

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 556

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

S556-AMN-5 [v.4]

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Amends Title [YES]
Second Edition

Date _____, 2019

Representative Davis

1 moves to amend the bill on page on page 1, line 7, by rewriting the line to read:

2
3 "STATUTES, AND ALSO TO AMEND THE MEMBERSHIP OF THE GENERAL
4 STATUTES COMMISSION TO REPEAL THE APPOINTING AUTHORITY OF THE
5 CHARLOTTE SCHOOL OF LAW, WHICH HAS CLOSED, TO PROVIDE FOR THE
6 TERMS OF MEMBERS TO BEGIN ON SEPTEMBER 1 RATHER THAN JUNE 1, AND
7 TO HARMONIZE TWO PROVISIONS DEALING WITH VACANCIES AND
8 HOLDOVER MEMBERS, AS RECOMMENDED BY THE GENERAL STATUTES
9 COMMISSION.";

10
11 and on page 59, lines 23 and 24, by inserting between the lines the following:

12
13 **"PART II-A. GENERAL STATUTES COMMISSION MEMBERSHIP-RELATED**
14 **CHANGES**

15 **SECTION 32.1.** G.S. 164-14 reads as rewritten:

16 **"§ 164-14. Membership; appointments; terms; vacancies.**

- 17 (a) The Commission shall consist of ~~14~~13 members, who shall be appointed as follows:
- 18 (1) One member, by the president of the North Carolina State ~~Bar~~Bar.
 - 19 (2) One member, by the General Statutes ~~Commission~~Commission.
 - 20 (3) One member, by the dean of the school of law of the University of North
21 ~~Carolina~~Carolina.
 - 22 (4) One member, by the dean of the school of law of Duke ~~University~~University.
 - 23 (5) One member, by the dean of the school of law of Wake Forest
24 ~~University~~University.
 - 25 (6) One member, by the Speaker of the House of Representatives of each General
26 Assembly from the membership of the ~~House~~House.
 - 27 (7) One member, by the President Pro Tempore of the Senate of each General
28 Assembly from the membership of the ~~Senate~~Senate.
 - 29 (8) Two members, by the ~~Governor~~Governor.
 - 30 (9) One member, by the dean of the school of law of North Carolina Central
31 ~~University~~University.



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- 1 (10) One member by the president of the North Carolina Bar
2 ~~Association; Association.~~
- 3 (11) One member, by the dean of the school of law of Campbell University.
- 4 (12) One member, by the dean of the school of law of Elon University.
- 5 (13) ~~One member, by the dean of the Charlotte School of Law (NC), Inc.~~
- 6 (b) ~~Appointments of original members of the Commission made by the president of the~~
7 ~~North Carolina State Bar, the president of the North Carolina Bar Association, and the deans of~~
8 ~~the schools of law of Duke University, the University of North Carolina, and Wake Forest~~
9 ~~University shall be for one year. Appointments of original members of the Commission made by~~
10 ~~the Speaker of the House of Representatives, the President of the Senate, and the Governor shall~~
11 ~~be for two years.~~
- 12 (c) ~~After the appointment of the original members of the Commission, appointments~~
13 ~~Appointments~~ by the president of the North Carolina State Bar, the General Statutes Commission,
14 and the deans of the schools of law of North Carolina Central University, Duke University, Elon
15 University, the University of North Carolina, and Wake Forest University shall be made in the
16 even-numbered years, and appointments made by the Speaker of the House of Representatives,
17 the President Pro Tempore of the Senate, the president of the North Carolina Bar Association,
18 ~~the deans dean~~ of the ~~School of Law school of law~~ of Campbell University ~~and the Charlotte~~
19 ~~School of Law (NC), Inc., University,~~ and the Governor shall be made in the odd-numbered
20 years. ~~Such appointments~~ Appointments shall be made for two-year terms beginning ~~June first~~
21 ~~September 1~~ of the year when ~~such the~~ appointments are to become effective and expiring ~~May~~
22 ~~31 August 31~~ two years thereafter. ~~All such appointments shall be made not later than May 31 of~~
23 ~~the year when such appointments are to become effective.~~
- 24 (d) ~~If any appointment provided for by this section is not made prior to June first of the~~
25 ~~year when it should become effective, a vacancy shall exist with respect thereto, and the vacancy~~
26 ~~shall then be filled by appointment by the Governor. If any member of the Commission dies or~~
27 ~~resigns during the term for which he was appointed, his successor for the unexpired term shall~~
28 ~~be appointed by the person who made the original appointment, as provided in G.S. 164-14, or~~
29 ~~by the successor of such person; and if such vacancy is not filled within 30 days after the vacancy~~
30 ~~occurs, it shall then be filled by appointment by the Governor. In any case where an appointment~~
31 ~~authorized to be made by G.S. 164-14(e) has not been made on or before July 31 of the year in~~
32 ~~which it was due to be made, a vacancy shall exist with respect to that appointment and the~~
33 ~~General Statutes Commission at its next meeting shall by majority vote fill the vacancy by~~
34 ~~appointment.~~ a member of the Commission resigns, dies, or ceases to be a member for any other
35 reason, a vacancy exists with respect to that appointment and the original appointing authority
36 shall appoint a new member to fill the unexpired term.
- 37 This subsection does not apply when a member is continuing to serve under subsection (f) of
38 this section.
- 39 (e) All appointments shall be reported to the secretary of the Commission.
- 40 (f) Notwithstanding the expiration of the term of the appointment, the terms of members
41 of the General Statutes Commission shall continue until the appointment of a successor has been
42 made and reported to the secretary of the Commission."

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1 **SECTION 32.2.** The terms of the current members of the General Statutes
2 Commission are extended to August 31 of the year in which they would otherwise expire.";

3
4 and on page 59, lines 25 through 30, by rewriting the lines to read:

5
6 **"SECTION 33.** Parts I and II of this act do not affect the coverage, eligibility, rights,
7 responsibilities, or provision of State or federal services or benefits for individuals who have
8 been diagnosed with mental retardation and whose diagnosis has not been changed to a diagnosis
9 of intellectual disability.

10 **SECTION 34.** Except as otherwise provided in Parts I and II of this act, those Parts
11 become effective October 1, 2019, and apply to proceedings commenced or services rendered on
12 or after that date. Except as otherwise provided, the remainder of this act is effective when it
13 becomes law."
14
15

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**