

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1991**

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**SENATE BILL 801**

State Personnel and State Government Committee Substitute Adopted 5/9/91

Third Edition Engrossed 5/16/91

House Committee Substitute Favorable 7/11/91

Short Title: President Pro Tempore Appointments.

(Public)

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Sponsors:

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Referred to:

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April 24, 1991

**A BILL TO BE ENTITLED**

1  
2 **AN ACT TO FURTHER PROVIDE FOR THE SEPARATION OF POWERS**  
3 **BETWEEN THE LEGISLATIVE AND EXECUTIVE BRANCHES OF**  
4 **GOVERNMENT BY PROVIDING THAT THE PRESIDENT PRO TEMPORE OF**  
5 **THE SENATE RATHER THAN THE LIEUTENANT GOVERNOR SHALL**  
6 **MAKE APPOINTMENTS TO CERTAIN LEGISLATIVE COMMISSIONS AND**  
7 **COMMITTEES AND RETURNING EXCLUSIVE CONTROL OF THE USE OF**  
8 **LEGISLATIVE BUILDINGS TO THE LEGISLATIVE SERVICES**  
9 **COMMISSION.**

10       Whereas, (1) the President of the Senate makes or recommends appointments  
11 to the North Carolina Courts Commission; and

12       Whereas, (2) the President of the Senate makes or recommends appointments  
13 to the Juvenile Law Study Commission; and

14       Whereas, (3) the President of the Senate makes or recommends appointments  
15 to the Crime Victims Compensation Commission; and

16       Whereas, (4) the President of the Senate makes or recommends appointments  
17 to the North Carolina Criminal Justice Education and Training Standards Commission;  
18 and

19       Whereas, (5) the President of the Senate makes or recommends appointments  
20 to the North Carolina Sheriffs' Education and Training Standards Commission; and

1           Whereas, (6) the President of the Senate makes or recommends appointments  
2 to the Motor Vehicle Dealers' Advisory Board; and

3           Whereas, (7) the President of the Senate makes or recommends appointments  
4 to the State Banking Commission; and

5           Whereas, (8) the President of the Senate makes or recommends appointments  
6 to the Public Officers and Employees Liability Insurance Commission; and

7           Whereas, (9) the President of the Senate makes or recommends appointments  
8 to the Board of Governors of the North Carolina Health Care Excess Liability Fund; and

9           Whereas, (10) the President of the Senate makes or recommends  
10 appointments to the North Carolina Health Insurance Trust Commission; and

11           Whereas, (11) the President of the Senate makes or recommends  
12 appointments to the State Fire and Rescue Commission; and

13           Whereas, (12) the President of the Senate in certain circumstances makes or  
14 recommends appointments to the North Carolina Utilities Commission; and

15           Whereas, (13) the President of the Senate makes or recommends  
16 appointments to the Private Protective Services Board; and

17           Whereas, (14) the President of the Senate makes or recommends  
18 appointments to the Alarm Systems Licensing Board; and

19           Whereas, (15) the President of the Senate makes or recommends  
20 appointments to the Disciplinary Hearing Commission; and

21           Whereas, (16) the President of the Senate makes or recommends  
22 appointments to the State Board of Cosmetic Art Examiners; and

23           Whereas, (17) the President of the Senate makes or recommends  
24 appointments to the State Board of Chiropractic Examiners; and

25           Whereas, (18) the President of the Senate makes or recommends  
26 appointments to the North Carolina Veterinary Medical Board; and

27           Whereas, (19) the President of the Senate makes or recommends  
28 appointments to the State Board of Therapeutic Recreation Certification; and

29           Whereas, (20) the President of the Senate makes or recommends  
30 appointments to the Southern States Energy Board; and

31           Whereas, (21) the President of the Senate makes or recommends  
32 appointments to the Advisory Committee to the North Carolina Members of the Low-  
33 Level Radioactive Waste Management Compact Commission; and

34           Whereas, (22) the President of the Senate makes or recommends  
35 appointments to the North Carolina Low-Level Radioactive Waste Management  
36 Authority; and

37           Whereas, (23) the President of the Senate makes or recommends  
38 appointments to the Milk Commission; and

39           Whereas, (24) the President of the Senate makes or recommends  
40 appointments to the Northeastern Farmers Market Commission; and

41           Whereas, (25) the President of the Senate makes or recommends  
42 appointments to the Southeastern Farmers Market Commission; and

43           Whereas, (26) the President of the Senate makes or recommends  
44 appointments to the Recreation and Natural Heritage Trust Fund Board of Trustees; and

1           Whereas, (27) the President of the Senate makes or recommends  
2 appointments to the North Carolina Seafood Industrial Park Authority; and

3           Whereas, (28) the President of the Senate makes or recommends  
4 appointments to the Energy Policy Council; and

5           Whereas, (29) the President of the Senate makes or recommends  
6 appointments to the State School Health Advisory Committee; and

7           Whereas, (30) the President of the Senate makes or recommends  
8 appointments to the Council on Educational Services for Exceptional Children; and

9           Whereas, (31) the President of the Senate makes or recommends  
10 appointments to the State Advisory Council on Indian Education; and

11           Whereas, (32) the President of the Senate makes or recommends  
12 appointments to the North Carolina Teaching Fellows Commission; and

13           Whereas, (33) the President of the Senate makes or recommends  
14 appointments to the Commission on School Facility Needs; and

15           Whereas, (34) the President of the Senate makes or recommends  
16 appointments to the Educational Facilities Finance Agency; and

17           Whereas, (35) the President of the Senate makes or recommends  
18 appointments to the Board of Trustees of The University of North Carolina Center for  
19 Public Television; and

20           Whereas, (36) the President of the Senate makes or recommends  
21 appointments to the NCCAT Board of Trustees; and

22           Whereas, (37) the President of the Senate makes or recommends  
23 appointments to the Board of Trustees of North Carolina School of Science and  
24 Mathematics; and

25           Whereas, (38) the President of the Senate makes or recommends  
26 appointments to the Board of Directors of the Arboretum; and

27           Whereas, (39) the President of the Senate makes or recommends  
28 appointments to the Commission on Children with Special Needs; and

29           Whereas, (40) the President of the Senate makes or recommends  
30 appointments to the Joint Legislative Utility Review Committee; and

31           Whereas, (41) the President of the Senate makes or recommends  
32 appointments to the Joint Select Committee on Low-Level Radioactive Waste; and

33           Whereas, (42) the President of the Senate makes or recommends  
34 appointments to the Environmental Review Commission; and

35           Whereas, (43) the President of the Senate makes or recommends  
36 appointments to the Legislative Ethics Committee; and

37           Whereas, (44) the President of the Senate makes or recommends  
38 appointments to the Legislative Committee on New Licensing Boards; and

39           Whereas, (45) the President of the Senate makes or recommends  
40 appointments to the Agriculture, Forestry, and Seafood Awareness Study Commission;  
41 and

42           Whereas, (46) the President of the Senate makes or recommends  
43 appointments to the Joint Legislative Commission on Municipal Incorporations; and

