

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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SENATE BILL 126  
House Committee Substitute Favorable 6/16/21  
PROPOSED HOUSE COMMITTEE SUBSTITUTE S126-PCS35305-RN-26

Short Title: Clean Up Obsolete Boards.

(Public)

Sponsors:

Referred to:

February 24, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO ABOLISH OBSOLETE BOARDS AND COMMISSIONS THAT ARE NO  
3 LONGER FUNCTIONAL AND TO MAKE OTHER CHANGES TO BOARDS AND  
4 COMMISSIONS.

5 Whereas, several boards and commissions within State government appear to be no  
6 longer functional and should be abolished; and

7 Whereas, some boards and commissions were established to oversee programs that  
8 no longer exist; and

9 Whereas, certain boards and commissions either have no appointed members, have  
10 not met in several years, have not reported recent activity, or have no discoverable information;  
11 and

12 Whereas, as a result of inactivity of some boards and commissions, previous attempts  
13 have been made to abolish them; Now, therefore,  
14 The General Assembly of North Carolina enacts:

15  
16 **BOARD OF DIRECTORS OF THE CERTIFICATION ENTITY FOR THE PHASE II**  
17 **SETTLEMENT FUNDS**

18 **SECTION 1.** The Board of Directors of the Certification Entity for Phase II  
19 Settlement Funds, as authorized by S.L. 1999-333, is abolished.

20  
21 **NC AGENCY FOR PUBLIC TELECOMMUNICATIONS**

22 **SECTION 2.(a)** Part 22 of Article 9 of Chapter 143B of the General Statutes is  
23 repealed.

24 **SECTION 2.(b)** G.S. 138A-3(70)r. is repealed.

25 **SECTION 2.(c)** G.S. 120-123(4) is repealed.

26  
27 **BOARD OF DIRECTORS OF THE CHARLOTTE REGIONAL PARTNERSHIP**

28 **SECTION 4.** The Board of Directors of the Charlotte Regional Partnership, Inc., as  
29 authorized by Article 2 of Chapter 158 of the General Statutes, is abolished.

30  
31 **COMMISSION ON SCHOOL TECHNOLOGY**

32 **SECTION 5.(a)** G.S. 115C-102.5 is repealed.

33 **SECTION 5.(b)** G.S. 115C-102.6 reads as rewritten:

34 "§ 115C-102.6. Duty to propose a State school technology plan.



\* S 1 2 6 - P C S 3 5 3 0 5 - R N - 2 6 \*

1 The State Board of Education shall propose a State school technology plan that ensures the  
2 effective use of technology is built into the North Carolina Public School System for the purpose  
3 of preparing a globally competitive workforce and citizenry for the 21st century.—The  
4 Commission on School Technology will advise the State Board of Education on the State School  
5 Technology Plan and its components."  
6

#### 7 DATA INTEGRATION STEERING COMMITTEE

8 SECTION 6. Section 6A.20(b) of S.L. 2011-145 is repealed.  
9

#### 10 GRANTS MANAGEMENT OVERSIGHT COMMITTEES

11 SECTION 7.(a) Section 6A.7 of S.L. 2011-145, as amended by Section 11(d) of  
12 S.L. 2011-391 and Section 6A.10 of S.L. 2012-142, is repealed.

13 SECTION 7.(b) Section 7.14(b) of S.L. 2013-360 is repealed.  
14

#### 15 LEGISLATIVE COMMISSION ON METHAMPHETAMINE ABUSE

16 SECTION 8.(a) Article 25A of Chapter 120 of the General Statutes is repealed.

17 SECTION 8.(b) G.S. 90-113.64 reads as rewritten:

##### 18 "§ 90-113.64. SBI annual report.

19 Beginning with the 2011 calendar year, the State Bureau of Investigation shall determine the  
20 number of methamphetamine laboratories discovered in the State each calendar year and report  
21 its findings to the Joint Legislative Oversight Committee on Justice and Public Safety and to the  
22 Legislative Commission on Methamphetamine Abuse by March 1, 2012, for the 2011 calendar  
23 year and each March 1 thereafter for the preceding calendar year. The State Bureau of  
24 Investigation shall participate in the High Intensity Drug Trafficking Areas (HIDTA) program,  
25 assist in coordinating the drug control efforts between local and State law enforcement agencies,  
26 and monitor the implementation and effectiveness of the electronic record-keeping requirements  
27 included in G.S. 90-113.52A and G.S. 90-113.56. The SBI shall include its findings in the report  
28 to the Commission required by this section."

29 SECTION 8.(c) G.S. 143B-925 reads as rewritten:

##### 30 "§ 143B-925. Study and report on use of pseudoephedrine products to make 31 methamphetamine.

32 The State Bureau of Investigation shall study issues regarding the use of pseudoephedrine  
33 products to make methamphetamine, including any data on the use of particular pseudoephedrine  
34 products in that regard, pertinent law enforcement statistics, trends observed, and other relevant  
35 information, and report annually to the Commission for Mental Health, Developmental  
36 Disabilities, and Substance Abuse Services, the Legislative Commission on Methamphetamine  
37 Abuse, Services and the Joint Governmental Operations Subcommittee on Justice and Public  
38 Safety."  
39

#### 40 NORTH CAROLINA COMMUNITY DEVELOPMENT COUNCIL

41 SECTION 9.(a) Part 2A of Article 10 of Chapter 143B of the General Statutes is  
42 repealed.

43 SECTION 9.(b) G.S. 143B-432(c)(1) is repealed.

44 SECTION 9.(c) G.S. 143B-433(2)b. is repealed.  
45

#### 46 NORTH CAROLINA FARMWORKER COUNCIL

47 SECTION 10. Part 26 of Article 9 of Chapter 143B of the General Statutes is  
48 repealed.  
49

#### 50 SOUTHERN GROWTH POLICIES BOARD

1           **SECTION 11.** Article 55 of Chapter 143 of the General Statutes, being G.S. 143-490  
2 through G.S. 143-506, is repealed.

3  
4           **STATE ADVISORY COUNCIL ON EMPLOYMENT SECURITY**

5           **SECTION 12.** G.S. 96-4 reads as rewritten:

6           "**§ 96-4. Administration; powers and duties of the Assistant Secretary; Board of Review.**

7           ...

8           ~~(g) Advisory Councils.—The State Advisory Council shall be composed of the Assistant~~  
9 ~~Secretary and 15 persons representing employers, employees, and the general public, to be~~  
10 ~~appointed as follows:~~

11           (1) Five members appointed by the Governor.

12           (2) Five members appointed by the President Pro Tempore of the Senate.

13           (3) Five members appointed by the Speaker of the House of Representatives.

14 ~~Each member shall be appointed for a term of four years. Vacancies on the State Advisory~~  
15 ~~Council shall be filled by the appointing authority. The Assistant Secretary shall serve as chair.~~  
16 ~~A quorum of the State Advisory Council shall consist of the chairman, or such appointed member~~  
17 ~~as he may designate, plus one half of the total appointed members. The function of the Council~~  
18 ~~shall be to aid the Division in formulating policies and discussing problems related to the~~  
19 ~~administration of this Chapter. Each member of the State Advisory Council attending meetings~~  
20 ~~of the Council shall be paid the same amount per diem for his or her services as is provided for~~  
21 ~~the members of other State boards, commissions, and committees who receive compensation for~~  
22 ~~their services, including necessary time spent in traveling to and from his place of residence~~  
23 ~~within the State to the place of meeting while engaged in the discharge of the duties of his office,~~  
24 ~~and his actual mileage and subsistence at the same rate allowed to State officials.~~

25           (h) Employment Stabilization. – The Secretary of Commerce, in consultation with the  
26 ~~Assistant Secretary and with the advice and aid of the advisory councils, Secretary,~~ shall take all  
27 appropriate steps to reduce and prevent unemployment; to encourage and assist in the adoption  
28 of practical methods of vocational training, retraining and vocational guidance; to investigate,  
29 recommend, advise, and assist in the establishment and operation, by municipalities, counties,  
30 school districts, and the State, of reserves for public works to be used in times of business  
31 depression and unemployment; to promote the reemployment of unemployed workers throughout  
32 the State in every other way that may be feasible; and to these ends to carry on and publish the  
33 results of investigations and research studies.

34           ...."

