

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1989**

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**2**

HOUSE BILL 2297  
Committee Substitute Favorable 7/19/90

Short Title: Speaker's Appointments-1.

(Public)

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Sponsors:

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Referred to:

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June 4, 1990

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE  
3 RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF  
4 REPRESENTATIVES.

5           Whereas, G.S. 120-121 authorizes the General Assembly to make certain  
6 appointments to public offices upon the recommendation of the Speaker of the House of  
7 Representatives; and

8           Whereas, the Speaker of the House of Representatives has made  
9 recommendations; Now, therefore,

10 The General Assembly of North Carolina enacts:

11                                   **PART I. APPOINTMENTS OF THE SPEAKER**

12           Section 1. Thomas P. McNamara of Wake County is appointed to the  
13 Administrative Rules Review Commission for a term to expire on June 30, 1992;

14           K. Clay Pendleton of Lincoln County is appointed to the Administrative  
15 Rules Review Commission for a term to expire on June 30, 1992;

16           Frayda S. Bluestein of Orange County is appointed to the Administrative  
17 Rules Review Commission for a term to expire on June 30, 1993; and

18           Vernon H. Rochelle of Lenoir County is appointed to the Administrative  
19 Rules Review Commission for a term to expire on June 30, 1993.

20           Sec. 2. Ann McKenney of Gaston County is appointed to the Western North  
21 Carolina Arboretum Board of Directors for a term to expire June 30, 1994.

22           Sec. 3. Henry E. "Gene" Miller of New Hanover County is appointed to the  
23 State Building Commission for a term to begin upon licensure by the North Carolina

1 Licensing Board for General Contractors and to expire on June 30, 1993. This is the  
2 categorical appointment for a licensed building contractor whose primary business is or  
3 was in the construction of buildings.

4 Sec. 4. Anne-Marie T. Yates of Watauga County is appointed to the Child  
5 Day Care Commission of the Department of Human Resources for a term to expire on  
6 June 30, 1992. This appointment is the categorical appointment for a public member  
7 who is a parent of a child receiving day care services;

8 Christopher E. McClure of Wake County is appointed to the Child Day Care  
9 Commission of the Department of Human Resources for a term to expire on June 30,  
10 1992. This appointment is the categorical appointment for a public member; and

11 Reverend Thomas Johnson Vestal of Wake County is appointed to the Child  
12 Day Care Commission of the Department of Human Resources for a term to expire on  
13 June 30, 1991. This appointment is the categorical appointment for a day care provider  
14 affiliated with a nonprofit day care facility or plan.

15 Sec. 5. Lacy Cummings of Robeson County and Henry A. McLaurin of  
16 Scotland County are appointed to the Southeastern North Carolina Farmers Market  
17 Commission for terms to expire on June 30, 1994.

18 Sec. 6. Hassell Thigpen of Edgecombe County is appointed to the Genetic  
19 Engineering Review Board for a term to expire on June 30, 1992. This is a public  
20 member categorical appointment for a practicing farmer who is an active member of a  
21 farm organization.

22 Sec. 7. Dr. Blair Harrold of Nash County is appointed to the North Carolina  
23 Health Insurance Trust Commission for a term to expire June 30, 1993. This is the  
24 categorical appointment for a representative of small business employers eligible to  
25 participate in the program of group health insurance.

26 Sec. 8. Willard A. Gourley, Jr., of Mecklenburg County is appointed to the  
27 North Carolina Housing Partnership for a term to begin on September 1, 1990, and to  
28 expire on August 31, 1993. This is a public member categorical appointment;

29 Anthony (Tony) Christopher Cardez of Wake County is appointed to the  
30 North Carolina Housing Partnership for a term to begin on September 1, 1990, and to  
31 expire on August 31, 1993. This is the categorical appointment for a resident of low  
32 income housing;

33 Patricia G. Garrett of Mecklenburg County is appointed to the North Carolina  
34 Housing Partnership for a term to begin on September 1, 1990, and to expire on August  
35 31, 1993. This is the categorical appointment for a representative of a nonprofit housing  
36 development corporation;

37 Everette Stiles of Macon County is appointed to the North Carolina Housing  
38 Partnership for a term to begin on September 1, 1990, and to expire on August 31, 1993.  
39 This is the categorical appointment for a representative of the real estate lending  
40 industry; and

41 Donald M. Saunders of Wake County is appointed to the North Carolina  
42 Housing Partnership for a term to begin on September 1, 1990, and to expire on August  
43 31, 1993. This is a public member categorical appointment.

