

- 1 a. The Governor, the Chief Justice of the Supreme Court of North
2 Carolina (or his alternate), the Attorney General, the Director of
3 the Administrative Office of the Courts, the Secretary of the
4 Department of Health and Human Services, the Secretary of the
5 Department of Correction, the Secretary of the Department of
6 Juvenile Justice and Delinquency Prevention, and the
7 Superintendent of Public Instruction;
- 8 b. A judge of superior court, a judge of district court specializing
9 in juvenile matters, a chief district court judge, a clerk of
10 superior court, and a district attorney;
- 11 c. A defense attorney, three sheriffs (one of whom shall be from a
12 "high crime area"), three police executives (one of whom shall
13 be from a "high crime area"), six citizens (two with knowledge
14 of juvenile delinquency and the public school system, two of
15 whom shall be under the age of 21 at the time of their
16 appointment, one representative of a "private juvenile
17 delinquency program," and one in the discretion of the
18 Governor), three county commissioners or county officials, and
19 three mayors or municipal officials;
- 20 d. Two members of the North Carolina House of Representatives
21 and two members of the North Carolina Senate.
- 22 (2) The nonvoting members shall be the Director of the State Bureau of
23 Investigation, the Secretary of the Department of Crime Control and
24 Public Safety, the Assistant ~~Director~~Secretary of the
25 Intervention/Prevention ~~Division~~ of the Department of Juvenile Justice
26 and Delinquency Prevention, the Assistant ~~Director~~Secretary of the
27 ~~Detention Division~~Youth Development of the Department of Juvenile
28 Justice and Delinquency Prevention, the Director of the Division of
29 Prisons and the Director of the Division of Adult Probation and
30 Paroles.
- 31 (b) The membership of the Commission shall be selected as follows:
- 32 (1) The following members shall serve by virtue of their office: the
33 Governor, the Chief Justice of the Supreme Court, the Attorney
34 General, the Director of the Administrative Office of the Courts, the
35 Secretary of the Department of Health and Human Services, the
36 Secretary of the Department of Correction, the Director of the State
37 Bureau of Investigation, the Secretary of the Department of Crime
38 Control and Public Safety, the Director of the Division of Prisons, the
39 Director of the Division of Adult Probation and Parole, the Secretary
40 of the Department of Juvenile Justice and Delinquency Prevention, the
41 Assistant ~~Director~~Secretary of the Intervention/Prevention ~~Division~~
42 of the Department of Juvenile Justice and Delinquency Prevention, the
43 Assistant ~~Director~~Secretary of the ~~Detention Division~~Youth

1 Development of the Department of Juvenile Justice and Delinquency
2 Prevention, and the Superintendent of Public Instruction. Should the
3 Chief Justice of the Supreme Court choose not to serve, his alternate
4 shall be selected by the Governor from a list submitted by the Chief
5 Justice which list must contain no less than three nominees from the
6 membership of the Supreme Court.

7 (2) The following members shall be appointed by the Governor: the
8 district attorney, the defense attorney, the three sheriffs, the three
9 police executives, the six citizens, the three county commissioners or
10 county officials, the three mayors or municipal officials.

11 (3) The following members shall be appointed by the Governor from a list
12 submitted by the Chief Justice of the Supreme Court, which list shall
13 contain no less than three nominees for each position and which list
14 must be submitted within 30 days after the occurrence of any vacancy
15 in the judicial membership: the judge of superior court, the clerk of
16 superior court, the judge of district court specializing in juvenile
17 matters, and the chief district court judge.

18 (4) The two members of the House of Representatives provided by
19 subdivision (a)(1)d. of this section shall be appointed by the Speaker
20 of the House of Representatives and the two members of the Senate
21 provided by subdivision (a)(1)d. of this section shall be appointed by
22 the President Pro Tempore of the Senate. These members shall
23 perform the advisory review of the State plan for the General
24 Assembly as permitted by section 206 of the Crime Control Act of
25 1976 (Public Law 94-503).

26 (5) The Governor may serve as chairman, designating a vice-chairman to
27 serve at his pleasure, or he may designate a chairman and
28 vice-chairman both of whom shall serve at his pleasure.

29 (c) The initial members of the Commission shall be those appointed under
30 subsection (b) above, which appointments shall be made by March 1, 1977. The terms
31 of the present members of the Governor's Commission on Law and Order shall expire
32 on February 28, 1977. Effective March 1, 1977, the Governor shall appoint members,
33 other than those serving by virtue of their office, to serve staggered terms; seven shall
34 be appointed for one-year terms, seven for two-year terms, and seven for three-year
35 terms. At the end of their respective terms of office their successors shall be appointed
36 for terms of three years and until their successors are appointed and qualified. The
37 Commission members from the House and Senate shall serve two-year terms effective
38 March 1, of each odd-numbered year; and they shall not be disqualified from
39 Commission membership because of failure to seek or attain reelection to the General
40 Assembly, but resignation or removal from office as a member of the General Assembly
41 shall constitute resignation or removal from the Commission. Any other Commission
42 member no longer serving in the office from which he qualified for appointment shall
43 be disqualified from membership on the Commission. Any appointment to fill a

1 vacancy on the Commission created by the resignation, dismissal, death, disability, or
2 disqualification of a member shall be for the balance of the unexpired term.

3 (d) The Governor shall have the power to remove any member from the
4 Commission for misfeasance, malfeasance or nonfeasance.

5 (e) The Commission shall meet quarterly and at other times at the call of the
6 chairman or upon written request of at least eight of the members. A majority of the
7 voting members shall constitute a quorum for the transaction of business."

8 **SECTION 7.** G.S. 143B-264 reads as rewritten:

9 "**§ 143B-264. Department of Correction – organization.**

10 The Department of Correction shall be organized initially to include the
11 Post-Release Supervision and Parole Commission, the Board of Correction, the Division
12 of Prisons, ~~the Division of Youth Development~~, the Division of Adult Probation and
13 Parole, and such other divisions as may be established under the provisions of the
14 Executive Organization Act of 1973.

15 The Department shall establish a Substance Abuse Program. All substance abuse
16 programs established or in existence shall be administered by the Department of
17 Correction under the Substance Abuse Program."

18 **SECTION 8.** G.S. 148-26(f) reads as rewritten:

19 "(f) Adult inmates of the State prison system shall be prohibited from working at
20 or being on the premises of any schools or institutions operated or administered by the
21 ~~State Division of Youth Development~~. Youth Development Division of the Department
22 of Juvenile Justice and Delinquency Prevention."

23 **SECTION 9.** This act is effective when it becomes law.