35  
36           **STATE SUGGESTION REVIEW COMMITTEE**

37           **SECTION 13.(a)** G.S. 143-345.21 reads as rewritten:

38           "**§ 143-345.21. State employee suggestion program.**

39           ...

40           (h) Implementation costs may be prorated over a maximum of three years for suggestions  
41 or innovations that are capital intensive, involve leading-edge technology, or involve  
42 unconventional processes that require longer than 12 months for implementation. The amount of  
43 the average annual savings minus the average annual implementation cost shall be used as the  
44 basis for the agency to recommend a suggester award. ~~The State Suggestion Review Committee~~  
45 ~~Office of State Human Resources~~ shall consult the Office of State Budget and Management to  
46 make the final award determination in these cases.

47           ...."

48           **SECTION 13.(b)** G.S. 143-345.23 reads as rewritten:

49           "**§ 143-345.23. Suggestion and review process; role of agency coordinator and agency**  
50 **evaluator.**

1 (a) The process for a State employee or team of State employees to submit a cost-saving  
2 or revenue-increasing proposal shall begin with the employee or team of employees submitting  
3 the suggestion or innovation to an agency coordinator. The agency coordinator, in conjunction  
4 with an agency evaluator, shall review the suggestion or innovation for submission to the ~~State~~  
5 ~~Review Committee established in G.S. 143-345.24.~~ Office of State Human Resources.

6 (b) An agency coordinator shall be appointed by the head of each participating agency to  
7 serve as liaison between the agency, the suggester, the agency evaluator, and the NC-Thinks  
8 office. The duties of the agency coordinator shall include:

- 9 (1) Serving as an information source and maintaining sufficient forms necessary  
10 to submit suggestions.
- 11 (2) Presenting, in conjunction with the agency evaluator, the recommendation for  
12 an award to the ~~State Suggestion Review Committee.~~ Office of State Human  
13 Resources.
- 14 (3) Working in conjunction with the agency evaluator to process a particular  
15 suggestion or innovation within 180 days, except when there are extenuating  
16 circumstances.

17 An agency may have more than one coordinator if required to provide sufficient services to  
18 State employees.

19 (c) An agency evaluator shall be designated by the management of the implementing  
20 agency to evaluate one or more suggestions. The duties of an agency evaluator shall include:

- 21 (1) Receiving from the agency coordinator and reviewing within 90 days, when  
22 possible, the feasibility and effectiveness of cost-saving or revenue-increasing  
23 measures suggested by State employees.
- 24 (2) Being knowledgeable of the subject program, activity, or service.
- 25 (3) Determining, in conjunction with the agency fiscal officer, the budgetary  
26 impact of a suggestion or innovation.
- 27 (4) Judging impartially both the positive and negative effects of a suggestion or  
28 innovation on the current functions of the subject program, activity, or service.

29 (d) The Director of the Office of State Human Resources shall be responsible for general  
30 oversight and coordination of NC-Thinks. The State coordinator shall be an employee of the  
31 Office of State Human Resources. The State coordinator shall be responsible for day-to-day  
32 NC-Thinks program management and administration of the technical aspects of the program. ~~The~~  
33 ~~State coordinator shall be an ex officio voting member of the State Suggestion Review~~  
34 ~~Committee."~~

35 **SECTION 13.(c)** G.S. 143-345.24 is repealed.

36 **SECTION 13.(d)** G.S. 143-345.25 reads as rewritten:

37 **"§ 143-345.25. Innovations deemed property of the State; effect of decisions regarding**  
38 **bonuses.**

39 (a) All suggestions or innovations submitted by State employees pursuant to this Article  
40 are the property of the State, and all related intellectual property rights shall be assigned to the  
41 State. By January 1, 2002, the Office of State Human Resources shall establish a policy regarding  
42 intellectual property rights that arise from NC-Thinks.

43 (b) Decisions regarding the award of bonuses by the agency coordinator and the ~~State~~  
44 ~~Suggestion Review Committee.~~ Office of State Human Resources are final and are not subject to  
45 review under the contested case procedures of Chapter 150B of the General Statutes."  
46

#### 47 STATEWIDE PORTAL COMMITTEE

48 **SECTION 14.** Section 6A.12(h) of S.L. 2012-142 is repealed.