1           Whereas, (47) the President of the Senate makes or recommends  
2 appointments to the North Carolina Study Commission on Aging; and

3           Whereas, (48) the President of the Senate makes or recommends  
4 appointments to the North Carolina Housing Finance Agency; and

5           Whereas, (49) the President of the Senate makes or recommends  
6 appointments to the North Carolina Agricultural Finance Authority; and

7           Whereas, (50) the President of the Senate makes or recommends  
8 appointments to the North Carolina Housing Partnership; and

9           Whereas, (51) the President of the Senate makes or recommends  
10 appointments to the Governor's Council on Physical Fitness and Health; and

11           Whereas, (52) the President of the Senate makes or recommends  
12 appointments to the North Carolina Medical Database Commission; and

13           Whereas, (53) the President of the Senate makes or recommends  
14 appointments to the Board of Trustees Teachers' and State Employees' Retirement  
15 System; and

16           Whereas, (54) the President of the Senate makes or recommends  
17 appointments to the Committee on Employee Hospital and Medical Benefits; and

18           Whereas, (55) the President of the Senate makes or recommends  
19 appointments to the Board of Trustees of the Teachers' and State Employees'  
20 Comprehensive Major Medical Plan; and

21           Whereas, (56) the President of the Senate makes or recommends  
22 appointments to the Board of Trustees of the North Carolina Museum of Art; and

23           Whereas, (57) the President of the Senate makes or recommends  
24 appointments to the Advisory Budget Commission; and

25           Whereas, (58) the President of the Senate makes or recommends  
26 appointments to the State Building Commission; and

27           Whereas, (59) the President of the Senate makes or recommends  
28 appointments to the North Carolina Code Officials Qualification Board; and

29           Whereas, (60) the President of the Senate makes or recommends  
30 appointments to the North Carolina Wildlife Resources Commission; and

31           Whereas, (61) the President of the Senate makes or recommends  
32 appointments to the North Carolina Office of Local Government Advocacy; and

33           Whereas, (62) the President of the Senate makes or recommends  
34 appointments to the Emergency Medical Services Advisory Council; and

35           Whereas, (63) the President of the Senate makes or recommends  
36 appointments to the Committee on Inaugural Ceremonies; and

37           Whereas, (64) the President of the Senate makes or recommends  
38 appointments to the Administrative Rules Review Commission; and

39           Whereas, (65) the President of the Senate makes or recommends  
40 appointments to the Art Museum Building Commission; and

41           Whereas, (66) the President of the Senate makes or recommends  
42 appointments to the Advisory Committee on Abandoned Cemeteries; and

43           Whereas, (67) the President of the Senate makes or recommends  
44 appointments to the Andrew Jackson Historic Memorial Committee; and

1           Whereas, (68) the President of the Senate makes or recommends  
2 appointments to the Commission for Mental Health, Developmental Disabilities, and  
3 Substance Abuse Services; and

4           Whereas, (69) the President of the Senate makes or recommends  
5 appointments to the Consumer and Advocacy Advisory Committee for the Blind; and

6           Whereas, (70) the President of the Senate makes or recommends  
7 appointments to the Child Day-Care Commission; and

8           Whereas, (71) the President of the Senate makes or recommends  
9 appointments to the Governor's Advisory Council on Aging; and

10          Whereas, (72) the President of the Senate makes or recommends  
11 appointments to the North Carolina Council on the Holocaust; and

12          Whereas, (73) the President of the Senate makes or recommends  
13 appointments to the Property Tax Commission; and

14          Whereas, (74) the President of the Senate makes or recommends  
15 appointments to the Substance Abuse Advisory Council; and

16          Whereas, (75) the President of the Senate makes or recommends  
17 appointments to the Environmental Management Commission; and

18          Whereas, (76) the President of the Senate makes or recommends  
19 appointments to the Governor's Waste Management Board; and

20          Whereas, (77) the President of the Senate makes or recommends  
21 appointments to the Board of Transportation; and

22          Whereas, (78) the President of the Senate makes or recommends  
23 appointments to the North Carolina Capital Planning Commission; and

24          Whereas, (79) the President of the Senate makes or recommends  
25 appointments to the North Carolina Council on Interstate Cooperation; and

26          Whereas, (80) the President of the Senate makes or recommends  
27 appointments to the North Carolina Human Relations Commission; and

28          Whereas, (81) the President of the Senate makes or recommends  
29 appointments to the Governor's Advocacy Council for Persons with Disabilities; and

30          Whereas, (82) the President of the Senate makes or recommends  
31 appointments to the North Carolina State Commission of Indian Affairs; and

32          Whereas, (83) the President of the Senate makes or recommends  
33 appointments to the Governor's Advocacy Council on Children and Youth; and

34          Whereas, (84) the President of the Senate makes or recommends  
35 appointments to the North Carolina Internship Council; and

36          Whereas, (85) the President of the Senate makes or recommends  
37 appointments to the North Carolina Public Employee Deferred Compensation Plan; and

38          Whereas, (86) the President of the Senate makes or recommends  
39 appointments to the North Carolina Farmworker Council; and

40          Whereas, (87) the President of the Senate makes or recommends  
41 appointments to the North Carolina Board of Science and Technology; and

42          Whereas, (88) the President of the Senate in certain circumstances makes or  
43 recommends appointment of the State Controller; and

1           Whereas, (89) the President of the Senate makes or recommends  
2 appointments to the North Carolina Agency for Public Telecommunications; and

3           Whereas, (90) the President of the Senate makes or recommends  
4 appointments to the North Carolina State Ports Authority; and

5           Whereas, (91) the President of the Senate makes or recommends  
6 appointments to the North Carolina Technological Development Authority; and

7           Whereas, (92) the President of the Senate makes or recommends  
8 appointments to the Governor's Crime Commission; and

9           Whereas, (93) the President of the Senate makes or recommends  
10 appointments to the Local Government Commission; and

11           Whereas, (94) the President of the Senate makes or recommends  
12 appointments to the General Statutes Commission; and

13           Whereas, (95) the President of the Senate makes or recommends  
14 appointments to the North Carolina Sentencing and Policy Advisory Commission; and

15           Whereas, the three boards named in the body of this act have Senators as  
16 members; and

17           Whereas, it has been suggested that the President Pro Tempore of the Senate  
18 make these appointments; Now, therefore,

19 The General Assembly of North Carolina enacts:

20  
21 –JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE

22           Section 1. G.S. 120-70.2 reads as rewritten:

23 "**§ 120-70.2. Appointment of members and organization.**

24           The Joint Committee shall consist of six sitting members of the General Assembly.  
25 Three shall be appointed by the President Pro Tempore of the Senate from the  
26 membership of the Senate and three shall be appointed by the Speaker of the House of  
27 Representatives from the membership of the House. Members will serve at the pleasure  
28 of their appointing officer and any vacancies occurring on the Joint Committee shall be  
29 filled by the presiding officer of the appropriate house. ~~The initial membership of the~~  
30 ~~Joint Committee shall consist of the membership of the Utility Review Committee on~~  
31 ~~June 28, 1985. A Senate cochairman and a House cochairman shall be elected by the~~  
32 ~~Joint Committee from among its members. The President Pro Tempore of the Senate~~  
33 shall designate one Senator to serve as cochairman and the Speaker of the House of  
34 Representatives shall designate one Representative to serve as cochairman. A quorum  
35 shall consist of four members."

