

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

HOUSE BILL 567  
RATIFIED BILL

AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE MOUNTAIN RESOURCES  
COMMISSION ESTABLISHED BY CHAPTER 153B OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

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

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

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

- (1) ~~Two representatives from the public at large who are residents of the mountain region of Western North Carolina appointed by the Speaker of the House of Representatives.~~ Two representatives from the public at large who are residents of the mountain region of Western North Carolina appointed by the Speaker of the House of Representatives, one to serve a two-year term and one to serve a four-year term.
- (2) ~~Two representatives from the public at large who are residents of the mountain region of Western North Carolina appointed by the President Pro Tempore of the Senate.~~ Two representatives from the public at large who are residents of the mountain region of Western North Carolina appointed by the President Pro Tempore of the Senate, one to serve a three-year term and one to serve a five-year term.
- (3) ~~Six representatives from the public at large who are residents of the mountain region of Western North Carolina appointed by the Governor, including:~~
  - a. ~~Four who shall at the time of appointment be actively connected with or have experience in local government within the mountain region of Western North Carolina, two to serve a two-year term, and two to serve a four-year term.~~ Four who shall at the time of appointment be actively connected with or have experience in local government within the mountain region of Western North Carolina, two to serve a two-year term, and two to serve a four-year term.
  - b. ~~One who shall at the time of appointment be actively associated with a land trust organization working in Western North Carolina, to serve a five-year term.~~ One who shall at the time of appointment be actively associated with a land trust organization working in Western North Carolina, to serve a five-year term.
  - c. ~~One who shall at the time of appointment have experience in tourism or tourism development in the mountain region of Western North Carolina, to serve a three-year term.~~ One who shall at the time of appointment have experience in tourism or tourism development in the mountain region of Western North Carolina, to serve a three-year term.
- (4) ~~One member to represent the Western North Carolina Public Lands Council.~~ One member to represent the Western North Carolina Public Lands Council, to serve a five-year term.
- (5) ~~Five members to represent each of the following regional councils of government as appointed by those councils: the Southwestern North Carolina Planning and Economic Development Commission, the Isothermal Planning and Development Commission, the High Country Council of Governments, the Western Piedmont Council of Governments, and the Land of Sky Regional Council, to serve terms of two, three, three, four, and five years, respectively.~~ Five members to represent each of the following regional councils of government as appointed by those councils: the Southwestern North Carolina Planning and Economic Development Commission, the Isothermal Planning and Development Commission, the High Country Council of Governments, the Western Piedmont Council of Governments, and the Land of Sky Regional Council, to serve terms of two, three, three, four, and five years, respectively.
- (6) ~~One representative appointed by the board of the Blue Ridge National Heritage Area, to serve a two-year term.~~ One representative appointed by the board of the Blue Ridge National Heritage Area, to serve a two-year term.

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



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

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

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

In the General Assembly read three times and ratified this the 18<sup>th</sup> day of June, 2011.

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Philip E. Berger  
President Pro Tempore of the Senate

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Thom Tillis  
Speaker of the House of Representatives

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Beverly E. Perdue  
Governor

Approved \_\_\_\_\_, m. this \_\_\_\_\_ day of \_\_\_\_\_, 2011