#### 50 WHOLESALE DISTRIBUTOR ADVISORY COMMITTEE

51 **SECTION 15.** G.S. 106-145.11 is repealed.

**MOTOR VEHICLE DEALERS' ADVISORY BOARD**

**SECTION 16.(a)** G.S. 20-305.4 is repealed.

**SECTION 16.(b)** G.S. 20-305.5(l) reads as rewritten:

"(l) The provisions of G.S. 20-305(4) through G.S. 20-305(28) and G.S. 20-305.2 to ~~G.S. 20-305.4~~ ~~G.S. 20-305.3~~ shall not apply to manufacturers of or dealers in mobile or manufactured type housing or who sell or distribute only nonmotorized recreational trailers; provided, however, that unless specifically exempted, each of these provisions shall be applicable to all recreational vehicle manufacturers, factory branches, distributors, and distributor branches who sell or distribute any motorized recreational vehicles in this State. The provisions of G.S. 20-305.1 shall not apply to manufacturers of or dealers in mobile or manufactured type housing."

**SECTION 16.(c)** This section becomes effective June 30, 2023.

**BLOUNT STREET HISTORIC DISTRICT OVERSIGHT COMMITTEE**

**SECTION 17.** Section 3 of S.L. 2003-404 is repealed.

**BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS**

**SECTION 18.(a)** G.S. 116-233(a) reads as rewritten:

"(a) Notwithstanding the provisions of G.S. 116-31(d), there shall be a Board of Trustees of the School, which shall consist of up to 30 members as follows:

...

(3) Three members, ex officio, who shall be the chief academic officers, respectively, of constituent ~~institutions.~~ institutions or the members' designees. The Board of Governors shall in 1985 and quadrennially thereafter designate the three constituent institutions whose chief academic officers or officers' designees shall so serve, such designations to expire on June 30, 1989, and quadrennially thereafter.

(4) The chief academic officer of a college or university in North Carolina other than a constituent institution, ex ~~officio.~~ officio, or the chief academic officer's designee. The Board of Governors shall designate in 1985 and quadrennially thereafter which college or university whose chief academic officer or officer's designee shall so serve, such designation to expire on June 30, 1989, and quadrennially thereafter.

...."

**SECTION 18.(b)** G.S. 116-233(f) reads as rewritten:

"(f) Whenever an appointed member of the Board of Trustees shall fail, for any reason other than ill health or service in the interest of the State or nation, to be present at three successive regular meetings of the Board, his or her place as a member of the Board shall be deemed vacant. The office of any member of the Board who serves ex officio under subdivisions (3) and (4) of subsection (a) of this section shall not be declared vacant if the member or the member's designee has complied with the attendance requirements of this subsection."

**CJIN CHANGES**

**SECTION 19.(a)** G.S. 143B-1393 reads as rewritten:

"§ 143B-1393. Powers and duties.

...

(a1) Notwithstanding G.S. 143B-1322(c)(19) and (d) or any other provision of law to the contrary, the Board shall do all of the following:

- 1           (1) Exercise administrative control over the transportation and subsistence budget  
 2           established by the Board and appropriated by the General Assembly.  
 3           (2) Establish qualifications, classification, and salary levels for its employees and  
 4           determine appropriate methods of screening for candidates, interviewing,  
 5           hiring, and day-to-day management of Board employees.

6           ...."

7           **SECTION 19.(b)** G.S. 143B-1394(b) reads as rewritten:

8           "(b) The staff of the Criminal Justice Information Network shall provide the Board with  
 9 professional and clerical support and any additional support the Board needs to fulfill its mandate.  
 10 The Board's staff shall use space provided by the Department of Information Technology. The  
 11 Department of Information Technology shall provide technical assistance to the Board at the  
 12 request of the Board."

13           **SECTION 19.(c)** G.S. 143B-1322(c) reads as rewritten:

14           "(c) Administration. – The Department shall be managed under the administration of the  
 15 State CIO. The State CIO shall have the following powers and duty to do all of the following:

16           ...

- 17           (19) Supervise and support the operations of the CGIA, GICC, GDAC, ~~CJIN~~, and  
 18           911 Board.

19           ...."