36           Sec. 2. G.S. 120-70.3(8) reads as rewritten:

37           "(8) To undertake such additional studies or evaluations as may, from time  
38 to time, be requested by the President Pro Tempore of the Senate, the  
39 Speaker of the House of Representatives, the Legislative Research  
40 Commission, or either House of the General Assembly."

41  
42 –JOINT SELECT COMMITTEE ON LOW-LEVEL RADIOACTIVE WASTE

43           Sec. 3. G.S. 120-70.32 reads as rewritten:

44 "**§ 120-70.32. Membership; cochairmen; vacancies; quorum.**

1 The Joint Select Committee shall consist of six Senators appointed by the President  
2 Pro Tempore of the Senate and six Representatives appointed by the Speaker of the  
3 House of Representatives who shall serve at the pleasure of their appointing officer.  
4 The President Pro Tempore of the Senate shall designate one Senator to serve as  
5 cochairman and the Speaker of the House of Representatives shall designate one  
6 Representative to serve as cochairman. Any vacancy which occurs on the Joint Select  
7 Committee shall be filled in the same manner as the original appointment. A quorum of  
8 the Joint Select Committee shall consist of seven members."

9 Sec. 4. G.S. 120-70.33(8) reads as rewritten:

10 "(8) To undertake such additional studies as it deems appropriate or as may  
11 from time to time be requested by ~~the President of the Senate, the~~  
12 President Pro Tempore of the Senate, the Speaker of the House of  
13 Representatives, either house of the General Assembly, the Legislative  
14 Research Commission, the Joint Legislative Commission on  
15 Governmental Operations, the Environmental Review Commission, or  
16 the Joint Legislative Utility Review Committee, and to make such  
17 reports and recommendations to the General Assembly regarding such  
18 studies as it deems appropriate."  
19

20 –ENVIRONMENTAL REVIEW COMMISSION

21 Sec. 5. G.S. 120-70.42 reads as rewritten:

22 **"§ 120-70.42. Membership; cochairmen; vacancies; quorum.**

23 The Environmental Review Commission shall consist of five Senators appointed by  
24 the President Pro Tempore of the Senate, ~~the Chairman of the Senate Committee on~~  
25 ~~Environment and Natural Resources,~~ five Representatives appointed by the Speaker of  
26 the House of Representatives, ~~and the Chair of the House of Representatives Committee~~  
27 ~~on Basic Resources~~ who shall serve at the pleasure of their appointing ~~officer.~~ officer,  
28 the Chairman of the Senate Committee on Environment and Natural Resources, and the  
29 Chairman of the House of Representatives Committee on the Environment. The  
30 President Pro Tempore of the Senate shall designate one Senator to serve as cochairman  
31 and the Speaker of the House of Representatives shall designate one Representative to  
32 serve as cochairman. Any vacancy which occurs on the Environmental Review  
33 Commission shall be filled in the same manner as the original appointment. A quorum  
34 of the Environmental Review Commission shall consist of seven members."

35 Sec. 6. G.S. 120-70.43(7) reads as rewritten:

36 "(7) To undertake such additional studies as it deems appropriate or as may  
37 from time to time be requested by ~~the President of the Senate, the~~  
38 President Pro Tempore of the Senate, the Speaker of the House of  
39 Representatives, either house of the General Assembly, the Legislative  
40 Research Commission, the Joint Legislative Commission on  
41 Governmental Operations, the Joint Legislative Utility Review  
42 Committee, or the Joint Select Committee on Low-Level Radioactive  
43 Waste and to make such reports and recommendations to the General  
44 Assembly regarding such studies as it deems appropriate; provided that

1 the Environmental Review Commission shall not undertake any study  
2 which the General Assembly has assigned to another legislative  
3 commission or committee."  
4

5 –NORTH CAROLINA COURTS COMMISSION

6 Sec. 7. G.S. 7A-506 reads as rewritten:

7 "**§ 7A-506. Creation; members; terms; qualifications; vacancies.**

8 (a) The North Carolina Courts Commission is hereby created. Effective July 1,  
9 1983, it shall consist of 24 members, six to be appointed by the Governor, six to be  
10 appointed by the Speaker of the House of Representatives, six to be appointed by the  
11 President Pro Tempore of the Senate, and six to be appointed by the Chief Justice of the  
12 Supreme Court.

13 (b) Of the appointees of the Chief Justice of the Supreme Court, one shall be a  
14 Justice of the Supreme Court, one shall be a Judge of the Court of Appeals, two shall be  
15 judges of superior court, and two shall be district court judges.

16 (c) Of the six appointees of the Governor, one shall be a district attorney, one  
17 shall be a practicing attorney, one shall be a clerk of superior court, at least three shall  
18 be members or former members of the General Assembly, and at least one shall not be  
19 an attorney.

20 (d) Of the six appointees of the Speaker of the House, at least three shall be  
21 practicing attorneys, at least three shall be members or former members of the General  
22 Assembly, and at least one shall not be an attorney.

23 (e) Of the six appointees of the President Pro Tempore of the Senate, at least  
24 three shall be practicing attorneys, at least three shall be members or former members of  
25 the General Assembly, and at least one shall be a magistrate.

26 (f) Of the initial appointments of each appointing authority, three shall be  
27 appointed for four-year terms to begin July 1, 1983, and three shall be appointed for  
28 two-year terms to begin July 1, 1983. Successors shall be appointed for four-year  
29 terms.

30 (g) A vacancy in membership shall be filled for the remainder of the unexpired  
31 term by the appointing authority who made the original appointment. A member whose  
32 term expires may be reappointed."  
33

34 –JUVENILE LAW STUDY COMMISSION

35 Sec. 8. G.S. 7A-740 reads as rewritten:

36 "**§ 7A-740. Creation; members; terms; qualifications; vacancies.**

37 (a) The Juvenile Law Study Commission is hereby created. It shall consist of 18  
38 voting members, 14 to be appointed by the Governor, two by the President Pro Tempore  
39 of the Senate, and two by the Speaker of the House of Representatives. The members  
40 appointed by the President Pro Tempore of the Senate shall be members of the Senate at  
41 the time of their appointment; the members appointed by the Speaker of the House of  
42 Representatives shall be members of the House of Representatives at the time of their  
43 appointment. Of the members appointed by the Governor, two shall be district court  
44 judges, one from an urban district, one from a rural. Three shall be a chief court



1 counselor and two court counselors representing the Intake Division, one from an urban  
2 district, one from a rural. Two shall be from Social Services, one from the State level  
3 and one from the county. One shall be from the Division of Youth Services. One shall  
4 be from a local facility of Community Based Alternatives. One shall be a youth  
5 member representing the youth of the State who shall be a person under the age of 21 at  
6 the time of the appointment, who shall serve for one year. One shall be a State or local  
7 representative of the Guardian Ad Litem Services of the Administrative Office of the  
8 Courts, who shall serve for two years. One shall be from Law Enforcement. One shall  
9 be from the North Carolina Juvenile Detention Association. One shall be the member  
10 of the Juvenile Justice Planning Committee of the Governor's Crime Commission  
11 recommended for appointment by the Juvenile Justice Planning Committee and shall  
12 serve for three years. The district court judges and the Social Services members shall  
13 serve for three years. The chief court counselor and the court counselors shall serve for  
14 two years. The representatives from the Division of Youth Services, Law Enforcement,  
15 Community Based Alternatives, and the Juvenile Detention Association shall serve for  
16 one year. The legislative members shall serve for two-year terms. All initial terms shall  
17 begin July 1, 1980.

