

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 563
HOUSE BILL 439

AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE
RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF
REPRESENTATIVES.

Whereas, G.S. 120-121 authorizes the General Assembly to make certain appointments upon the recommendation of the Speaker of the House of Representatives; and

Whereas, the Speaker of the House of Representatives has made recommendations; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Charles P. Farris of Wilson County is appointed to the North Carolina Criminal Justice Education and Training Standards Commission for a two-year term to expire on June 30, 1995, pursuant to G.S. 17C-3.

Sec. 2. Joseph Stevenson of Brunswick County is appointed to the North Carolina State Ports Authority for a term to expire on June 30, 1995.

Sec. 3. Charles D. Watts of Durham County and Lois Artis of Durham County are appointed to the North Carolina School of Science and Mathematics Board of Trustees, each for a term to expire on June 30, 1995.

Sec. 4. Jim R. Lowery of Robeson County is appointed to the State Commission on Indian Affairs for a term to expire on June 30, 1995.

Sec. 5. Marydell R. Bright of Alamance County is appointed to the North Carolina Teaching Fellows Commission for a term to expire on June 30, 1997.

Sec. 6. Susan L. Allen of Wake County is appointed to the North Carolina Wildlife Resources Commission for a term to expire on April 23, 1995.

Sec. 7. George C. Cunningham of Wilkes County is appointed to the Property Tax Commission for a term to expire on June 30, 1995.

Sec. 8. Robert Burford of Wake County is appointed to the Board of Transportation for a term to expire on June 30, 1995.

Sec. 9. Chrystle Swain of Durham County and Bradley Thompson of Wake County are appointed to the Board of the North Carolina Agency for Public Telecommunications, each for a term to expire on June 30, 1995.

Sec. 10. Dr. William T. Fletcher of Durham County is appointed to the North Carolina Board of Science and Technology for a term to expire on June 30, 1995.

Sec. 11. Thomas W. Bradshaw of Wake County and Gordon S. Myers of Buncombe County are appointed to the Board of Directors of the North Carolina Air

Cargo Airport Authority for terms expiring June 30, 1995. Roger A. McLean of Pasquotank County is appointed to the Board of Directors of the North Carolina Air Cargo Airport Authority for a term expiring June 30, 1997.

Sec. 12. Unless otherwise provided, appointments made by this act are for terms commencing upon ratification.

Sec. 13. G.S. 120-122 reads as rewritten:

"§ 120-122. Vacancies in legislative appointments.

When a vacancy occurs, other than by the expiration of term, in any office subject to appointment by the General Assembly upon the recommendation of the Speaker of the House of Representatives, upon the recommendation of the President Pro Tempore of the Senate, or upon the recommendation of the President of the Senate, and the vacancy occurs either: (i) after election of the General Assembly but before convening of the regular session; (ii) when the General Assembly has adjourned to a date certain, which date is more than ~~40~~20 days after the date of adjournment; or (iii) after sine die adjournment of the regular session, then the Governor may appoint a person to serve until the expiration of the term or until the General Assembly fills the vacancy, whichever occurs first. The General Assembly may fill the vacancy in accordance with G.S. 120-121 during a regular or extra session. Before making an appointment, the Governor shall consult the officer who recommended the original appointment to the General Assembly (the Speaker of the House of Representatives, the President Pro Tempore of the Senate, or the President of the Senate), and ask for a written recommendation. After receiving the written recommendation, the Governor must within 30 days either appoint the person recommended or inform the officer who made the recommendation that he is rejecting the recommendation. Failure to act within 30 days as required under the provisions of the preceding sentence shall be deemed to be approval of the candidate, and the candidate shall be eligible to enter the office in as full and ample extent as if the Governor had executed the appointment. The Governor ~~may~~ shall not appoint a person other than the person so recommended. Any ~~positions~~ position subject to initial appointment by the ~~1981~~ General Assembly but not filled prior to sine die adjournment of the ~~1981~~ Session at which the position was created or adjournment to a date certain which date is more than 20 days after the date of adjournment of the session at which the position was created may be filled by the Governor under this section as if it were a vacancy occurring after the General Assembly had made an appointment."

Sec. 14. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 24th day of July, 1993.

Marc Basnight
President Pro Tempore of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives