

NORTH CAROLINA GENERAL ASSEMBLY
1963 SESSION

CHAPTER 247
HOUSE BILL 157

AN ACT AMENDING G. S. 108-11 RELATING TO COUNTY BOARDS OF
PUBLIC WELFARE.

The General Assembly of North Carolina do enact:

Section 1. G. S. 108-11, as the same appears in the 1961 Cumulative Supplement to Volume 3A of the General Statutes, is hereby amended by adding thereto a new paragraph, immediately following the first paragraph, which new paragraph shall read as follows:

"The board of county commissioners of any county is hereby authorized at any time to increase the size of the county welfare board from three (3) members to five (5) members. The decision to increase the county welfare board shall be reported immediately to the State Board of Public Welfare. In the event that the county welfare board is increased to five (5) members, the said five (5) members shall be appointed as follows: The board of county commissioners shall appoint two (2) members, one or both of whom may be a member or members of the board of county commissioners to serve as ex officio members of the county welfare board with the same powers and duties as the other members, or the commissioners may appoint one or both members to the county welfare board from persons other than their own membership; the State Board of Public Welfare shall appoint two (2) members; and the four (4) members so appointed shall select a fifth member. In the event the four (4) members thus appointed are unable to agree upon the selection of the fifth member, such fifth member shall be appointed by the Senior Resident Superior Court Judge of the district in which the county is situated."

Sec. 2. The third paragraph of G. S. 108-11, as the same appears in the 1961 Cumulative Supplement to Volume 3A of the General Statutes, is hereby repealed, and the following two paragraphs are substituted in lieu thereof:

"In the event that the county welfare board is composed of three (3) members, the term of the member appointed by the State Board of Public Welfare shall expire on June 30, 1963, and triennially thereafter; the term of the member appointed by the county commissioners shall expire on June 30, 1965, and triennially thereafter; and the term of the third member shall expire on June 30, 1964, and triennially thereafter. In the event that the county welfare board is increased to five (5) members, the State Board of Public Welfare shall appoint an additional member for a term expiring simultaneously with the term of the existing member appointed by the county commissioners, and the county commissioners shall appoint an additional member for a term expiring simultaneously with the term of the existing member appointed by the State Board of Public Welfare;

thereafter all appointments shall be for three (3) years upon the expiration of the term of any member. It is the intent of this provision relating to five-member boards to provide for the appointment of one (1) member by the board of county commissioners and one (1) member by the State Board of Public Welfare in each year except for every third year, when the fifth member is appointed.

"In the event that a board of county commissioners, after having increased the county welfare board to five (5) members, desires to return to a three-member board, it may do so effective on July 1 next following the decision to reduce the size of the board to three (3) members. On the said July 1, the terms of one (1) member appointed by the State Board of Public Welfare and one (1) member appointed by the county commissioners shall thereupon cease. The term of the member appointed by the State Board whose term would have expired on June 30, 1965, or triennially thereafter, shall thereupon cease; and the term of the member appointed by the county commissioners whose term would have expired on June 30, 1966, or triennially thereafter, shall thereupon cease. Thereafter the terms of the three (3) remaining members shall expire as provided in the first sentence of the preceding paragraph."

Sec. 2½. The provisions of this Act shall not apply to Cabarrus County, Pender, Gaston, Columbus, Alexander, Chatham, Burke, Watauga Counties.

Sec. 2½ A. Nothing in this Act shall affect pending litigations.

Sec. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 4. This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 19th day of April, 1963.