## 20           **JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS**

21           **SECTION 20.(a)** G.S. 120-74 reads as rewritten:

### 22           "**§ 120-74. Appointment of members; terms of office.**

23           The Commission shall consist of 42 members. The President pro tempore of the Senate, the  
 24 Speaker pro tempore of the House, the Deputy President pro tempore of the Senate, the Majority  
 25 Leader of the House of Representatives, and the Majority Leader of the Senate and the Speaker  
 26 of the House shall serve as ex officio members of the Commission. The Speaker of the House of  
 27 Representatives shall appoint 21 members from the House, at least five of whom are members of  
 28 the minority party. The President pro tempore of the Senate shall appoint 21 members from the  
 29 Senate, at least five of whom are members of the minority party. A quorum of the Commission  
 30 shall be a majority of its members. Vacancies created by resignation or otherwise shall be filled  
 31 by the original appointing authority. Members shall serve two-year terms beginning and ending  
 32 on January 15 of the odd-numbered years. Members shall not be disqualified from completing a  
 33 term of service on the Commission because they fail to run or are defeated for reelection.  
 34 Resignation or removal from the General Assembly shall constitute resignation or removal from  
 35 membership on the Commission."  
 36

37           **SECTION 20.(b)** G.S. 120-75 reads as rewritten:

### 38           "**§ 120-75. Organization of the ~~Commission~~.Commission; subcommittees.**

39           (a) The President pro tempore of the Senate and the Speaker of the House of  
 40 Representatives shall serve as ~~each other~~ cochairmen-cochairs of the Commission. Either of the ~~each other~~  
 41 cochairs may call a meeting of the Commission.

42           (b) Notwithstanding G.S. 120-19.7, the cochairs of the Commission may designate  
 43 subcommittees to conduct hearings, call witnesses, and inquire into any matters properly before  
 44 the Commission. The cochairs of the Commission shall appoint members of a subcommittee. The  
 45 President Pro Tempore of the Senate shall appoint the Senate cochair, and the Speaker of the  
 46 House of Representatives shall appoint the House cochair of a subcommittee. Either cochair of a  
 47 subcommittee may call a meeting of the subcommittee. A quorum of a subcommittee shall be a  
 48 majority of its members. A member of the House of Representatives or the Senate may be  
 49 appointed to a subcommittee, even if the member has not been appointed to the Commission. A  
 50 duly constituted subcommittee shall have all the powers of the Commission and may utilize staff  
 51 to the Commission. Members of a subcommittee shall receive subsistence and travel expenses as

1 provided in G.S. 120-78. Members of a subcommittee serve at the pleasure of the appointing  
2 officer. The cochairs may dissolve a subcommittee of the Commission at any time."

3  
4 **PERMANENCY INNOVATION INITIATIVE OVERSIGHT COMMITTEE**

5 **SECTION 21.** G.S. 131D-10.9A is repealed.

6  
7 **NORTH CAROLINA BOARD OF SCIENCE, TECHNOLOGY, AND INNOVATION**

8 **SECTION 22.(a)** G.S. 143B-472.81 reads as rewritten:

9 **"§ 143B-472.81. North Carolina Board of Science, Technology, and Innovation;**  
10 **membership; organization; compensation; staff services.**

11 (a) The North Carolina Board of Science, Technology, and Innovation consists of the  
12 Governor, the Secretary of Commerce, and 23 members appointed as follows: the Governor shall  
13 appoint one member from the University of North Carolina at Chapel Hill, one member from  
14 North Carolina State University at Raleigh, and two members from other components of the  
15 University of North Carolina, one of which shall be from a historically black college or  
16 university, all nominated by the President of the University of North Carolina; one member from  
17 Duke University, nominated by the President of Duke University; one member from a private  
18 college or university, other than Duke University, in North Carolina, nominated by the President  
19 of the Association of Private Colleges and Universities; one member of the North Carolina  
20 Community College System; one member representing K-12 public education; six members from  
21 private industry in North Carolina; and seven at-large members. Two members shall be appointed  
22 by the General Assembly, one shall be appointed upon the recommendation of the President Pro  
23 Tempore of the Senate, and one shall be appointed upon the recommendation of the Speaker of  
24 the House of Representatives in accordance with G.S. 120-121. The nominating authority for any  
25 vacancy on the Board among members appointed by the Governor shall submit to the Governor  
26 two nominations for each position to be filled, and the persons so nominated shall represent  
27 different disciplines.

