

GENERAL ASSEMBLY OF NORTH CAROLINA  
1989 SESSION

CHAPTER 1038  
HOUSE BILL 2297

AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE  
RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF  
REPRESENTATIVES.

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

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

The General Assembly of North Carolina enacts:

PART I. APPOINTMENTS OF THE SPEAKER

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

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

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

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

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

Sec. 3. Henry E. "Gene" Miller of New Hanover County is appointed to the State Building Commission for a term to begin upon licensure by the North Carolina Licensing Board for General Contractors and to expire on June 30, 1993. This is the categorical appointment for a licensed building contractor whose primary business is or was in the construction of buildings.

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

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

Reverend Thomas Johnson Vestal of Wake County is appointed to the Child Day Care Commission of the Department of Human Resources for a term to expire on

June 30, 1991. This appointment is the categorical appointment for a day care provider affiliated with a nonprofit day care facility or plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## PART II. CONFORMING CHANGES

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

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

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

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

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

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

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

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

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

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

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

Terms of commission members appointed under this section expire on June 30 of the year of expiration. In 1990, three members shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives, one for a term to expire June 30, 1992, one for a term to expire June 30, 1993, and one for a term to expire June 30, 1994. In 1990, three members shall be appointed by the General Assembly upon the recommendation of the President of the Senate, one for a term to expire June 30, 1991, one for a term to expire June 30, 1992, and one for a term to expire June 30, 1993. In 1990, three members shall be appointed by the Governor, one for a term to expire June 30, 1992, one for a term to expire June 30, 1993, and one for a term to expire June 30, 1994. Subsequent appointments are for a term of four years."

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

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

- (1) The President Pro Tempore of the Senate;
- (2) The Majority Leader of the Senate;
- (3) The Chairman of the Senate Committee on Appropriations;
- (4) Repealed by Session Laws 1987, c. 61, s. 1.
- (5) A Cochairman of the Senate Committee on Finance designated by the President of the Senate;

- (6) Two other members of the Senate appointed by the President of the Senate; and
- (7) ~~The Speaker Pro Tempore of the House of Representatives;~~
- (8) ~~The Chairman of the House Committee on Appropriations Base Budget;~~
- (9) ~~The Chairman of the House Committee on Appropriations Expansion Budget;~~
- (10) ~~The Chairman of the House Committee on Finance; and~~
- (11) ~~Two other~~ Six members of the House appointed by the Speaker."

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

Sec. 21. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 27th day of July, 1990.