

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE BILL 358**

Short Title: Clarify Consecutive Terms - Aging & Child Com. (Public)

Sponsors: Representatives Bordsen, Farmer-Butterfield, Pierce (Primary Sponsors);  
M. Alexander, Goodwin, Hughes, Insko, Johnson, and Lucas.

Referred to: Aging, if favorable, Rules, Calendar, and Operations of the House.

March 3, 2009

A BILL TO BE ENTITLED  
AN ACT TO CLARIFY APPOINTMENT TO CONSECUTIVE TERMS ON THE NORTH  
CAROLINA STUDY COMMISSION ON AGING AND THE LEGISLATIVE STUDY  
COMMISSION ON CHILDREN AND YOUTH.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 120-182 reads as rewritten:

**"§ 120-182. Commission; membership.**

The Commission shall consist of 17 members, as follows:

- (1) The Secretary of the Department of Health and Human Services or his delegate shall serve ex officio as a non-voting member;
- (2) Eight shall be appointed by the Speaker of the House of Representatives, five being members of the House of Representatives at the time of their appointment, and at least two being planners for or providers of health, mental health, or social services to older adults; and
- (3) Eight shall be appointed by the President Pro Tempore of the Senate, five being members of the Senate at the time of their appointment, and at least two being planners for or providers of health, mental health, or social services to older adults.

Any vacancy shall be filled by the appointing authority who made the initial appointment and by a person having the same qualifications. All initial appointments shall be made within one calendar month from the effective date of this Article. Members' terms shall last for two years. ~~Members may be reappointed for two consecutive terms~~ Members may be appointed to a maximum of three consecutive terms and may be appointed again after having been off the Commission for two years."

**SECTION 2.** G.S. 120-217 reads as rewritten:

**"§ 120-217. Commission membership; terms; compensation.**

(a) The Commission shall consist of 26 members, as follows:

- (1) Eleven members appointed by the Speaker of the House of Representatives, among them:
  - a. Five shall be members of the House of Representatives at the time of their appointment, of whom at least one shall also serve on the House of Representatives Appropriations Subcommittee on Health and Human Services, one of whom also serves on the Joint Legislative Education Oversight Committee, one of whom also serves on the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services, and one



- 1 of whom also serves on the House of Representatives Appropriations  
2 Subcommittee on Justice and Public Safety,
- 3 b. One shall be the director of a local health department,  
4 c. One shall be the director of a county department of social services,  
5 d. One shall be the parent of a child who is at risk for behavioral, social,  
6 health, or safety problems or academic failure,  
7 e. One shall be a licensed physician who is knowledgeable about the  
8 health needs of children and youth,  
9 f. One shall be a chief district court judge recommended by the Council  
10 of Chief District Judges, and  
11 g. One shall be a representative from the Covenant with North Carolina  
12 Children.
- 13 (2) Eleven members appointed by the President Pro Tempore of the Senate, as  
14 follows:
- 15 a. Five shall be members of the Senate at the time of their appointment,  
16 of whom at least one shall also serve on the Senate Appropriations  
17 Committee on Health and Human Services, at least one of whom  
18 shall also serve on the Joint Legislative Education Oversight  
19 Committee, at least one of whom shall also serve on the Joint  
20 Legislative Oversight Committee on Mental Health, Developmental  
21 Disabilities, and Substance Abuse Services, and at least one of whom  
22 also serves on the Senate Appropriations Committee on Justice and  
23 Public Safety,  
24 b. One shall be the director of a mental health area authority,  
25 c. One shall be a representative of the Association of County  
26 Commissioners,  
27 d. One shall be a representative of a local board of education,  
28 e. One shall be a licensed attorney whose practice includes the  
29 representation of parents accused of criminal or civil abuse or  
30 neglect,  
31 f. One shall be a chief district court judge recommended by the Council  
32 of Chief District Judges,  
33 g. One shall be a representative from Action for Children of North  
34 Carolina, and  
35 h. One shall be a representative from the North Carolina Child Fatality  
36 Task Force.
- 37 (3) The following shall serve ex officio as nonvoting members of the  
38 Commission:
- 39 a. The Secretary of Health and Human Services, or the Secretary's  
40 designee,  
41 b. The State Superintendent of Public Instruction, or the  
42 Superintendent's designee,  
43 c. The Secretary of Administration, or the Secretary's designee, and  
44 d. The Director of the Administrative Office of the Courts, or the  
45 Director's designee.
- 46 (b) Any vacancy shall be filled by the appointing authority who made the initial  
47 appointment and by a person having the same qualification. Members' terms shall last for two  
48 years. ~~Members may be reappointed for two consecutive terms.~~ Members may be appointed to a  
49 maximum of three consecutive terms and may be appointed again after having been off the  
50 Commission for two years.

1       (c)     Commission members shall receive no salary as a result of serving on the  
2 Commission and the Task Force on the Coordination of Children's Services but shall receive  
3 necessary subsistence and travel expenses in accordance with G.S. 120-3.1, 138-5, and 138-6,  
4 as applicable."

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