NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 879
HOUSE BILL 1247

AN ACT TO FURTHER EFFECTUATE THE REORGANIZATION OF STATE GOVERNMENT.

The General Assembly of North Carolina enacts:

Section 1. There is hereby re-created and reconstituted the following principal State department to be known as the Department of Administration with the organization, powers and duties as hereinafter defined and as further defined in the Executive Organization Act of 1973.

DEPARTMENT OF ADMINISTRATION

Sec. 2. Department of Administration; creation. There is hereby re-created and reestablished a department to be known as the "Department of Administration," with the organization, powers, and duties defined in the Executive Organization Act of 1973.

Sec. 3. Duties of the Department. It shall be the duty of the Department of Administration to serve as a staff agency to the Governor and to provide for such ancillary services as the other departments of State government might need to insure efficient and effective operations.

Sec. 4. Functions of the Department of Administration. (a) The functions of the Department of Administration shall comprise, except as otherwise expressly provided by the Executive Organization Act of 1973 or by the Constitution of North Carolina, all functions of the executive branch of the State in relation to interdepartmental administration previously delineated and further including those prescribed powers, duties, functions, and responsibilities enumerated in Article 10 of Chapter 143 A of the General Statutes of North Carolina.

(b) All such functions, powers, duties and obligations heretofore vested in any agency enumerated in Article 10 of Chapter 143A of the General Statutes of North Carolina, are hereby transferred to and vested in the Department of Administration except as otherwise provided by the Executive Organization Act of 1973. They shall include, by way of extension and not limitation, the functions of (1) the Director of the Department of Administration, (2) the Systems Management Division, (3) the North Carolina Capital Planning Commission, (4) the State Youth Council and the Youth Advisory Board, (5) the North Carolina Human Relations Commission, (6) the North Carolina Commission on Interstate Cooperation, (7) the State Construction Finance Authority, (8) the Marine Science Council, (9) the Southern Interstate Nuclear Compact, and (10) the Council on the Status of Women. Also the functions shall comprise those specified for the Day-Care Licensing Board in Article 7 of Chapter 110 of the General Statutes, and the North Carolina Manpower Council in Article 29D of Chapter 143 of the General Statutes.

Sec. 5. Head of the Department. The Secretary of Administration shall be the head of the Department.

Sec. 6. Organization of the Department. The Department of Administration shall be organized initially to include the State Goals and Policy Board, the State Personnel Board, the North Carolina Capital Planning Commission, the Child Day-Care Licensing Commission, the North Carolina Drug Commission, the North Carolina Council on Interstate Cooperation, the State Youth Advisory Council, the North Carolina Marine Science Council, the North Carolina

Human Relations Council, the Council on the Status of Women, the North Carolina Manpower Council, the Standardization Committee, the Southern Interstate Nuclear Compact, the Division of State Budget and Management, the Division of State Planning, the Division of State Property and Construction, the Division of State Purchase and Contract, the Division of State Personnel, the Division of State Management Systems, the Division of State General Services, and such other divisions as may be established under the provisions of the Executive Organization Act of 1973.

Sec. 7. The State Goals and Policy Board; creation, powers, and duties. There is hereby created the State Goals and Policy Board of the Department of Administration. The State Goals and Policy Board shall have the following functions and duties:

(1) to express the needs and aspirations of North Carolina's citizens and identify the kind of future they want for themselves in the form of goals proposed for State action along with a suggested timetable within which these goals might reasonably be achieved;

(2) to study the resources and means of action available to State government and recommend policies to guide the State in using these resources and means to achieve State goals and suggest short-run goals, consistent with the long-run goals, that should receive priority consideration within a three to five-year frame;

(3) to evaluate the present structure and activities of State government and recommend improvements in management and communication so that the State may pursue its chosen goals in an efficient and well-coordinated manner;

(4) to identify areas of public interest where needs are urgent or present policies inadequate and recommend appropriate study and analysis to provide a basis for evaluating alternative courses of action;

(5) to inform the general public of the main problems facing the State and involve the citizenry in the study and debate of State goals and policy; and

(6) to submit a report to the Governor by November 30 of each year to guide him in preparing his "state of the State" message.

Members of the Board, who are not officers, or employees of the State, shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Board shall constitute a quorum for the transaction of business.

All clerical and other services required by the Board shall be supplied by the Secretary of Administration.