18 (b) A vacancy in membership shall be filled by the appointing authority who  
19 made the initial appointment. When the members' terms expire, their successors shall  
20 serve for the same length of time their predecessors served. A member whose term  
21 expires may be reappointed. If, when a term expires, the appointing authority has not  
22 filled the vacancy, the member whose term has expired shall continue to serve until the  
23 appointment is made."  
24

25 –SOUTHERN STATES ENERGY BOARD

26 Sec. 9. G.S. 104D-2(a)(3) reads as rewritten:

27 "(3) One member of the Senate to be appointed by the President Pro  
28 Tempore of the Senate."  
29

30 –ENERGY POLICY COUNCIL

31 Sec. 10. G.S. 113B-3(a)(2) reads as rewritten:

32 "(2) Two members of the North Carolina Senate to be appointed by the  
33 President Pro Tempore of the Senate;"  
34

35 –STATE SCHOOL HEALTH ADVISORY COMMITTEE

36 Sec. 11. G.S. 115C-81(e)(6)c. reads as rewritten:

37 "c. The committee shall consist of 17 members: 10 appointed by  
38 the Governor, two by the State Board of Education, one by the  
39 Speaker of the House of Representatives, one by the President  
40 Pro Tempore of the Senate, and three ex officio members: the  
41 Chief, Office of Health Education, Department of Human  
42 Resources; the Chief, State Health Planning and Development  
43 Agency, Department of Human Resources; and the  
44 Superintendent of Public Instruction, or their designees. The

1 Governor's appointees shall be named in the following manner:  
2 one physician from a list of three names submitted by the North  
3 Carolina Medical Society; one physician from a list of three  
4 names submitted by the North Carolina Pediatric Society; one  
5 physician from a list of three names submitted by the North  
6 Carolina Chiropractic Association; one registered nurse from a  
7 list of three names submitted by the North Carolina Nurses'  
8 Association; one dentist from a list of three names submitted by  
9 the North Carolina Dental Society; one member from a list of  
10 three names submitted by the North Carolina Medical  
11 Auxiliary; one member from a list of three names submitted by  
12 the North Carolina Congress of Parents and Teachers, Inc.; one  
13 member from a list of three names submitted by the North  
14 Carolina Association for Health, Physical Education, and  
15 Recreation; one member from a list of three names submitted  
16 by the North Carolina Public Health Association; one member  
17 from a list of three names submitted by the North Carolina  
18 College Conference on Professional Preparation in Health and  
19 Physical Education. The State Board nominees shall represent  
20 local school administrative units and shall have been  
21 recommended by the Superintendent of Public Instruction. The  
22 Speaker's nominee shall be a member of the North Carolina  
23 House of Representatives and the President Pro Tempore of the  
24 Senate's nominee shall be a member of the Senate."  
25

26 –COUNCIL ON EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN

27 Sec. 12. G.S. 115C-121(b) reads as rewritten:

28 "(b) The Council shall consist of 17 members to be appointed as follows: two  
29 members appointed by the Governor; two members of the Senate appointed by the  
30 ~~Lieutenant Governor~~President Pro Tempore; two members of the House of  
31 Representatives appointed by the Speaker of the House; and 11 members appointed by  
32 the State Board of Education. Of those members of the Council appointed by the State  
33 Board one member shall be selected from each congressional district within the State,  
34 and the members so selected shall be composed of at least one person representing each  
35 of the following: handicapped individuals, parents or guardians of children with special  
36 needs, teachers of children with special needs, and State and local education officials  
37 and administrators of programs for children with special needs. The Council shall  
38 designate a chairperson from among its members. The designation of the chairperson is  
39 subject to the approval of the State Board of Education. The board shall promulgate  
40 rules or regulations to carry out this subsection.

41 Ex officio members of the Council shall be the following:

- 42 (1) The Secretary of the Department of Human Resources or the  
43 Secretary's designee;

- 1 (2) The Secretary of the Department of Correction or the Secretary's  
2 designee;
- 3 (3) A representative from The University of North Carolina Planning  
4 Consortium for Children with Special Needs; and
- 5 (4) The Superintendent of Public Instruction or the Superintendent's  
6 designee.

7 The term of appointment for all members except those appointed by the State Board  
8 of Education shall be for two years. The term for members appointed by the State  
9 Board of Education shall be for four years. No person shall serve more than two  
10 consecutive four-year terms.

11 Each Council member shall serve without pay, but shall receive travel allowances  
12 and per diem in the same amount provided for members of the North Carolina General  
13 Assembly."

14  
15 –STATE ADVISORY COUNCIL ON INDIAN EDUCATION

16 Sec. 13. G.S. 115C-210.1(a) reads as rewritten:

17 "(a) Two legislative members (one senator appointed by the President Pro  
18 Tempore of the Senate and one representative appointed by the Speaker of the House);".

19  
20 –COMMISSION ON CHILDREN WITH SPECIAL NEEDS

21 Sec. 14. G.S. 120-58 reads as rewritten:

22 "**§ 120-58. Creation; appointment of members.**

23 There is created a Commission on Children with Special Needs to consist of three  
24 Senators and one physician licensed to practice in the State of North Carolina, and who  
25 is actively involved in the private practice of pediatrics, appointed by the President Pro  
26 Tempore of the Senate, three Representatives and one public member appointed by the  
27 Speaker of the House, and three parents of children with special needs and one public  
28 member appointed by the Governor."

29  
30 –LEGISLATIVE ETHICS COMMITTEE

31 Sec. 15. G.S. 120-99 reads as rewritten:

32 "**§ 120-99. Creation; composition.**

33 The Legislative Ethics Committee is created to consist of a chairman and eight  
34 members, four Senators appointed by the President Pro Tempore of the Senate, two  
35 from a list of four submitted by the Majority Leader and two from a list of four  
36 submitted by the Minority Leader, and four members of the House of Representatives  
37 appointed by the Speaker of the House, two from a list of four submitted by the  
38 Majority Leader and two from a list of four submitted by the Minority Leader.

