

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 126

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

S126-ARN-23 [v.2]

Page 1 of 5

Amends Title [NO]
Third Edition

Date _____, 2021

Representative Hurley

1 moves to amend the bill on page 10, lines 10-11, by inserting the following between those lines:
2

3 **"NORTH CAROLINA GLOBAL TRANSPARK AUTHORITY**

4 **SECTION 25.1** G.S. 63A-3(b) reads as rewritten:

5 "(b) Board of Directors. – The Authority shall be governed by a Board of Directors. The
6 Board shall consist of at least the following 20 members:

7 (1) Six members appointed by the Governor. One member shall be representative
8 of the economic development industry, two members shall be representative
9 of the commercial real estate development industry, two members shall be
10 representative of the banking and finance industry, and one member shall be
11 representative of environmental interests. Of the Governor's six appointments,
12 at least one member shall come from each of the State's three regions:
13 Western, Piedmont, and Eastern.

14 (2) Three members appointed by the General Assembly upon the
15 recommendation of the Speaker of the House of Representatives in
16 accordance with G.S. 120-121. One member shall be representative of the
17 aerospace and aviation industry; one member shall be representative of
18 advanced manufacturing industries, and one member shall be representative
19 of the logistics and supply chain management industry.

20 (3) Three members appointed by the General Assembly upon the
21 recommendation of the President Pro Tempore of the Senate in accordance
22 with G.S. 120-121. One member shall be representative of the aerospace and
23 aviation industry, one member shall be representative of the emergency
24 response and disaster relief industries, and one member shall be representative
25 of the defense and security industry.

26 (4) The State Treasurer, who shall serve as an ex officio nonvoting member.

27 (5) The President of the North Carolina System of Community ~~Colleges~~, Colleges
28 or the President's designee, provided that the President of the North Carolina
29 Community Colleges may instead appoint to the Board of Directors one
30 member of the board of trustees of a community college or one president of a
31 community college. If such an appointment is made, the appointee shall serve
32 at the pleasure of the President.



* S 1 2 6 - A R N - 2 3 - V - 2 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 126

ADOPTED

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

S126-ARN-23 [v.2]

Page 2 of 5

- 1 (6) The President of The University of North ~~Carolina~~Carolina or the President's
2 designee, provided that the President of the University of North Carolina may
3 instead appoint to the Board of Directors one member of the board of trustees
4 of a constituent institution of The University of North Carolina, or one
5 chancellor of a constituent institution of The University of North Carolina. If
6 such an appointment is made, the appointee shall serve at the pleasure of the
7 President.
8 (7) The Chairman of the State Ports Authority.
9 (8) One member appointed by the board of county commissioners of any county
10 in which the cargo airport complex site is located.
11 (9) One member appointed by the city council of the city which is a county seat
12 of any county in which the cargo airport complex site is located.
13 (10) The Commissioner of ~~Agriculture~~Agriculture or the Commissioner's
14 designee.
15 (11) The Secretary of the Department of ~~Commerce~~Commerce or the Secretary's
16 designee.

17 Within 90 days after the Authority acquires land, either by purchase or condemnation, for
18 development as part of a cargo airport complex site, the board of county commissioners in any
19 county in which a portion of the land is located and the city council of the city which is the county
20 seat of the county shall, by resolution, each appoint a person to serve as a member of the Board.
21 If the board of commissioners or the city council appoints one of its own members to the Board,
22 the county commissioner or the member of the city council who is appointed is considered to be
23 serving on the Board as an ex officio voting member as part of the duties of the office of county
24 commissioner or the office of city council member, in accordance with G.S. 128-1.2, and is not
25 considered to be serving in a separate office. Notwithstanding G.S. 116-31(h), a member of the
26 board of trustees of a constituent institution of The University of North Carolina appointed to the
27 Board of Directors under subdivision (6) of this subsection may concurrently serve on the board
28 of trustees and the Board of Directors. Notwithstanding any other provision of law, the Governor
29 may serve on the Board of Directors by his own appointment on or after July 16, 1991, under
30 subdivision (1) of this subsection.

