

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 567

Short Title: Mountain Resources Comm'n/Staggered Terms. (Public)

Sponsors: Representatives McGrady and Rapp (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Government.

March 31, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE MOUNTAIN RESOURCES
3 COMMISSION ESTABLISHED BY CHAPTER 153B OF THE GENERAL STATUTES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 153B-3 reads as rewritten:

6 "**§ 153B-3. Mountain Resources Commission.**

7 ...

8 (d) ~~Membership.~~Membership; Terms. – The Commission shall consist of 17 ~~members~~
9 members, who shall serve staggered terms. The initial Commission shall be appointed as
10 follows:follows, with all terms commencing on September 1, 2009:

11 (1) Two representatives from the public at large who are residents of the
12 mountain region of Western North Carolina appointed by the Speaker of the
13 House of ~~Representatives.~~Representatives, one to serve a two-year term and
14 one to serve a four-year term.

15 (2) Two representatives from the public at large who are residents of the
16 mountain region of Western North Carolina appointed by the President Pro
17 Tempore of the ~~Senate.~~Senate, one to serve a three-year term and one to
18 serve a five-year term.

19 (3) Six representatives from the public at large who are residents of the
20 mountain region of Western North Carolina appointed by the Governor,
21 including:

22 a. Four who shall at the time of appointment be actively connected with
23 or have experience in local government within the mountain region
24 of Western North ~~Carolina.~~Carolina, two to serve a two-year term,
25 and two to serve a four-year term.

26 b. One who shall at the time of appointment be actively associated with
27 a land trust organization working in Western North ~~Carolina.~~Carolina,
28 to serve a five-year term.

29 c. One who shall at the time of appointment have experience in tourism
30 or tourism development in the mountain region of Western North
31 ~~Carolina.~~Carolina, to serve a three-year term.

32 (4) One member to represent the Western North Carolina Public Lands
33 ~~Council.~~Council, to serve a five-year term.

34 (5) Five members to represent each of the following regional councils of
35 government as appointed by those councils: the Southwestern North



1 Carolina Planning and Economic Development Commission, the Isothermal
2 Planning and Development Commission, the High Country Council of
3 Governments, the Western Piedmont Council of Governments, and the Land
4 of Sky Regional ~~Council~~Council, to serve terms of two, three, three, four,
5 and five years, respectively.

- 6 (6) One representative appointed by the board of the Blue Ridge National
7 Heritage ~~Area~~Area, to serve a two-year term.

8 Upon the expiration of the terms of the initial Commission members, each position on the
9 Commission shall be appointed by the appointing authorities designated in subdivisions (1)
10 through (6) of this subsection for a four-year term. Members may serve no more than two full
11 terms consecutively. Upon the expiration of their terms, Commission members shall serve until
12 a successor is appointed and qualified. Any vacancy on the Commission shall be filled by the
13 original appointing authority for the remainder of the unexpired term.

14 (d1) ~~Officers; Terms; Officers; Quorum.~~ – The members of the Commission shall elect a
15 chair, vice-chair, and any other officers they consider necessary and shall determine the length
16 of the term of office, not to exceed two years, of each officer. A majority of the Commission
17 shall constitute a quorum. ~~Each member appointed to the Commission shall be appointed to~~
18 ~~serve a four year term. Any vacancy on the Commission shall be filled by the original~~
19 ~~appointing authority for the remainder of the unexpired term. Initial terms commence~~
20 ~~September 1, 2009.~~

21 (e) Salary; Expenses. – Members of the Commission shall receive no salary for their
22 service on the Commission but may receive per diem, subsistence, and travel allowances in
23 accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate. All expenses shall be paid from
24 funds available to the Commission through the Mountain Area Resources Fund, but no
25 expenses shall be paid if the Mountain Area Resources Fund lacks the necessary funds.

26"

27 **SECTION 2.** This act is effective when it becomes law.