39 The President Pro Tempore of the Senate shall designate a member of the General  
40 Assembly as chairman of the Committee in odd-numbered years, and the Speaker of the  
41 House shall designate a member of the General Assembly as chairman of the  
42 Committee in even-numbered years. The chairman will vote only in the event of a tie  
43 vote.

1 The provisions of G.S. 120-19.1 through G.S. 120-19.8 shall apply to the  
2 proceedings of the Legislative Ethics Committee as if it were a joint committee of the  
3 General Assembly, except that the chairman shall sign all subpoenas on behalf of the  
4 Committee."

5  
6 –LEGISLATIVE COMMITTEE ON NEW LICENSING BOARDS

7 Sec. 16. G.S. 120-149.6 reads as rewritten:

8 "**§ 120-149.6. Legislative Committee on New Licensing Boards.**

9 (a) The Legislative Committee on New Licensing Boards is created to consist of  
10 a Chairman and eight members, four Senators appointed by the President Pro Tempore  
11 of the Senate, four members of the House of Representatives appointed by the Speaker  
12 of the House and the Chairman to be appointed as provided herein.

13 (b) The President Pro Tempore of the Senate shall appoint a member of the  
14 Senate as Chairman upon the effective date of this Article who shall serve a term  
15 beginning with the effective date of this Article and expiring upon the organization of  
16 the General Assembly in 1989. Thereafter, the Speaker of the House and the President  
17 Pro Tempore of the Senate shall alternate the appointment of the Chairman to serve  
18 during each biennial session of the General Assembly. The Chairman may vote only in  
19 the event of a tie vote. The members of the Committee shall likewise serve biennial  
20 terms. If the office of Chairman or any member shall become vacant, the vacancy shall  
21 be filled for the unexpired term by the authority making the initial appointment. Five  
22 members shall constitute a quorum of the Committee.

23 (c) The Committee may meet on days when the members of the General  
24 Assembly are entitled to subsistence pursuant to G.S. 120-3.1. The Committee is  
25 authorized to use the facilities of the State Legislative Building and Legislative Office  
26 Building. Clerical and professional staff shall be provided by the Legislative Services  
27 Commission."

28  
29 –JOINT LEGISLATIVE COMMISSION ON MUNICIPAL INCORPORATIONS

30 Sec. 17. G.S. 120-158(b) reads as rewritten:

31 "(b) The Commission shall consist of six members, appointed as follows:

- 32 (1) Two Senators appointed by the President Pro Tempore of the Senate;
- 33 (2) Two House members appointed by the Speaker;
- 34 (3) One city manager or elected city official, appointed by the President  
35 Pro Tempore of the Senate from a list of three eligible persons  
36 nominated by the North Carolina League of Municipalities; and
- 37 (4) One county commissioner or county manager, appointed by the  
38 Speaker from a list of three eligible persons nominated by the North  
39 Carolina Association of County Commissioners."

40  
41 –NORTH CAROLINA STUDY COMMISSION ON AGING

42 Sec. 18. G.S. 120-182(3) reads as rewritten:

43 "(3) Eight shall be appointed by the President Pro Tempore of the Senate,  
44 five being members of the Senate at the time of their appointment, and

1 at least two being planners for or providers of health, mental health, or  
2 social services to older adults."

3 Sec. 19. G.S. 120-183 reads as rewritten:

4 **"§ 120-183. Commission; meetings.**

5 The Commission shall have its initial meeting no later than October 1, 1987, at the  
6 call of the President of the Senate and Speaker of the House. The President Pro  
7 Tempore of the Senate and the Speaker of the House of Representatives shall appoint a  
8 cochairman each from the membership of the Commission. The Commission shall meet  
9 upon the call of the cochairmen."

10

11 –GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH

12 Sec. 20. G.S. 130A-33.41(1) reads as rewritten:

13 "(1) The composition of the Council shall be as follows: one member of  
14 the Senate appointed by the President Pro Tempore of the Senate, and  
15 one member of the House of Representatives appointed by the Speaker  
16 of the House of Representatives, and eight persons from the health  
17 care professions, the fields of business and industry, physical  
18 education, recreation, sports and the general public. The eight  
19 nonlegislative members of the Council shall be appointed by the  
20 Governor to serve at his pleasure."

21

22 –COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS

23 Sec. 21. G.S. 135-38 reads as rewritten:

24 **"§ 135-38. Committee on Employee Hospital and Medical Benefits.**

25 (a) The Committee on Employee Hospital and Medical Benefits shall consist of  
26 12 members as follows:

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

28 (2) The Majority Leader of the Senate;

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

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

31 (5) A Cochairman of the Senate Committee on Finance designated by the  
32 President Pro Tempore of the Senate;

33 (6) Two other members of the Senate appointed by the President Pro  
34 Tempore of the Senate; and

35 (7)-(10) Repealed by Session Laws 1989 (Reg. Sess., 1990), c. 1038, s. 19.1.

36 (11) Six members of the House appointed by the Speaker.

37 (b) The members of the Committee who are members because of the offices they  
38 hold shall remain on the Committee for the duration of their terms in those offices. The  
39 President Pro Tempore of the Senate and Speaker of the House shall appoint the other  
40 members of the Committee for two-year terms beginning on July 1 of odd-numbered  
41 years.

42 (c) The Committee shall review programs of hospital, medical and related care  
43 provided by Part 3 of this Article as recommended by the Executive Administrator and  
44 Board of Trustees of the Plan. The Executive Administrator and the Board of Trustees

1 shall provide the Committee with any information or assistance requested by the  
2 Committee in performing its duties under this Article.

3 (d) The time members spend on Committee business shall be considered official  
4 legislative business for purposes of G.S. 120-3."

5

6 –ADVISORY BUDGET COMMISSION

7 Sec. 22. G.S. 143-4 reads as rewritten:

8 "**§ 143-4. Advisory Budget Commission.**

9 (a) Five Senators appointed by the President Pro Tempore of the Senate, five  
10 Representatives appointed by the Speaker of the House and five persons appointed by  
11 the Governor shall constitute the Advisory Budget Commission. If the Governor  
12 appoints any members of the General Assembly to the Advisory Budget Commission,  
13 he must appoint an equal number from the Senate and House of Representatives.

14 (b) The Chairman of the Advisory Budget Commission shall also receive an  
15 additional two thousand five hundred dollars (\$2,500) payable in quarterly installments,  
16 for expenses.

17 The members of the Advisory Budget Commission shall receive no per diem  
18 compensation for their services, but shall receive the same subsistence and travel  
19 allowance as are provided for members of the General Assembly for services on interim  
20 legislative committees.

21 (c) The Governor may call a meeting of the Commission during the period  
22 beginning with the convening of each regular session and ending 30 days later.  
23 Otherwise, meetings of the Commission may be called by the Governor or by the  
24 chairman.

25 Members of the Commission shall take the oath of office at or before the first  
26 meeting of the Commission they attend.