31 As the holder of an office, each member of the Board shall take the oath required by Article
32 VI, § 7 of the North Carolina Constitution before assuming the duties of a Board member."
33

34 **STATE BOARD OF COMMUNITY COLLEGES ELECTIONS CHANGES**

35 **SECTION 25.2.(a)** Article 1 of Chapter 115D of the General Statues is amended by
36 adding a new section to read:

37 "**§ 115D-2.2. State Board of Community Colleges.**

- 38 (a) The State Board of Community Colleges is established.
39 (b) The State Board of Community Colleges shall consist of 22 members, as follows:
40 (1) The Lieutenant Governor or the Lieutenant Governor's designee shall be a
41 member ex officio.
42 (2) The Treasurer of North Carolina or the Treasurer's designee shall be a member
43 ex officio.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 126

ADOPTED

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

S126-ARN-23 [v.2]

Page 3 of 5

- 1 (3) The Commissioner of Labor or the Commissioner's designee shall be a
2 member ex officio.
- 3 (4) The Governor shall appoint to the State Board four members from the State at
4 large and one member from each of the six Trustee Association Regions
5 defined in G.S. 115D-62. Each appointment by the Governor shall be for a
6 term of four years and until a successor is appointed and qualifies. Any
7 vacancy occurring among the Governor's appointees before the expiration of
8 term shall be filled by appointment of the Governor. The member appointed
9 to fill a vacancy shall meet the same residential qualification, if any, as the
10 vacating member and shall serve for the remainder of the unexpired term of
11 that member.
- 12 (5) The General Assembly shall elect eight members of the State Board from the
13 State at large to a term of four years and until a successor is elected and
14 qualifies. The Senate shall elect four members and the House of
15 Representatives shall elect four members in accordance with subsection (c) of
16 this section.
- 17 (6) The person serving as president of the North Carolina Comprehensive
18 Community College Student Government Association shall be an ex officio
19 member of the State Board. If the president of the Association is unable for
20 any reason to serve as the student member of the State Board, then pursuant
21 to the constitution of the Association, the vice-president of the Association
22 shall serve as the student member of the State Board. Any person serving as
23 the student member of the State Board must be a student in good standing at
24 a North Carolina community college. The student member of the State Board
25 shall have all the rights and privileges of membership, except that the student
26 member shall not have a vote.
- 27 (c) At each session of the General Assembly held in an odd-numbered year, the Senate
28 and the House of Representatives shall select from a slate of candidates made in each chamber.
29 The slate shall be prepared as provided by resolution in each chamber. If a sufficient number of
30 nominees who are legally qualified are submitted, then the slate of candidates shall list at least
31 twice the number of candidates for the total seats open. All qualified candidates shall compete
32 against all other qualified candidates. All candidates shall submit a statement of economic interest
33 to the State Ethics Commission for review under G.S. 138A-24.
- 34 (d) When a vacancy occurs among the members elected by the two chambers of the
35 General Assembly, the chamber that originally elected the vacating member shall elect a person
36 to fill the vacancy in the same manner as required for election under subsection (c) of this section
37 when the General Assembly next convenes. The election shall be for the remainder of the
38 unexpired term.
- 39 (e) Upon receipt of a referral from the State Ethics Commission in accordance with
40 G.S. 138A-12(m) concerning a member of the State Board of Community Colleges, the principal
41 clerk of the chamber of the General Assembly receiving the referral shall immediately refer the
42 matter to the committee selected pursuant to subsection (c) of this section. That committee may
43 recommend to that chamber a resolution providing for the removal of the Board member. If the

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 126

ADOPTED

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

S126-ARN-23 [v.2]

Page 4 of 5

1 committee's proposed resolution is adopted by a majority of the members present and voting of
2 that chamber, the public servant shall be removed, and the seat previously held by that Board
3 member becomes vacant.

