



SENATE BILL 126: Clean Up Obsolete Boards.

2021-2022 General Assembly

Committee:		Date:	June 29, 2021
Introduced by:	Sens. Sawyer, Perry	Prepared by:	Brad Krehely
Analysis of:	Fourth Edition		Staff Attorney

OVERVIEW: *Senate Bill 126 would abolish a number of boards and commissions and would make other changes to boards and commissions.*

BILL ANALYSIS:

Sections 1-17, 21, and 25 would abolish the following boards and commissions:

- The Board of Directors of the Certification Entity for the Phase II Settlement Funds.
- The North Carolina Agency for Public Telecommunications.
- The Board of Directors of the Charlotte Regional Partnership.
- The Commission on School Technology.
- The Data Integration Steering Committee.
- The Grants Management Oversight Committees.
- The Legislative Commission on Methamphetamine Abuse.
- The North Carolina Community Development Council.
- The North Carolina Farmworker Council.
- The Southern Growth Policies Board.
- The State Advisory Council on Employment Security.
- The State Suggestion Review Committee.
 - The functions of this Committee are reassigned to the Office of State Human Resources.
- The Statewide Portal Committee.
- The Wholesale Distributor Advisory Committee.
- The Motor Vehicle Dealers' Advisory Board (effective June 30, 2023).
- The Blount Street Historic District Oversight Committee.
- The Permanency Innovation Initiative Oversight Committee.
- The State Marketing Authority.

Section 18.(a) would amend the statutes governing the Board of Trustees of the North Carolina School of Science and Mathematics. Under current law, three members of the Board serve ex officio and are the chief academic officers of constituent institutions and one member of the Board serves ex officio and is the chief academic officer of a college or university in North Carolina other than a constituent institution. Section 18 would allow the designees of the chief academic officers to serve on the Board.

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Section 18.(b) would clarify that the office of a member who serves ex officio will not be declared vacant so long as the member or the member's designee complies with attendance requirements.

Section 19

Under current law, the Criminal Justice Information Network Board (CJIN) Board is established within the North Carolina Department of Information Technology (NC DIT) and is responsible for providing governmental and technical systems infrastructure for the sharing of criminal justice and juvenile information among law enforcement, judicial, and correctional agencies. The Chief Information Officer (CIO) of NC DIT is responsible for supervising and supporting operational functions of the Board; however, the Board exercises all of its statutory authority independent of the CIO. NC DIT must include within its budget information technology cost and anticipated expenditures of the Board. G.S. 143B-1322; G.S. 143B-1391. CJIN staff members are authorized to provide the Board with professional and clerical assistance and any additional support the Board needs to fulfill its mandate. G.S. 143B-1394.

Section 19 would authorize the CJIN Board to do all of the following:

- Exercise administrative control over the transportation and subsistence budget established by the Board and appropriated by the General Assembly.
- Establish qualifications, classification, and salary levels for Board employees.
- Determine methods for screening, interviewing, hiring, and managing Board employees.
- Authorize NC DIT to provide technical assistance to the Board upon the Board's request.

This section also would amend the powers and duties of the State CIO to provide that the State CIO does not have the duty to "supervise and support" operations of the CJIN.

Section 20.(a) would clarify that a quorum of the Joint Legislative Commission on Governmental Operations must be a majority of its members.

Section 20.(b) would permit the cochairs of the Joint Legislative Commission on Governmental Operations to designate subcommittees and appoint members to subcommittees. A member of the House of Representatives or Senate may be appointed to a subcommittee, even if the member has not been appointed to the full Commission. The remainder of this section addresses other components of subcommittees, including calling of meetings, quorum, use of staff, receipt of subsistence and travel, and dissolution of subcommittees.

Section 22 would provide staggered terms for members for the North Carolina Board of Science Technology and Innovation. Part II of S.L. 2014-18 amended G.S. 143B-472.81(a) to increase the membership of this Board, but did not make conforming changes to subsection (b) dealing with the terms of office. Section 22 would amend G.S. 143B-472.81(b) to clarify when members' terms end and to stagger the terms. This section would be effective when the bill becomes law and would apply to members serving on the Board as of that date and thereafter.

Section 23 would clarify that a member of the North Carolina Board of Massage and Bodywork Therapy cannot be appointed to serve more than two consecutive full terms.

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Section 24 would add a total of four statutory members to the NCWorks Commission to maintain compliance with federal requirements, including:

- Two additional ex officio members:
 - The State official with primary responsibility for Adult Education and Family Literacy.
 - The State official with primary responsibility for Vocational Rehabilitation or Services for the Blind.
- Two additional gubernatorial appointees representing business and industry in the State. The initial terms of these two appointees would end on October 31, 2021.

The provisions in Section 24 were originally in House Bill 64-NCWorks Commission Membership Modification, an agency bill for the Department of Commerce, that passed Second and Third Readings unanimously in the House of Representatives on April 14, 2021.

Section 25.1 would allow certain appointed members of the NC Global Transpark Authority to name designees to serve in their place.

Section 25.2 would make the following changes to the State Board of Community Colleges:

- Adds the Commissioner of Labor or the Commissioner's designee to the Board, increasing the number of members from 21 to 22.
- Shortens the terms of office from 6 years to 4 years for all elected and appointed members.
- Utilizes a process similar to the Board of Governor's election process by requiring each chamber to select from a slate of candidates. No longer requires a joint election date between the Senate and House.
- Clarifies that vacancies will be filled in the same manner as the election process and that vacancy terms do not count toward the prohibition on serving more than two consecutive terms.
- Recreates the stagger of terms with the shorter term length. Terms will be as follows:
 - For members elected or appointed in 2021: 6-year terms
 - For members elected by the House and Senate in 2023: 2-year terms
 - For members appointed by the Governor in 2023: two 2-year terms, one 4-year term
 - For members elected or appointed after 2023: 4-year terms

EFFECTIVE DATE: Except as otherwise provided, the act would be effective when it becomes law.

*Chris Saunders, Jessica Sammons, Howard Marsilio, and Samantha Yarborough, Staff Attorneys for the Legislative Analysis Division, contributed to the drafting of this summary.