

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 512

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

S512-ATU-14 [v.5]

Page 1 of 2

Amends Title [NO]  
First Edition

Date \_\_\_\_\_, 2023

Senator Rabon

1 moves to amend the bill on page 1, lines 16-20, by rewriting the lines to read:

2 "(a) The North Carolina Utilities Commission shall consist of ~~seven commissioners who~~  
3 ~~shall be~~ five commissioners who shall be appointed as follows: two by the Governor, one by the  
4 General Assembly, upon the recommendation of the Speaker of the House of Representatives in  
5 accordance with G.S. 120-121, one by the General Assembly, upon the recommendation of the  
6 President Pro Tempore of the Senate in accordance with G.S. 120-121, and one by the State";

7  
8 and on page 1, line 22, by deleting the phrase "July 1" and substituting the phrase "June 30";

9  
10 and on page 2, line 49, through page 3, line 19, by rewriting the lines to read:

11 "SECTION 1.(c) In order to decrease the number of commissioners to five, two of  
12 the three terms expiring on June 30, 2025, shall expire, and upon expiration, no additional  
13 appointments for those two terms shall be made.

14 SECTION 1.(d) Notwithstanding G.S. 62-10, as amended by this act, the terms of  
15 the commissioners now serving shall expire at the conclusion of the term for which they were  
16 appointed. Upon the expiration of the terms of the commissioners now serving, appointments to  
17 the Commission shall be made as follows:

- 18 (1) For the three terms expiring June 30, 2023, one commissioner shall be  
19 appointed by the Governor, one by the General Assembly, upon  
20 recommendation of the Speaker of the House of Representatives in  
21 accordance with G.S. 120-121, and one by the General Assembly, upon  
22 recommendation of the President Pro Tempore of the Senate in accordance  
23 with G.S. 120-121.  
24 (2) For one of the three terms expiring on June 30, 2025, one commissioner shall  
25 be appointed by the State Treasurer.  
26 (3) For the term expiring June 30, 2027, one commissioner shall be appointed by  
27 the Governor.";

28  
29 and on page 4, line 2, by deleting the line;

30  
31 and on page 6, line 48, by deleting the line;



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Page 2 of 2

1 and on page 8, lines 7-10, by rewriting the lines to read:

2 "Representatives in accordance with G.S. 120-121. Each highway division  
3 shall have at least one voting member that is a resident of that highway  
4 division appointed by either the President Pro Tempore of the Senate or the  
5 Speaker of the House of Representatives. The Governor shall appoint six at-  
6 large voting members. No more than three voting members may reside in the  
7 same highway division."

8  
9 and on page 12, line 9, by rewriting the line to read:

10 "SECTION 7.1.(c) G.S. 143-242 reads as rewritten:

11 "§ 143-242. Vacancies by death, resignation or otherwise.

12 Appointments to fill vacancies of gubernatorial appointees on the Commission occurring by  
13 reason of death, disability, resignation or otherwise shall be made by the Governor for the balance  
14 of the unexpired terms by appointment of a member from the State at large, or from the  
15 appropriate district in accordance with the procedure set out in G.S. 143-241. Appointments to  
16 fill vacancies of those members of the Commission appointed by the General Assembly shall be  
17 made under G.S. 120-122. Appointments to fill vacancies of members of the Commission  
18 appointed by the Commissioner of Agriculture shall be made by the Commissioner of Agriculture  
19 for the balance of the unexpired terms by appointment of a member from the State at large in  
20 accordance with the procedure set out in G.S. 143-241. The Governor shall have the power to  
21 remove any member of the Commission from office for misfeasance, malfeasance or  
22 nonfeasance."

23 SECTION 7.1.(d) Subsections (b) and (c) of this section become effective June 30,  
24 2025.";

25  
26 and on page 16, lines 1-2, by rewriting the lines to read:

27 "SECTION 10.2. Except as otherwise provided, this act is effective when it becomes  
28 law."

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

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