28 (b) Members shall be appointed to the Board for the following terms of office:

29 (1) Members appointed to the Board by the General Assembly shall serve for  
30 two-year terms beginning 1 July of odd-numbered years. ~~Vacancies in~~  
31 ~~appointments made by the General Assembly shall be filled in accordance~~  
32 ~~with G.S. 120-122. The two members from public agencies shall serve for~~  
33 ~~terms expiring at the end of the term of the Governor appointing them.~~

34 (2) The ~~other 13~~ six members from private industry and seven at-large members  
35 appointed to the Board by the Governor shall serve for four-year terms, and  
36 until their successors are appointed and qualified. Of those 13 members, six  
37 shall serve for terms that expire on 30 June of years that follow by one year  
38 those years that are evenly divisible by four, and seven shall serve for terms  
39 that expire on 30 June of years that follow by three years those years that are  
40 evenly divisible by four.

41 (3) The members representing the following shall serve four-year terms beginning  
42 July 1, 2021, and every four years thereafter:

43 a. North Carolina State University.

44 b. A component of The University of North Carolina.

45 c. A private college or university, other than Duke University.

46 d. The North Carolina Community College System.

47 (4) The members representing the following shall serve four-year terms beginning  
48 July 1, 2023, and every four years thereafter:

49 a. The University of North Carolina at Chapel Hill.

50 b. A historically black college or university that is a constituent  
51 institution of The University of North Carolina.

- 1                   c.     Duke University.  
2                   d.     K-12 public education.  
3       (b1) Vacancies in appointments made by the General Assembly shall be filled in  
4 accordance with G.S. 120-122. Any appointment to fill a vacancy on the Board created by the  
5 resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired  
6 term.  
7       (c)     The Governor or the Governor's designee shall serve as chair of the Board. The  
8 vice-chair and the secretary of the Board shall be designated by the Governor or the Governor's  
9 designee from among the members of the Board.  
10       (d)    The Governor may remove any member of the Board from office in accordance with  
11 the provisions of G.S. 143B-16.  
12       (e)    Members of the Board who are employees of State agencies or institutions shall  
13 receive subsistence and travel allowances authorized by G.S. 138-6. Legislative members of the  
14 Board shall receive subsistence and travel allowances authorized by G.S. 120-3.1.  
15       (f)    A majority of the Board constitutes a quorum for the transaction of business.  
16       (g)    The Secretary of Commerce shall provide all clerical and other services required by  
17 the Board."

18               **SECTION 22.(b)** The terms of certain members serving on the North Carolina Board  
19 of Science, Technology, and Innovation as of the date this section becomes law shall expire as  
20 follows:

- 21           (1)    The terms of representatives of the following shall expire June 30, 2021:  
22               a.     North Carolina State University.  
23               b.     A component of The University of North Carolina.  
24               c.     A private college or university, other than Duke University.  
25               d.     The North Carolina Community College System.  
26           (2)    The terms of representatives of the following shall expire June 30, 2023:  
27               a.     The University of North Carolina at Chapel Hill.  
28               b.     A historically black college or university that is a constituent  
29               institution of The University of North Carolina.  
30               c.     Duke University.  
31               d.     K-12 public education.

32               **SECTION 22.(c)** This section is effective when it becomes law and applies to the  
33 terms of all members serving on the North Carolina Board of Science, Technology, and  
34 Innovation as of that date, and thereafter.  
35

## 36 **NORTH CAROLINA BOARD OF MASSAGE AND BODYWORK THERAPY**

37               **SECTION 23.** G.S. 90-625(c) reads as rewritten:

38           "(c)    Each member of the Board shall serve for a term of three years, ending on June 30 of  
39 the last year of the term. A member shall not be appointed to serve more than two consecutive  
40 full terms."  
41

## 42 **NCWORKS COMMISSION**

43               **SECTION 24.(a)** G.S. 143B-438.10 reads as rewritten:

44           "**§ 143B-438.10. NCWorks Commission.**

45           ...

