



SENATE BILL 126: Clean Up Obsolete Boards.

2021-2022 General Assembly

Committee:		Date:	February 2, 2022
Introduced by:		Prepared by:	Brad Krehely Staff Attorney
Analysis of:	S.L. 2021-90		

OVERVIEW: *S.L. 2021-90 abolishes a number of boards and commissions and makes other changes to boards and commissions. The act has various effective dates. Please see the full summary for more information.*

BILL ANALYSIS:

Sections 1-17, 21, and 25 abolishes 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) amends 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 allows the designees of the chief academic officers to serve on the Board.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578

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Section 18.(b) clarifies 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 20.(a) clarifies that a quorum of the Joint Legislative Commission on Governmental Operations must be a majority of its members.

Section 20.(b) permits 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 provides 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 amends G.S. 143B-472.81(b) to clarify when members' terms end and to stagger the terms. This section became effective July 22, 2021, and applies to members serving on the Board as of that date and thereafter.

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

Section 24 adds 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 ends on October 31, 2021.

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

Section 25.2 makes 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 Governors' 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 are 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

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- 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

This section became effective July 22, 2021, and applies beginning with the election or appointment of members of the State Board of Community Colleges to terms beginning July 1, 2021.

EFFECTIVE DATE: Except as otherwise provided, the act became effective July 22, 2021.

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