27 The Office of State Budget and Management, under the direction of the State Budget  
28 Officer, may serve as staff to the Commission. The State Budget Officer shall designate  
29 a secretary to the Commission.

30 (d) After the agenda for a meeting has been delivered to the members of the  
31 Commission, no other item shall be considered at that meeting except upon the approval  
32 of a majority of the members present and voting.

33 Except for the Governor, persons who are not members of the Commission may  
34 address the Commission only at the invitation of the Governor, the chairman, or a  
35 majority of the members present and voting.

36 A vacancy in one of the seats on the Commission shall be filled by appointment by  
37 the officer who appointed the person causing the vacancy.

38 (e) Before the end of each fiscal year or as soon thereafter as practicable, the  
39 Advisory Budget Commission shall contract with a competent certified public  
40 accountant who is in no way otherwise affiliated with the State or with any agency  
41 thereof to conduct a thorough and complete audit of the receipts and expenditures of the  
42 State Auditor's office during the immediate fiscal year just ended, and to report to the  
43 Advisory Budget Commission on such audit not later than the following October first.  
44 A sufficient number of copies of such audit shall be provided so that at least one copy is

1 filed with the Governor's Office, one copy with the Office of State Budget and  
2 Management and at least two copies filed with the Secretary of State.

3 (f) In all matters where action on the part of the Advisory Budget Commission is  
4 required by this Article, 10 members of the Commission shall constitute a quorum for  
5 performing the duties or acts required by the Commission."  
6

7 –NORTH CAROLINA OFFICE OF LOCAL GOVERNMENT ADVOCACY

8 Sec. 23. G.S. 143-506.14 reads as rewritten:

9 "§ 143-506.14. North Carolina Office of Local Government Advocacy created;  
10 membership; terms; meetings; compensation; powers and duties; staff;  
11 cooperation by departments.

12 (a) There is established in the office of the Governor, the North Carolina Office  
13 of Local Government Advocacy. The Local Government Advocacy Council, created by  
14 Executive Order Number 22, is hereby transferred to the Office of Local Government  
15 Advocacy. The Council shall consist of 19 persons and shall be composed as follows:  
16 six members representing county government, five of whom are the members of the  
17 Executive Committee of the North Carolina Association of County Commissioners and  
18 one who is the Executive Director of the Association; six members representing  
19 municipal government, five of whom are the members of the Executive Committee of  
20 the North Carolina League of Municipalities and one who is the Executive Director of  
21 the League; two Senators appointed by the President Pro Tempore of the Senate; two  
22 members of the House of Representatives, appointed by the Speaker of the House of  
23 Representatives and three at-large members appointed by the Governor. The  
24 Association of County Commissioners and the League of Municipalities representatives  
25 shall serve terms on the Council consistent with their terms as Executive Committee  
26 members appointed by the Governor. The members appointed by the President of the  
27 Senate and the Speaker of the House of Representatives shall serve until January 15,  
28 1981, or until their successors are appointed, whichever is later. Their successors shall  
29 serve a term of two years. The at-large members shall serve at the pleasure of the  
30 Governor for a period of two years. The Chairman and Vice-Chairman shall be the  
31 President of the Association of County Commissioners and the President of the League  
32 of Municipalities respectively, with the office rotating between the League and  
33 Association annually. Provided that no person among those appointed by the Governor,  
34 the President Pro Tempore of the Senate and the Speaker of the House of  
35 Representatives shall serve on the Council for more than two complete consecutive  
36 terms.

37 (b) The Council shall meet at least once each quarter and may hold special  
38 meetings at any time at the call of the Chairman or the Governor.

39 The members of the Council shall receive per diem and necessary travel and  
40 subsistence expenses in accordance with the provisions of G.S. 138-5.

41 (c) Membership. The Local Government Advocacy Council shall not be  
42 considered a public office and, to that end membership may be held in addition to the  
43 number of offices authorized by G.S. 128-1.1.

44 (d) The general duties and responsibilities of the Council are:

- 1 (1) To advocate on behalf of local government and to advise the Governor  
2 and his Cabinet on the development and implementation of policies  
3 and programs which directly affect local government;
- 4 (2) To function as liaison for State and local relations and  
5 communications;
- 6 (3) To identify problem areas and recommend policies with respect to  
7 State, regional and local relations; and
- 8 (4) To review, monitor and evaluate current and proposed State program  
9 policies, practices, procedures, guidelines and regulations with respect  
10 to their effect on local government.

11 (e) The Office of Local Government Advocacy shall be staffed by persons  
12 knowledgeable of local government who shall seek to carry out the directives of the  
13 Local Government Advocacy Council by:

- 14 (1) Advocating the policies of the Council with various State departments;
- 15 (2) Serving as a communications liaison between the Local Government  
16 Advocacy Council and the various State departments; and
- 17 (3) Functioning as an ombudsman for the resolution of local government  
18 problems.

19 (f) It shall be the responsibility of each respective Cabinet department head to:  
20 (i) insure that departmental employees make every effort to cooperate with and provide  
21 support to the Local Government Advocacy Council in keeping with the intent of this  
22 Article; and (ii) advise the Local Government Advocacy Council of their proposed  
23 policies and plans for review in terms of their effect on local government."  
24

#### 25 –EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

26 Sec. 24. G.S. 143-510 reads as rewritten:

#### 27 "§ 143-510. Emergency Medical Services Advisory Council.

28 (a) There is hereby created an Emergency Medical Services Advisory Council  
29 composed of 21 members to consult with the Secretary of the Department of Human  
30 Resources in the administration of this article. The Secretary of the Department of  
31 Human Resources shall appoint 17 members with at least one member representing each  
32 of the following categories:

- 33 (1) Physicians licensed to practice medicine versed in treatment of trauma  
34 and suddenly occurring illnesses,
- 35 (2) Emergency room nurses,
- 36 (3) Hospitals,
- 37 (4) Providers of ambulance service (including rescue squads),
- 38 (5) Local government, and
- 39 (6) The general public.

40 The ~~Lieutenant Governor~~ President Pro Tempore of the Senate shall appoint two  
41 members from the Senate, and the Speaker of the House of Representatives shall  
42 appoint two members from the House of Representatives.

43 (b) Members appointed by the Secretary of the Department of Human Resources  
44 shall hold office for a term of four years beginning July 1, 1973, and quadrennially



1 thereafter, except the terms of the members first taking office shall expire, as designated  
2 at the time of appointment, six at the end of the second year, six at the end of the third  
3 year, and five at the end of the fourth year. Members appointed by the ~~Lieutenant~~  
4 ~~Governor~~ President Pro Tempore and the Speaker shall serve for two years coinciding  
5 with the term for which they were elected to the General Assembly. Vacancies shall be  
6 filled by the office making the initial appointment and for the remainder of the  
7 unexpired term only.

8 (c) The Council shall meet at least once each quarter and at the call of the  
9 Secretary of the Department of Human Resources. The Council shall elect its chairman  
10 annually.