- 46       (b)    Membership. – The Commission shall consist of ~~33~~37 members appointed as follows:  
47           (1)    By virtue of their offices, the following persons, or their designees, shall serve  
48               on the Commission:  
49               a.     The Governor.  
50               b.     The Secretary of the Department of Administration.  
51               c.     The Secretary of the Department of Commerce.



- d. The Secretary of the Department of Health and Human Services.
- e. The Superintendent of Public Instruction.
- f. The President of the Community Colleges System Office.
- g. The President of The University of North Carolina system.
- h. The State official with primary responsibility for Adult Education and Family Literacy (Title II of the Workforce Innovation and Opportunity Act, P.L. 113-128, as amended).
- i. The State official with primary responsibility for Vocational Rehabilitation or Services for the Blind (Title IV of the Workforce Innovation and Opportunity Act, P.L. 113-128, as amended).

(2) Pursuant to the provisions of section 101 of the Workforce Innovation and Opportunity Act, the Governor shall appoint ~~26~~28 members as follows:

- a. ~~Seventeen~~Nineteen members representing business and industry in the State.
- b. Seven members representing the workforce in the State.
- c. One member representing local elected city officials in the State.
- d. One member representing local elected county officials in the State.

(3) Repealed by Session Laws 2015-241, s. 15.11(a), effective July 1, 2015.

(b1) Terms. – The persons listed in subdivision (1) of subsection (b) of this section shall serve on the Commission while they hold their respective offices. The terms of the members appointed by the Governor pursuant to subdivision (2) of subsection (b) of this section shall be for four years, except as provided in this subsection. The terms shall be staggered and shall begin on November 1 and expire on October 31. Upon the expiration of the term of each member in subdivision (2) of subsection (b) of this section, the Governor shall fill the vacancy by reappointing the member or appointing another person of like qualification to serve a four-year term. If a vacancy occurs for any reason other than the expiration of the member's term, the Governor shall appoint a person of like qualification to serve for the remainder of the unexpired term.

In order to provide for staggered terms, six persons appointed to the positions designated in sub-subdivision a. of subdivision (2) of subsection (b) of this section and three persons appointed to the positions designated in sub-subdivision b. of subdivision (2) of subsection (b) of this section shall be appointed for initial terms ending on October 31, 2019. Five persons appointed to the positions designated in sub-subdivision a. of subdivision (2) of subsection (b) of this section, two persons appointed to the positions designated in sub-subdivision b. of subdivision (2) of subsection (b) of this section, and one person appointed to the position designated in sub-subdivision c. of subdivision (2) of subsection (b) of this section shall be appointed for initial terms ending on October 31, 2017. Six persons appointed to the positions designated in sub-subdivision a. of subdivision (2) of subsection (b) of this section, two persons appointed to the positions designated in sub-subdivision b. of subdivision (2) of subsection (b) of this section, and one person appointed to the position designated in sub-subdivision d. of subdivision (2) of subsection (b) of this section shall be appointed for initial terms ending on October 31, 2016. Two persons appointed to the positions designated in sub-subdivision a. of subdivision (2) of subsection (b) of this section shall be appointed for an initial term ending on October 31, 2021.

...."

**SECTION 24.(b)** This section is effective when it becomes law.

**STATE MARKETING AUTHORITY**

**SECTION 25.(a)** Article 47 of Chapter 106 of the General Statutes is repealed.

**SECTION 25.(b)** G.S. 105-278.1(c) reads as rewritten:

"(c) For purposes of this section:

- 1           (1) A specified unit of government (federal, State, or local) includes its  
2           departments, institutions, and agencies.  
3           (2) By way of illustration but not by way of limitation, the following boards,  
4           commissions, authorities, and institutions are units of State government:  
5           a. ~~The State Marketing Authority established by G.S. 106-529.~~  
6           b. The Board of Governors of the University of North Carolina  
7           incorporated under the provisions of G.S. 116-3 and known as "The  
8           University of North Carolina."  
9           c. The North Carolina Museum of Art made an agency of the State under  
10          G.S. 140-5.12."

11  
12 **EFFECTIVE DATE**

13           **SECTION 26.** Except as otherwise provided, this act is effective when it becomes  
14 law.