Sec. 8. State Goals and Policy Board; members, selection, quorum, compensation. The State Goals and Policy Board of the Department of Administration shall consist of 16 members, 15 of whom shall be appointed by the Governor and the Governor who shall himself serve as an ex officio member. The composition of the Board shall be citizens whose background, training, and experience qualify them to survey the whole range of State needs, to propose State goals, and to recommend ways for State government to achieve these goals.

The initial members of the State Goals and Policy Board shall be the members of the Council on State Goals and Policy who shall serve for a period equal to the remainder of their current terms on the Council on State Goals and Policy, five of whose appointments expire March 13, 1977, and five of whose appointments expire March 13, 1978, and five of whose appointments expire March 13, 1979. At the end of the respective terms of office of the initial members of the Board, the appointment of their successors shall be for terms of four years and until their successors are appointed and qualify. Any appointment to fill a vacancy on the Board created by the resignation, dismissal, death or disability of a member shall be for the balance of the unexpired term.

The Governor shall have the power to remove any member of the Board from office in accordance with the provisions of G.S. 143B-16.

The Governor shall serve as chairman of the Board and designate a member to serve in such capacity in his absence. The Board shall meet quarterly and at other times at the call of the chairman.

Sec. 9. State Goals and Policy Board; conforming changes. Article 54 of Chapter 143 of the General Statutes of North Carolina is hereby repealed.

Sec. 10. North Carolina Capital Planning Commission; creation, powers, and duties. There is hereby re-created the North Carolina Capital Planning Commission of the Department of Administration.

(a) The Commission shall have the following powers and duties:

(1) to obtain and maintain up-to-date building requirements for State governmental agencies in the city of Raleigh and its environs;

(2) to formulate a long-range capital improvement program as required for State central governmental agencies in the City of Raleigh and its environs and maintain this program up-to-date;

(3) to recommend the acquisition of land as required;

(4) to select the locations for State government buildings, monuments, memorials and improvements in the City of Raleigh and its environs; and

(5) to name any new State government building or any building hereafter acquired by the State of North Carolina in the City of Raleigh and its environs, with the exception of buildings comprising a part of the North Carolina State University, the Dorothea Dix Hospital, or the Governor Morehead School;

(b) The Commission is authorized and empowered to adopt such rules and regulations, not inconsistent with the laws of this State, as may be required by the federal government for grants-in-aid for capital improvement purposes which may be made available to the State by the federal government. This section is to be liberally construed in order that the State and its citizens may benefit from such grants-in-aid.

(c) The Commission shall adopt rules and regulations consistent with the provisions of this Chapter. All rules and regulations not inconsistent with the provisions of this Chapter heretofore adopted by the existing North Carolina Capital Planning Commission shall remain in full force and effect unless and until repealed or superseded by action of the re-created Commission. All rules and regulations adopted by the Commission shall be enforced by the Department of Administration.

Sec. 11. North Carolina Capital Planning Commission; members, selection, quorum, compensation. The North Carolina Capital Planning Commission of the Department of Administration shall consist of the following ex officio members: the Governor of North Carolina who shall serve as chairman; all members of the Council of State including the Lieutenant Governor, who shall serve as vice-chairman; the Speaker, and four members of the North Carolina House of Representatives, and four members of the North Carolina Senate; and a representative of the City of Raleigh to be designated by the City Council of Raleigh to serve a two-year term to expire at the same date city council members' terms expire. The Lieutenant Governor shall appoint the four members of the Senate on or before July 1, 1975, for two-year terms to expire at the same date General Assembly members' terms expire. The Speaker of the House of Representatives shall appoint the four members of the House on or before July 1, 1975, for two-year terms to expire at the same date General Assembly members' terms expire.

Public officers who are made members of the commission shall be deemed to serve ex officio.

The members of the Commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Commission shall constitute a quorum for the transaction of business.

All clerical and other services required by the Commission shall be supplied by the Secretary of Administration.

All minutes, records, plans, and all other documents of public record of the State Capital Planning Commission, the Heritage Square Commission, and the former North Carolina Capital Planning Commission shall be turned over to the Department of Administration.

The Commission shall meet quarterly, and at other times at the call of the chairman.

Sec. 12. North Carolina Capital Planning Commission; conforming changes. Article 6 of Chapter 129 of the General Statutes of North Carolina is hereby repealed.

Sec. 13. Child Day-Care Licensing Commission; creation, powers, and duties. There is hereby created the Child Day-Care Licensing Commission of the Department of Administration with the power and duty to adopt rules and regulations to be followed in the licensing and operation of child day-care facilities and day-care plans as provided by Article 7 of Chapter 110 of the General Statutes of North Carolina.