11 (d) Council members who are not members of the General Assembly or State  
12 employees or officers shall receive per diem, travel, and subsistence as provided by G.S.  
13 138-5 while engaged in Council business or attending Council meetings. Council  
14 members who are members of the General Assembly shall receive travel and  
15 subsistence allowances as provided by G.S. 120-3.1. Council members who are State  
16 employees or officers shall receive travel and subsistence as provided by G.S. 138-6."

17  
18 ~~–COMMITTEE ON INAUGURAL CEREMONIES~~

19 Sec. 25. G.S. 143-533 reads as rewritten:

20 "**§ 143-533. Creation, appointment of members; members ex officio.**

21 There is hereby created a Committee on Inaugural Ceremonies to consist of three  
22 representatives to be appointed by the Speaker of the House, (or a person designated by  
23 the Speaker) three senators to be appointed by the President Pro Tempore of the Senate,  
24 three citizens to be appointed by the Governor, and three citizens to be appointed by the  
25 Governor-elect upon certification of his election. Of the three citizens appointed to the  
26 Committee by the Governor, only two may be of the same political party. The Speaker  
27 of the House, the President of the Senate, (or a person designated by the President of the  
28 Senate), the Governor, and, upon certification of their election, all members-elect of the  
29 Council of State, shall be ex officio members of the Committee on Inaugural  
30 Ceremonies."

31 Sec. 26. G.S. 143-539 reads as rewritten:

32 "**§ 143-539. Offices; per diem and allowances of members; payments from**  
33 **appropriations.**

34 ~~The facilities of the State Legislative Building shall be made available to the~~  
35 ~~Committee on Inaugural Ceremonies by the Legislative Services Officer for the~~  
36 ~~Committee's work. The Department of Administration shall provide office space to the~~  
37 Committee. The members of the Committee, including ex officio members, shall be  
38 paid such per diem, subsistence and travel allowances as are prescribed by law for State  
39 boards and commissions generally. All payments for purposes authorized by this  
40 Article shall be paid by the State Treasurer upon written authorization of the chairman  
41 of the Committee, from funds appropriated to the Contingency and Emergency Budget."

42 ~~–CONSUMER AND ADVOCACY ADVISORY COMMITTEE FOR THE BLIND~~

43 Sec. 27. G.S. 143B-164(a) reads as rewritten:

1       "(a) The Consumer and Advocacy Advisory Committee for the Blind of the  
2 Department of Human Resources shall consist of the following members:

- 3           (1) One member of the North Carolina Senate to be appointed by the  
4 ~~Lieutenant Governor~~President Pro Tempore of the Senate;
- 5           (2) One member of the North Carolina House of Representatives to be  
6 appointed by the Speaker of the House of Representatives;
- 7           (3) President and Vice-President of the National Federation of the Blind of  
8 North Carolina;
- 9           (4) President and Vice-President of the North Carolina Council of the  
10 Blind;
- 11          (5) President and Vice-President of the North Carolina Association of  
12 Workers for the Blind;
- 13          (6) President and Vice-President of the North Carolina Chapter of the  
14 American Association of Workers for the Blind;
- 15          (7) Chairman of the State Council of the North Carolina Lions and  
16 Executive Director of the North Carolina Lions Association for the  
17 Blind, Inc.;
- 18          (8) Chairman of the Concession Stand Committee of the Division of  
19 Services for the Blind of the Department of Human Resources; and
- 20          (9) Executive Director of the North Carolina Society for the Prevention of  
21 Blindness, Inc.

22       With respect to members appointed from the General Assembly, these appointments  
23 shall be made in the odd-numbered years, and the appointments shall be made for two-  
24 year terms beginning on the first day of July and continuing through the 30th day of  
25 June two years thereafter; provided, such appointments shall be made within two weeks  
26 after ratification of this act, and the first members which may be so appointed prior to  
27 July 1 of the year of ratification shall serve through the 30th day of June of the second  
28 year thereafter. If any Committee member appointed from the General Assembly  
29 ceases to be a member of the General Assembly, for whatever reason, his position on  
30 the Committee shall be deemed vacant. In the event that either Committee position  
31 which is designated herein to be filled by a member of the General Assembly becomes  
32 vacant during a term, for whatever reason, a successor to fill that position shall be  
33 appointed for the remainder of the unexpired term by the person who made the original  
34 appointment or his successor. Provided members appointed by the ~~Lieutenant Governor~~  
35 President Pro Tempore of the Senate and the Speaker of the House shall not serve more  
36 than two complete consecutive terms.

37       With respect to the remaining Committee members, each officeholder shall serve on  
38 the Committee only so long as he holds the named position in the specified  
39 organization. Upon completion of his term, failure to secure reelection or appointment,  
40 or resignation, the individual shall be deemed to have resigned from the Committee and  
41 his successor in office shall immediately become a member of the Committee. Further,  
42 if any of the above-named organizations dissolve or if any of the above-stated positions  
43 no longer exist, then the successor organization or position shall be deemed to be

1 substituted in the place of the former one and the officeholder in the new organization  
2 or of the new position shall become a member of the Committee."

3  
4 –NORTH CAROLINA CAPITAL PLANNING COMMISSION

5 Sec. 28. G.S. 143B-374 reads as rewritten:

6 "**§ 143B-374. North Carolina Capital Planning Commission – members; selection;  
7 quorum; compensation.**

8 (a) The North Carolina Capital Planning Commission of the Department of  
9 Administration shall consist of the following ex officio members: the Governor of  
10 North Carolina who shall serve as chairman; all members of the Council of State  
11 including the Lieutenant Governor (or a person designated by the Lieutenant Governor),  
12 who shall serve as vice-chairman; the Speaker (or a person designated by the Speaker),  
13 and four members of the North Carolina House of Representatives, and four members of  
14 the North Carolina Senate; and a representative of the City of Raleigh to be designated  
15 by the City Council of Raleigh to serve a two-year term to expire at the same date city  
16 council members' terms expire. ~~The Lieutenant Governor~~ President Pro Tempore of the  
17 Senate shall appoint the four members of the Senate on or before July 1, 1975, for two-  
18 year terms to expire at the same date General Assembly members' terms expire. The  
19 Speaker of the House of Representatives shall appoint the four members of the House  
20 on or before July 1, 1975, for two-year terms to expire at the same date General  
21 Assembly members' terms expire.

22 Public officers who are made members of the Commission shall be deemed to serve  
23 ex officio.

24 (b) The members of the Commission shall receive per diem and necessary travel  
25 and subsistence expenses in accordance with the provisions of G.S. 138-5.

26 A majority of the Commission shall constitute a quorum for the transaction of  
27 business.

28 All clerical and other services required by the Commission shall be supplied by the  
29 Secretary of Administration.

30 All minutes, records, plans, and all other documents of public record of the State  
31 Capital Planning Commission, the Heritage Square Commission, and the former North  
32 Carolina Capital Planning Commission shall be turned over to the Department of  
33 Administration.

