

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**SENATE BILL 1244\***

Short Title: SBOE Members Ex Officio to Econ. Dev. Comm. (Public)

Sponsors: Senators Swindell, Foriest and Brown.

Referred to: Education/Higher Education.

May 20, 2010

A BILL TO BE ENTITLED

AN ACT TO ADD STATE BOARD OF EDUCATION MEMBERS AS NONVOTING EX OFFICIO MEMBERS OF THE COMMISSION FOR EACH OF THE SEVEN ECONOMIC DEVELOPMENT REGIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 158-8.1 reads as rewritten:

"§ 158-8.1. **Creation of Western North Carolina Regional Economic Development Commission.**

(a) There is created the Western North Carolina Regional Economic Development Commission to serve Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Polk, Rutherford, Swain, Transylvania, and Yancey Counties, and any other county assigned to the Commission by the Department of Commerce as authorized by law. The Commission shall be located administratively in the Department of Commerce but shall exercise its statutory powers and duties independently of the Department of Commerce. Funds appropriated for the Commission by the General Assembly shall be disbursed directly to the Commission at the beginning of each fiscal year.

(b) The Commission shall consist of 19 members appointed as follows:

- (1) Three members shall be appointed by the Governor;
- (2) Two members shall be appointed by the Lieutenant Governor;
- (3) Seven members shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121; and
- (4) Seven members shall be appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121.

(b1) The members of the State Board of Education appointed to represent the seventh and eighth education districts shall serve as nonvoting ex officio members of the Commission.

..."

**SECTION 2.** G.S. 158-8.2(b) reads as rewritten:

"§ 158-8.2. **Creation of North Carolina's Northeast Commission.**

(a) There is created the North Carolina's Northeast Commission to facilitate economic development in Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Gates, Halifax, Hertford, Hyde, Martin, Northampton, Pasquotank, Perquimans, Tyrrell, and Washington Counties, and any other county assigned to the Commission by the Department of Commerce as authorized by law. The Commission shall be located administratively in the Department of Commerce but



1 shall exercise its statutory powers and duties independently of the Department of Commerce.  
2 Funds appropriated for the Commission by the General Assembly shall be disbursed directly to  
3 the Commission at the beginning of each fiscal year.

4 (b) The Commission shall consist of 18 appointed members and one ex officio member,  
5 as provided below. Each appointed member shall be an experienced business person who  
6 resides for most of the year in one or more of the counties that are members of the  
7 Commission.

8 (1) Six members shall be appointed by the Governor.

9 (2) Six members shall be appointed by the General Assembly upon the  
10 recommendation of the President Pro Tempore of the Senate in accordance  
11 with G.S. 120-121.

12 (3) Six members shall be appointed by the General Assembly upon the  
13 recommendation of the Speaker of the House of Representatives in  
14 accordance with G.S. 120-121.

15 (4) The Secretary of Commerce, or a designee.

16 (5) Repealed by Session Laws 1999-237, s. 16.6(a).

17 Any person appointed to the Commission who is also a county commissioner may hold that  
18 office in addition to the offices permitted by G.S. 128-1.1. The appointing authorities are  
19 encouraged to discuss and coordinate their appointments in an effort to ensure as many counties  
20 served by the Commission are represented among the membership of the Commission.

21 (b1) The member of the State Board of Education appointed to represent the first  
22 education district shall serve as a nonvoting ex officio member of the Commission.

23 ..."

24 **SECTION 3.** G.S. 158-8.3 reads as rewritten:

25 **"§ 158-8.3. Creation of Southeastern North Carolina Regional Economic Development**  
26 **Commission.**

27 (a) There is created the Southeastern North Carolina Regional Economic Development  
28 Commission to serve Bladen, Brunswick, Columbus, Cumberland, Hoke, New Hanover,  
29 Pender, Richmond, Robeson, Sampson, and Scotland Counties, and any other county assigned  
30 to the Commission by the Department of Commerce as authorized by law. The Commission  
31 shall be located administratively in the Department of Commerce but shall exercise its statutory  
32 powers and duties independently of the Department of Commerce. Funds appropriated for the  
33 Commission by the General Assembly shall be disbursed directly to the Commission at the  
34 beginning of each fiscal year.

35 (b) The Commission shall consist of 15 members appointed as follows:

36 (1) Three members shall be appointed by the Governor;

37 (2) Two members shall be appointed by the Lieutenant Governor;

38 (3) Five members shall be appointed by the General Assembly upon the  
39 recommendation of the Speaker of the House of Representatives in  
40 accordance with G.S. 120-121; and

41 (4) Five members shall be appointed by the General Assembly upon the  
42 recommendation of the President Pro Tempore of the Senate in accordance  
43 with G.S. 120-121.

44 (b1) The member of the State Board of Education appointed to represent the fourth  
45 education district shall serve as a nonvoting ex officio member of the Commission.

46 ..."

47 **SECTION 4.** Article 2 of Chapter 158 of the General Statutes is amended by  
48 adding a new section to read:

49 **"§ 158-8.4A. State Board of Education Members as Ex Officio Commission Members.**

1 As a condition on the receipt of State funds, the member of the State Board of Education  
2 appointed to represent the designated education district shall serve as a member of the  
3 following Commissions:

4 (a) Charlotte Regional Partnership, Inc. – The State Board of Education member  
5 appointed to represent the sixth education district shall serve as a nonvoting ex officio member  
6 of the Commission.

7 (b) Piedmont Triad Regional Partnership. – The State Board of Education member  
8 appointed to represent the fifth education district shall serve as a nonvoting ex officio member  
9 of the Commission.

10 (c) Research Triangle Regional Partnership. – The State Board of Education member  
11 appointed to represent the third education district shall serve as a nonvoting ex officio member  
12 of the Commission."

13 **SECTION 5.** G.S. 158-35 reads as rewritten:

14 "**§ 158-35. Commission membership, officers, compensation.**

15 (a) Commission Membership. – The governing body of the Region is the Commission.  
16 The members of the Commission must be residents of the Region and shall be appointed as  
17 follows:

18 (1) The board of commissioners of each county participating in the Region shall,  
19 in consultation with the county's local business community, appoint one  
20 member.

21 (2) (3) Repealed by Session Laws 2005-364, s. 1, effective October 1, 2005.

22 (4) The General Assembly shall appoint two members to the Commission on the  
23 recommendation of the Speaker of the House of Representatives and two  
24 members on the recommendation of the President Pro Tempore of the Senate  
25 in accordance with G.S. 120-121. The Governor shall appoint two members  
26 to the Commission. No two members appointed under this subdivision may  
27 be residents of the same county. The President Pro Tempore of the Senate,  
28 Speaker of the House of Representatives, and the Governor shall consult to  
29 assist in geographic diversity in those six appointments. In order to be  
30 eligible for appointment under this subdivision, a person must be a resident  
31 of the region. No person appointed under this subdivision is eligible to be  
32 chairperson or vice-chairperson.

33 (a1) Ex Officio Member. – The member of the State Board of Education appointed to  
34 represent the second education district shall serve as a nonvoting ex officio member of the  
35 Commission.

36 ..."

37 **SECTION 6.** This act is effective when it becomes law.