25-27~~ members as follows:

- 11 (1) The Secretary of Commerce, who shall not be a voting member.
- 12 (2) The Director of the Division of Travel and Tourism, who shall not be a
13 voting member.
- 14 (3) Two members designated by the Board of Directors of the North
15 Carolina Hotel and Motel Association.
- 16 (4) Two members designated by the Board of Directors of the North
17 Carolina Restaurant Association.
- 18 (5) Three Directors of Convention and Visitor Bureaus designated by the
19 Board of Directors of the North Carolina Association of Convention and
20 Visitor Bureaus.
- 21 (6) The Chairperson of the Travel and Tourism Coalition.
- 22 (7) The President of the Travel Council of North Carolina.
- 23 (8) A member designated by the Board of Directors of the Travel Council
24 of North Carolina.
- 25 (9) The President of North Carolina Citizens for Business and Industry.
- 26 (10) One member designated by the North Carolina Petroleum Marketers
27 Association.
- 28 (11) One person associated with tourism attractions in North Carolina,
29 appointed by ~~the General Assembly, upon recommendation of~~ the Speaker
30 of the House of Representatives. One person who is not a member of the
31 General Assembly, appointed by the Speaker of the House of
32 Representatives.
- 33 (12) One person associated with the tourism-related transportation industry,
34 appointed by ~~the General Assembly upon recommendation of~~ the President
35 Pro Tempore of the Senate. One person who is not a member of the
36 General Assembly, appointed by the President Pro Tempore of the
37 Senate.
- 38 (13) Four public members each interested in matters relating to travel and
39 tourism, two appointed by the Governor (one from a rural area and one
40 from an urban area), one appointed by ~~the General Assembly upon~~
41 ~~recommendation of~~ the Speaker of the House, and one appointed by ~~the~~
42 ~~General Assembly upon recommendation of~~ the President Pro Tempore of
43 the Senate.

- 1 (14) One member associated with the major cultural resources and activities
2 of the State in North Carolina, appointed by the Governor.
3 (15) Two members of the House of Representatives, appointed by ~~the General~~
4 ~~Assembly upon recommendation of the~~ Speaker of the House of
5 Representatives.
6 (16) Two members of the Senate, appointed by the ~~General Assembly upon~~
7 ~~recommendation of the~~ President Pro Tempore of the Senate."
8 (b) The two additional appointments authorized by this section are for terms
9 expiring December 31, 1998.

10 RULES REVIEW COMMISSION

11 Section 45. (a) G.S. 143B-30.1(a) reads as rewritten:

12 "(a) The Rules Review Commission is created. The Commission shall consist of
13 ~~eight~~10 members to be appointed by the General Assembly, ~~four~~five upon the
14 recommendation of the President Pro Tempore of the Senate, and ~~four~~five upon the
15 recommendation of the Speaker of the House of Representatives. These appointments
16 shall be made in accordance with G.S. 120-121, and vacancies in these appointments
17 shall be filled in accordance with G.S. 120-122. Except as provided in subsection (b) of
18 this section, all appointees shall serve two-year terms.

19 (b) Initial appointments authorized by this section are for terms expiring June
20 30, 1999.

21 JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE

22 Section 46. (a) G.S. 120-70.80 reads as rewritten:

23 "**§ 120-70.80. Creation and membership of Joint Legislative Education Committee.**

24 The Joint Legislative Education Committee is established. The Committee consists of
25 ~~16~~18 members as follows:

- 26 (1) ~~Eight~~Nine members of the Senate appointed by the President Pro
27 Tempore of the Senate, at least two of whom are members of the
28 minority party; and
29 (2) ~~Eight~~Nine members of the House of Representatives appointed by the
30 Speaker of the House of Representatives, at least three of whom are
31 members of the minority party.

32 Terms on the Committee are for two years and begin on the convening of the General
33 Assembly in each odd-numbered year, except the terms of the initial members, which
34 begin on appointment and end on the day of the convening of the 1991 General
35 Assembly. Members may complete a term of service on the Committee even if they do
36 not seek reelection or are not reelected to the General Assembly, but resignation or
37 removal from service in the General Assembly constitutes resignation or removal from
38 service on the Committee.

39 A member continues to serve until his successor is appointed. A vacancy shall be
40 filled within 30 days by the officer who made the original appointment."

41 (b) The additional appointments authorized by this section are for terms
42 expiring on convening of the 1999 General Assembly.

43 JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS

1 Section 47. G.S. 120-74 reads as rewritten:

2 **"§ 120-74. Appointment of members; terms of office.**

3 The Commission shall consist of ~~26~~30 members. The President pro tempore of the
4 Senate, the Speaker pro tempore of the House, and the Majority Leader of the Senate and
5 the Speaker of the House shall serve as ex officio members of the Commission. The
6 Speaker of the House of Representatives shall appoint ~~eleven~~13 members from the
7 House. The President pro tempore of the Senate shall appoint ~~eleven~~13 members from
8 the Senate. Vacancies created by resignation or otherwise shall be filled by the original
9 appointing authority. Members shall serve two-year terms beginning and ending on
10 January 15 of the odd-numbered years, except that initial appointments shall begin on
11 July 1, 1975. Members shall not be disqualified from completing a term of service on the
12 Commission because they fail to run or are defeated for reelection. Resignation or
13 removal from the General Assembly shall constitute resignation or removal from
14 membership on the Commission. The terms of the initial members of the Commission
15 shall expire January 15, 1977."

16 Section 48. Unless otherwise specified, all appointments made by this act are
17 for terms to begin when this act becomes law.

18 Section 49. This act is effective when it becomes law. ♦