4 (f) No person may be appointed or elected to more than two consecutive terms of four
5 years on the State Board. Election or appointment to a partial term to fill a vacancy does not
6 count toward the term limitation.

7 (g) No member of the General Assembly, no officer or employee of the State, and no
8 officer or employee of an institution under the jurisdiction of the State Board shall be eligible to
9 serve on the State Board. No spouse of a member of the General Assembly or of an officer or
10 employee of the Community College System or of an institution under the jurisdiction of the
11 State Board shall be eligible to serve on the State Board. No person who within the prior five
12 years has been an employee of the Community Colleges System Office shall be eligible to serve
13 on the State Board.

14 (h) At its first meeting after July 1 of each odd numbered year, the State Board shall elect
15 from its membership a chair and such other officers as it may deem necessary.

16 (i) The State Board of Community Colleges shall meet at stated times established by the
17 State Board, but not less frequently than 10 times a year. The State Board of Community Colleges
18 shall also meet with the State Board of Education and the Board of Governors of The University
19 of North Carolina at least once a year to discuss educational matters of mutual interest and to
20 recommend to the General Assembly such policies as are appropriate to encourage the
21 improvement of public education at every level in this State; these joint meetings shall be hosted
22 by the three Boards according to the schedule set out in G.S. 115C-11(b1). Special meetings of
23 the State Board may be set at any regular meeting or may be called by the chair. A majority of
24 the qualified members of the State Board shall constitute a quorum for the transaction of business.

25 (j) Whenever any vacancy shall occur in the appointed or elected membership of the
26 State Board, the chair shall inform the appropriate appointing or electing authority of the vacancy.

27 (k) The State Board of Community Colleges may declare vacant the office of an
28 appointed or elected member who does not attend three consecutive scheduled meetings without
29 justifiable excuse. The chair of the State Board shall notify the appropriate appointing or electing
30 authority of any vacancy."

31 **SECTION 25.2(b)** G.S. 115D-2.1 is repealed.

32 **SECTION 25.2.(c)** G.S. 138A-24(f) reads as rewritten:

33 "(f) The Commission shall prepare a written evaluation of each statement of economic
34 interest for nominees of the Board of Governors of The University of North Carolina elected
35 pursuant to G.S. 116-6, and nominees of the State Board of Community Colleges elected
36 pursuant to ~~G.S. 115D-2.1~~ G.S. 115D-2.2 within seven days of the submission of the completed
37 statement of economic interest to the Commission."

38 **SECTION 25.2.(d)** Notwithstanding G.S. 115D-2.2, as enacted by this act, the
39 following shall be the terms of office for members elected or appointed in 2021:

- 40 (1) The House of Representatives shall elect two members to six-year terms.
41 (2) The Senate shall elect two members to six-year terms.
42 (3) The Governor shall appoint four members to six-year terms.

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

Senate Bill 126

ADOPTED

AMENDMENT NO. A1

(to be filled in by
Principal Clerk)

S126-ARN-23 [v.2]

Page 5 of 5

1 **SECTION 25.2.(e)** Notwithstanding G.S. 115D-2.2, as enacted by this act, the
2 following shall be the terms of office for members elected or appointed in 2023:

3 (1) The House of Representatives shall elect one member to a two-year term.

4 (2) The Senate shall elect one member to a two-year term.

5 (3) The Governor shall appoint two members to two-year terms and one member
6 to a four-year term.

7 Upon the expiration of the terms elected and appointed in 2021 and 2023, all elections and
8 appointments shall be for four-year terms, as required by G.S. 115D-2.2, as enacted by this act.

9 **SECTION 25.2.(f)** This section is effective when it becomes law and applies
10 beginning with the election or appointment of members to the State Board of Community
11 Colleges to terms beginning on July 1, 2021."

12
13

SIGNED Pat Hurley
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
House Principal Clerk's Office**