

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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**HOUSE BILL 358
Committee Substitute Favorable 3/19/09**

Short Title: Clarify Consecutive Terms - Aging & Child Com.

(Public)

Sponsors:

Referred to:

March 3, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY APPOINTMENT TO CONSECUTIVE TERMS ON THE NORTH
3 CAROLINA STUDY COMMISSION ON AGING AND THE LEGISLATIVE STUDY
4 COMMISSION ON CHILDREN AND YOUTH.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 120-182 reads as rewritten:

7 "**§ 120-182. Commission; membership.**

8 The Commission shall consist of 17 members, as follows:

- 9 (1) The Secretary of the Department of Health and Human Services or the
10 Secretary's delegate shall serve ex officio as a non-voting member;
11 (2) Eight shall be appointed by the Speaker of the House of Representatives,
12 five being members of the House of Representatives at the time of their
13 appointment, and at least two being planners for or providers of health,
14 mental health, or social services to older adults; and
15 (3) Eight shall be appointed by the President Pro Tempore of the Senate, five
16 being members of the Senate at the time of their appointment, and at least
17 two being planners for or providers of health, mental health, or social
18 services to older adults.

19 Any vacancy shall be filled by the appointing authority who made the initial appointment
20 and by a person having the same qualifications. All initial appointments shall be made within
21 one calendar month from the effective date of this Article. Members' terms shall last for two
22 years. ~~Members may be reappointed for two consecutive terms~~ Members may be appointed to a
23 maximum of three consecutive terms and may be appointed again after having been off the
24 Commission for two years."

25 **SECTION 2.** G.S. 120-217 reads as rewritten:

26 "**§ 120-217. Commission membership; terms; compensation.**

27 (a) The Commission shall consist of 26 members, as follows:

- 28 (1) Eleven members appointed by the Speaker of the House of Representatives,
29 among them:
30 a. Five shall be members of the House of Representatives at the time of
31 their appointment, of whom at least one shall also serve on the House
32 of Representatives Appropriations Subcommittee on Health and
33 Human Services, one of whom also serves on the Joint Legislative
34 Education Oversight Committee, one of whom also serves on the
35 Joint Legislative Oversight Committee on Mental Health,
36 Developmental Disabilities, and Substance Abuse Services, and one



- 1 of whom also serves on the House of Representatives Appropriations
2 Subcommittee on Justice and Public Safety,
- 3 b. One shall be the director of a local health department,
4 c. One shall be the director of a county department of social services,
5 d. One shall be the parent of a child who is at risk for behavioral, social,
6 health, or safety problems or academic failure,
7 e. One shall be a licensed physician who is knowledgeable about the
8 health needs of children and youth,
9 f. One shall be a chief district court judge recommended by the Council
10 of Chief District Judges, and
11 g. One shall be a representative from the Covenant with North Carolina
12 Children.
- 13 (2) Eleven members appointed by the President Pro Tempore of the Senate, as
14 follows:
- 15 a. Five shall be members of the Senate at the time of their appointment,
16 of whom at least one shall also serve on the Senate Appropriations
17 Committee on Health and Human Services, at least one of whom
18 shall also serve on the Joint Legislative Education Oversight
19 Committee, at least one of whom shall also serve on the Joint
20 Legislative Oversight Committee on Mental Health, Developmental
21 Disabilities, and Substance Abuse Services, and at least one of whom
22 also serves on the Senate Appropriations Committee on Justice and
23 Public Safety,
24 b. One shall be the director of a mental health area authority,
25 c. One shall be a representative of the Association of County
26 Commissioners,
27 d. One shall be a representative of a local board of education,
28 e. One shall be a licensed attorney whose practice includes the
29 representation of parents accused of criminal or civil abuse or
30 neglect,
31 f. One shall be a chief district court judge recommended by the Council
32 of Chief District Judges,
33 g. One shall be a representative from Action for Children of North
34 Carolina, and
35 h. One shall be a representative from the North Carolina Child Fatality
36 Task Force.
- 37 (3) The following shall serve ex officio as nonvoting members of the
38 Commission:
- 39 a. The Secretary of Health and Human Services, or the Secretary's
40 designee,
41 b. The State Superintendent of Public Instruction, or the
42 Superintendent's designee,
43 c. The Secretary of Administration, or the Secretary's designee, and
44 d. The Director of the Administrative Office of the Courts, or the
45 Director's designee.
- 46 (b) Any vacancy shall be filled by the appointing authority who made the initial
47 appointment and by a person having the same qualification. Members' terms shall last for two
48 years. ~~Members may be reappointed for two consecutive terms~~ Members may be appointed to a
49 maximum of three consecutive terms and may be appointed again after having been off the
50 Commission for two years.

1 (c) Commission members shall receive no salary as a result of serving on the
2 Commission and the Task Force on the Coordination of Children's Services but shall receive
3 necessary subsistence and travel expenses in accordance with G.S. 120-3.1, 138-5, and 138-6,
4 as applicable."

5 **SECTION 3.** This act is effective when it becomes law.