

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE BILL 337\*  
Health Care Committee Substitute Adopted 4/12/07  
Third Edition Engrossed 5/1/07

Short Title: Mental Health/LME Board Structure.

(Public)

Sponsors:

Referred to:

February 27, 2007

A BILL TO BE ENTITLED

AN ACT TO AMEND THE STRUCTURE OF LOCAL MANAGEMENT ENTITY  
BOARDS PERTAINING TO THE SERVICE OF COUNTY MANAGERS AND  
THE NUMBER OF BOARD MEMBERS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 122C-118.1(d) reads as rewritten:

"(d) Any member of an area board who is a county commissioner serves on the board in an ex officio capacity. The terms of county commissioners on an area board are concurrent with their terms as county commissioners. The terms of the other members on the area board shall be for three years, except that upon the initial formation of an area board one-third shall be appointed for one year, one-third for two years, and all remaining members for three years. ~~Members~~ Members, other than a county manager, shall not be appointed for more than two consecutive terms. Board members serving as of July 1, 2006, may remain on the board for one additional term. This subsection applies to all area authority board members regardless of the procedure used to appoint members under subsection (a) of this section."

**SECTION 2.** G.S. 122C-118.1(a) reads as rewritten:

"(a) An area board shall have no fewer than 11 and no more than 25 members. However, the area board for a multicounty area authority consisting of eight or more counties ~~and serving a catchment area with a population of more than 500,000~~ may have up to 30 members. In a single-county area authority, the members shall be appointed by the board of county commissioners. Except as otherwise provided, in areas consisting of more than one county, each board of county commissioners within the area shall appoint one commissioner as a member of the area board. These members shall appoint the other members. The boards of county commissioners within the multicounty area shall have the option to appoint the members of the area board in a manner other than as required under this section by adopting a resolution to that effect. The boards of county commissioners in a multicounty area authority shall indicate in the business plan each

1 board's method of appointment of the area board members in accordance with G.S.  
2 122C-115.2(b). These appointments shall take into account sufficient citizen  
3 participation, representation of the disability groups, and equitable representation of  
4 participating counties. Individuals appointed to the board shall include two individuals  
5 with financial expertise, an individual with expertise in management or business, and an  
6 individual representing the interests of children. A member of the board may be  
7 removed with or without cause by the initial appointing authority. Vacancies on the  
8 board shall be filled by the initial appointing authority before the end of the term of the  
9 vacated seat or within 90 days of the vacancy, whichever occurs first, and the  
10 appointments shall be for the remainder of the unexpired term."

11 **SECTION 3.** This act is effective when it becomes law.