1           Sec. 9. Bernice Pitt of Edgecombe County is appointed to the Board of  
2 Trustees of the Teachers' and State Employees' Comprehensive Major Medical Plan for  
3 a term to expire on June 30, 1992.

4           Sec. 10. Robert J. Amon of Iredell County is appointed to the North Carolina  
5 Medical Database Commission for a term to expire on June 30, 1993. This is the  
6 categorical appointment for a representative of a commercial insurance company  
7 providing health insurance in North Carolina; and

8           Dr. Lawrence M. Cutchin of Edgecombe County is appointed to the North  
9 Carolina Medical Database Commission for a term to expire on June 30, 1993. This is  
10 the categorical appointment for a physician.

11          Sec. 11. Kathryn G. Kirkpatrick of Haywood County is appointed to the  
12 North Carolina Milk Commission for a term to expire on June 30, 1992. This is the  
13 categorical appointment for a public member.

14          Sec. 12. Dr. James C. Purvis of Halifax County is appointed to the Private  
15 Protective Services Board for a term to expire on June 30, 1993.

16          Sec. 13. Thomas F. Darden of Wake County is appointed to the North  
17 Carolina Teaching Fellows Commission for a term to expire on June 30, 1991;

18          Dr. Leroy T. Walker of Durham County is appointed to the North Carolina  
19 Teaching Fellows Commission for a term to expire on June 30, 1992; and

20          Marydell R. Bright of Alamance County is appointed to the North Carolina  
21 Teaching Fellows Commission for a term to expire on June 30, 1993.

22          Sec. 14. Raymond E. West of Orange County is appointed to the North  
23 Carolina State Board of Therapeutic Recreation Certification for a term to expire on  
24 June 30, 1993. This is the categorical appointment for a certified practicing therapeutic  
25 recreation specialist.

26          Sec. 15. David Felmet, Sr., of Haywood County is appointed to the North  
27 Carolina Low-Level Radioactive Waste Management Authority for a term to expire on  
28 June 30, 1994.

29          Sec. 16. Carol G. Love of Wake County is appointed to the North Carolina  
30 Solid Waste Management Capital Projects Financing Agency for a term to expire on  
31 June 30, 1991.

32          Sec. 17. Dr. Jan Crawford of Stanly County is appointed to the N. C. Nursing  
33 Scholars Commission for a term to expire on July 1, 1993, to fill the vacancy created by  
34 the resignation of Dr. Richard L. Brownell.

## 35                                   **PART II. CONFORMING CHANGES**

36          Sec. 18. G.S. 143B-30.1 reads as rewritten:

37       **"§ 143B-30.1. Administrative Rules Review Commission created.**

38       (a) The Administrative Rules Review Commission is created. The Commission  
39 shall consist of eight members to be appointed by the General Assembly, four upon the  
40 recommendation of the President of the Senate, and four upon the recommendation of  
41 the Speaker of the House of Representatives. These appointments shall be made in  
42 accordance with G.S. 120-121, and vacancies in these appointments shall be filled in  
43 accordance with G.S. 120-122. ~~All~~ Except as provided in subsection (b) of this section,  
44 all appointees shall serve two-year terms.

1       (b) In 1990, two of the appointments made by the General Assembly upon the  
2 recommendation of the President of the Senate shall expire June 30, 1991, and two shall  
3 expire June 30, 1992. In 1990, two of the appointments made by the General Assembly  
4 upon the recommendation of the Speaker of the House of Representatives shall expire  
5 June 30, 1992, and two shall expire June 30, 1993. Subsequent terms shall be for two  
6 years.

