

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 906
HOUSE BILL 1289

AN ACT TO RESTRUCTURE THE WILDLIFE RESOURCES COMMISSION AND TO
MAKE OTHER NECESSARY CHANGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-240 as the same appears in the 1974 Replacement Volume 3C of the General Statutes is amended as follows:

(a) by rewriting the first paragraph to read as follows:

"There is hereby created the Wildlife Resources Commission of the Department of Natural and Economic Resources which shall consist of 13 citizens of North Carolina who shall be appointed as is hereinafter provided. The Governor shall appoint one member of the commission from each of the following geographical districts:";

(b) by inserting before the last paragraph in the section a new paragraph to read as follows:

"The Governor shall appoint two members of the commission from the State at-large. The Lieutenant Governor shall appoint one member of the commission from the membership of the Senate. The Speaker of the House of Representatives shall appoint one member of the commission from the membership of the House of Representatives.";

(c) by inserting after the last paragraph a new paragraph to read as follows:

"Members of the commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5 or G.S. 138-6 as the case may be, which shall be paid from the Wildlife Resources Commission Fund."

Sec. 2. G.S. 143-241 as the same appears in the 1974 Replacement Volume 3C of the General Statutes is amended as follows:

(a) by inserting after the word "Vacancies" in the first line of the seventh paragraph the words "among the membership of the commission appointed by the Governor from the several districts"; and

(b) by adding at the end thereof a new paragraph to read as follows:

"Members of the commission appointed from the State at-large shall be appointed initially for terms expiring April 1, 1981, and thereafter for terms of four years. Each member of the commission appointed by the Lieutenant Governor and each member of the commission appointed by the Speaker of the House of Representatives shall be appointed for a two-year term beginning on July 1, 1977, and on July 1 of each odd-numbered year thereafter and shall serve until his successor is appointed and qualifies."

Sec. 3. G.S. 143-242 is amended and rewritten to read as follows:

"Appointments to fill vacancies of gubernatorial appointees on the commission occurring by reason of death, disability, resignation or otherwise shall be made by the Governor for the balance of the unexpired terms by appointment of a member from the State at-large, or from the appropriate district in accordance with the procedure set out in G.S. 143-241. Appointments to fill vacancies of those members of the commission appointed by the Lieutenant Governor or appointed by the Speaker of the House of Representatives which occur by reason of death, disability, resignation or otherwise shall be made by the appointing authority who originally appointed the member whose death, disability or resignation created the vacancy. The

Governor shall have the power to remove any member of the commission from office for misfeasance, malfeasance or nonfeasance."

Sec. 4. G.S. 143-243 is amended and rewritten to read as follows:

"The commission shall hold at least two meetings annually in the City of Raleigh, one in January and one in July, and seven members of the commission shall constitute a quorum for the transaction of business. Additional meetings may be held at such other times and places within the State as may be deemed necessary for the efficient transaction of the business of the commission. The commission may hold additional or special meetings at any time at the call of the chairman or on call of any five members of the commission. The commission shall determine its own organization and methods of procedure in accordance with the provisions of this Article, and shall have an official seal, which shall be judicially noticed.

At the first scheduled meeting of the commission after July 1, 1977, and on July 1 of each odd-numbered year thereafter, the commission shall select from among its membership a chairman and a vice-chairman who shall serve for terms of two years or until their successors are elected and qualified. The Secretary of Natural and Economic Resources or his designee shall serve as secretary of the commission.

The chairman shall guide and coordinate the official actions and official activities of the commission in fulfilling its program responsibility for (1) the appointment and separation of the executive director of the commission, (2) organizing the personnel of the commission, (3) setting the statewide policy of the commission, (4) budgeting and planning the use of the Wildlife and Motorboat Funds, subject to the approval of the Advisory Budget Commission and the legislature, (5) holding public hearings, and (6) adopting regulations as authorized by law. The chairman shall report to and advise the Governor on the official actions and work of the commission and on all wildlife conservation and boating safety matters that affect the interest of the people of the State.

Meetings of the commission shall be conducted pursuant to Roberts Rules of Order."

Sec. 5. G.S. 143-245 is repealed.

Sec. 6. The terms of the incumbent members of the commission shall not expire until the end of the terms for which they were appointed. The terms of any officers of the commission shall be terminated on July 1, 1977.

Sec. 7. This act shall become effective on July 1, 1977.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.