34 The Commission shall meet quarterly, and at other times at the call of the chairman."  
35

36 –NORTH CAROLINA COUNCIL ON INTERSTATE COOPERATION

37 Sec. 29. G.S. 143B-380(3) reads as rewritten:

38 "(3) Three Senators designated by the President Pro Tempore of the  
39 Senate;"

40 Sec. 30. G.S. 143B-382 reads as rewritten:

41 "**§ 143B-382. North Carolina Council on Interstate Cooperation – Senate members.**

42 The President Pro Tempore of the Senate shall, on or before July 1 of the year in  
43 which each regular session of the General Assembly is held, designate three members of  
44 the Senate as members of the Council on Interstate Cooperation."

1

2 –GOVERNOR'S ADVOCACY COUNCIL ON CHILDREN AND YOUTH

3 Sec. 31. G.S. 143B-415 reads as rewritten:

4 "**§ 143B-415. Governor's Advocacy Council on Children and Youth – members;**  
5 **selection; quorum; compensation.**6 (a) The Governor's Advocacy Council on Children and Youth shall consist of 17  
7 members. The composition of the Council shall be as follows: two members appointed  
8 by the President Pro Tempore of the Senate from the membership of the Senate; two  
9 members selected by the Speaker of the House of Representatives from the membership  
10 of the House of Representatives; 13 members appointed by the Governor.11 Of the members appointed by the Governor, at least one shall come from each  
12 congressional district in accordance with G.S. 147-12(3)b.13 In selecting the 13 members of the Council, the Governor shall select nine public-  
14 spirited adult citizens who have an interest in and knowledge of children and youth,  
15 persons who work with children or representatives of organizations concerned with  
16 problems of children and youth. The remaining four members to be appointed by the  
17 Governor shall consist of two youths of each sex who are 18 years of age or under at the  
18 time of their appointments.19 (b) The initial members of the Council shall be the members of the former  
20 Governor's Advocacy Council on Children and Youth of the Department of Human  
21 Resources whose terms shall expire on the date they would have, had said Council of  
22 the Department of Human Resources not been transferred. At the end of the respective  
23 terms of office of the initial members of the Council, the appointment of all members  
24 shall be as provided in this section and for terms of four years and until their successors  
25 are appointed and qualify. Any appointment to fill a vacancy on the Council created by  
26 the resignation, death, dismissal, or disability of a member shall be for the balance of  
27 the unexpired term.28 (c) The Governor may remove any member of the Council appointed by the  
29 Governor.30 The Governor shall designate from the membership of the Council a chairman and a  
31 vice-chairman to serve at his pleasure.32 The Council shall meet at least quarterly and upon the call of the chairman or upon  
33 written request of at least nine members.34 The members of the Council shall receive per diem and necessary travel and  
35 subsistence expenses in accordance with the provisions of G.S. 138-5.

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

37 (d) All clerical and other services required by the Council shall be supplied by  
38 the Secretary of Administration."

39

40 –GOVERNOR'S CRIME COMMISSION

41 Sec. 32. G.S. 143B-478(b)(4) reads as rewritten:

42 "(4) The two members of the House of Representatives provided by  
43 subdivision (a)(1)d. of this section shall be appointed by the Speaker  
44 of the House of Representatives and the two members of the Senate

1 provided by subdivision (a)(1)d. of this section shall be appointed by  
2 the ~~Lieutenant Governor~~ President Pro Tempore of the Senate. These  
3 members shall perform the advisory review of the State plan for the  
4 General Assembly as permitted by section 206 of the Crime Control  
5 Act of 1976 (Public Law 94-503)."  
6

7 ~~GENERAL STATUTES COMMISSION~~

8 Sec. 33. G.S. 164-14 reads as rewritten:

9 "**§ 164-14. Membership; appointments; terms; vacancies.**

10 (a) The Commission shall consist of 12 members, who shall be appointed as  
11 follows:

- 12 (1) One member, by the president of the North Carolina State Bar;
- 13 (2) One member, by the General Statutes Commission;
- 14 (3) One member, by the dean of the school of law of the University of  
15 North Carolina;
- 16 (4) One member, by the dean of the school of law of Duke University;
- 17 (5) One member, by the dean of the school of law of Wake Forest  
18 University;
- 19 (6) One member, by the Speaker of the House of Representatives of each  
20 General Assembly from the membership of the House;
- 21 (7) One member, by the President Pro Tempore of the Senate of each  
22 General Assembly from the membership of the Senate;
- 23 (8) Two members, by the Governor;
- 24 (9) One member, by the dean of the school of law of North Carolina  
25 Central University;
- 26 (10) One member by the president of the North Carolina Bar Association;
- 27 (11) One member, by the dean of the school of law of Campbell College.

28 (b) Appointments of original members of the Commission made by the president  
29 of the North Carolina State Bar, the president of the North Carolina Bar Association,  
30 and the deans of the schools of law of Duke University, the University of North  
31 Carolina, and Wake Forest University shall be for one year. Appointments of original  
32 members of the Commission made by the Speaker of the House of Representatives, the  
33 President of the Senate, and the Governor shall be for two years.

34 (c) After the appointment of the original members of the Commission,  
35 appointments by the president of the North Carolina State Bar, the General Statutes  
36 Commission, and the deans of the schools of law of North Carolina Central University,  
37 Duke University, the University of North Carolina, and Wake Forest University shall be  
38 made in the even-numbered years, and appointments made by the Speaker of the House  
39 of Representatives, the President Pro Tempore of the Senate, president of the North  
40 Carolina Bar Association, the dean of the School of Law of Campbell College and the  
41 Governor shall be made in the odd-numbered years. Such appointments shall be made  
42 for two-year terms beginning June first of the year when such appointments are to  
43 become effective and expiring May 31 two years thereafter. All such appointments

1 shall be made not later than May 31 of the year when such appointments are to become  
2 effective.

3 (d) If any appointment provided for by this section is not made prior to June first  
4 of the year when it should become effective, a vacancy shall exist with respect thereto,  
5 and the vacancy shall then be filled by appointment by the Governor. If any member of  
6 the Commission dies or resigns during the term for which he was appointed, his  
7 successor for the unexpired term shall be appointed by the person who made the original  
8 appointment, as provided in G.S. 164-14, or by the successor of such person; and if such  
9 vacancy is not filled within 30 days after the vacancy occurs, it shall then be filled by  
10 appointment by the Governor. In any case where an appointment authorized to be made  
11 by G.S. 164-14(c) has not been made on or before July 31 of the year in which it was  
12 due to be made, a vacancy shall exist with respect to that appointment and the General  
13 Statutes Commission at its next meeting shall by majority vote fill the vacancy by  
14 appointment.

15 (e) All appointments shall be reported to the secretary of the Commission.

16 (f) Notwithstanding the expiration of the term of the appointment, the terms of  
17 members of the General Statutes Commission shall continue until the appointment of a  
18 successor has been made and reported to the secretary of the Commission."

19 Sec. 34. This act applies to any appointments for terms beginning on or after  
20 January 1, 1993, and also applies to the filling of any unexpired terms where the term  
21 began before that date but the vacancy occurs on or after that date.