7       (c) Any appointment to fill a vacancy on the Commission created by the  
8 resignation, dismissal, ineligibility, death, or disability of any member shall be for the  
9 balance of the unexpired term. The chairman shall be elected by the Commission, and  
10 he shall designate the times and places at which the Commission shall meet. The  
11 Commission shall meet at least once a month. A quorum of the Commission shall  
12 consist of five members of the Commission. The Commission is an independent agency  
13 under Article III, Section 11 of the Constitution.

14       (d) Members of the Commission who are not officers or employees of the State  
15 shall receive compensation of two hundred dollars (\$200.00) for each day or part of a  
16 day of service plus reimbursement for travel and subsistence expenses at the rates  
17 specified in G.S. 138-5. Members of the Commission who are officers or employees of  
18 the State shall receive reimbursement for travel and subsistence at the rate set out in  
19 G.S. 138-6.

20       (e) Any other provision of the General Statutes notwithstanding, the appointment  
21 of employees of the Commission shall be made by the Commission. Nothing in this  
22 Article shall be construed to exempt employees of the Commission from the State  
23 Personnel Act.

24       (f) The Commission shall prescribe procedures and forms to be used in  
25 submitting rules to the Commission for review. The Commission may have computer  
26 access to the North Carolina Administrative Code to enable the Commission and its  
27 staff to view and copy rules in the Code."

28       Sec. 19. G.S. 115C-363.23(a) reads as rewritten:

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

- 30       (1) The Chairman of the State Board of Education, or his designee;
- 31       (2) The Lieutenant Governor, or his designee;
- 32       (3) Three persons appointed by the Governor;
- 33       (4) Three persons appointed by the General Assembly on the  
34       recommendation of the President of the Senate, as provided in G.S.  
35       120-121; and
- 36       (5) Three persons appointed by the General Assembly on the  
37       recommendation of the Speaker of the House of Representatives, as  
38       provided in G.S. 120-121.

39       Terms of commission members appointed under this section expire on June 30 of the  
40 year of expiration. In 1990, three members shall be appointed by the General Assembly  
41 upon the recommendation of the Speaker of the House of Representatives, one for a  
42 term to expire June 30, 1992, one for a term to expire June 30, 1993, and one for a term  
43 to expire June 30, 1994. In 1990, three members shall be appointed by the General  
44 Assembly upon the recommendation of the President of the Senate, one for a term to

1 expire June 30, 1991, one for a term to expire June 30, 1992, and one for a term to  
2 expire June 30, 1993. In 1990, three members shall be appointed by the Governor, one  
3 for a term to expire June 30, 1992, one for a term to expire June 30, 1993, and one for a  
4 term to expire June 30, 1994. Subsequent appointments are for a term of four years."

5 Sec. 19.1. G.S. 135-38(a) reads as rewritten:

6 "(a) The Committee on Employee Hospital and Medical Benefits shall consist of  
7 12 members as follows:

8 (1) The President Pro Tempore of the Senate;

9 (2) The Majority Leader of the Senate;

10 (3) The Chairman of the Senate Committee on Appropriations;

11 (4) Repealed by Session Laws 1987, c. 61, s. 1.

12 (5) A Cochairman of the Senate Committee on Finance designated by the  
13 President of the Senate;

14 (6) Two other members of the Senate appointed by the President of the  
15 Senate; and

16 ~~(7) The Speaker Pro Tempore of the House of Representatives;~~

17 ~~(8) The Chairman of the House Committee on Appropriations Base~~  
18 ~~Budget;~~

19 ~~(9) The Chairman of the House Committee on Appropriations Expansion~~  
20 ~~Budget;~~

21 ~~(10) The Chairman of the House Committee on Finance; and~~

22 ~~(11) Two other Six~~ members of the House appointed by the Speaker."

23 Sec. 20. Unless otherwise specified, all appointments made by this act are for  
24 terms to begin upon ratification.

25 Sec. 21. This act is effective upon ratification.