(a) The Child Day-Care Licensing Commission shall have the power and duty to adopt rules and regulations:

(1) for the issuance of licenses to any day-care facility; and

(2) to register day-care plans and to adopt rules and regulations as provided by Article 7 of Chapter 110 of the General Statutes of the State of North Carolina, and to establish standards for "AA" license, only, as authorized by G.S. 110-88(7).

(b) The Commission shall adopt rules and regulations consistent with the provisions of this Chapter. All rules and regulations not inconsistent with the provisions of this Chapter heretofore adopted by the Child Day-Care Licensing Board shall remain in full force and effect unless and until repealed or superseded by action of the Child Day-Care Licensing Commission. All rules and regulations adopted by the Commission shall be enforced by the Department of Administration.

Sec. 14. Child Day-Care Licensing Commission; members, selection, quorum, compensation. The Child Day-Care Licensing Commission of the Department of Administration shall consist of 15 members, five of whom shall be State officials and 10 of whom shall be citizen members appointed by the Governor as hereinafter provided. The five State officials who shall serve on the Commission shall be the Governor, the Attorney General, the Commissioner of Insurance, the State Superintendent of Public Instruction and the Secretary of Human Resources. Any State official may designate a representative of his department to sit in his place on the commission. The 10 citizen members shall be appointed by the Governor with provision that none shall be employees of the State and at least five of said appointees shall be operators of day-care facilities subject to licensing who are actively engaged in the operation for profit. Of the five operators who are operating for profit, one shall be from a facility licensed for no more than 29 children, three shall be from facilities licensed for no more than 70 children and one operator shall be from a facility licensed for more than 70 children. Three appointees shall be citizens not employed by day-care facilities who have no direct or indirect pecuniary interest in such, but two of whom shall be parents of pre-school children at the time of their appointment. Two appointees shall be operators of non-profit day-care facilities. The initial members of the Commission shall be the appointed members of the Child Day-Care Licensing Board who shall serve for a period equal to the remainder of their current terms on the Child Day-Care Licensing Board, three of whose appointments expire December 31, 1975, four of whose appointments expire December 31, 1977, and three of whose appointments expire December 31, 1980. The terms of each State official, or his designee shall end on the day his term of office ends, whether by death, resignation, or expiration of such term. At the end of the respective terms of office of the initial members of the Commission, their successors shall be appointed for terms of six years and until their

successors are appointed and qualify. Any appointment to fill a vacancy on the Commission created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term.

The Governor shall have the power to remove any member of the Commission from office for misfeasance, malfeasance, and nonfeasance according to the provisions of G.S. 143B-13.

The Governor shall designate a member of the Commission as chairman to serve in such capacity at the pleasure of the Governor.

The Commission shall meet quarterly, and at other times at the call of the chairman or upon written request of at least six members.

The members of the Commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Commission shall constitute a quorum for the transaction of business.

All clerical and other services required by the Commission shall be supplied by the Secretary of Administration.

Sec. 15. Child Day-Care Licensing Commission; conforming changes. (a)(1) Whenever the words "Child Day-Care Licensing Board" or "Board" when referring to the Child Day-Care Licensing Board are used or appear in any statute or law of this State, the same shall be deleted and the words "Child Day-Care Licensing Commission" or "Commission" as appropriate shall be inserted in lieu thereof.

(2) Whenever the words "Director of the Child Day-Care Licensing Board", or "Director", when referring to the Director of the Child Day-Care Licensing Board are used or appear in any statute or law of this State, the same shall be deleted and the words "Secretary of Administration" or "Secretary" as appropriate shall be inserted in lieu thereof.

(b) In addition to the foregoing, the following amendments to the General Statutes of North Carolina are hereby made:

(1) G.S. 110-88(8) shall be rewritten to read as follows: "To develop a procedure by which the Department shall furnish such forms as may be required for implementation of this Article."

(2) The words "with the approval of the Board" are hereby deleted from line 4 of the third paragraph of G.S. 110-91(9).

(3) The words "and to submit written reports on such visits and inspections to the Director on forms approved and provided by the Board." are hereby deleted and the words "and to submit written reports on such visits or inspections to the Department on forms approved by the Commission and provided by the Department." are hereby inserted on lines 6 and 7 of the second paragraph of G.S. 110-92.

(4) The words "or his staff" are hereby deleted from the fifth line of G.S. 110-93(b).

(c) The following sections of the General Statutes of North Carolina are hereby repealed: G.S. 110-86(5); G.S. 110-87; G.S. 110-88(4); G.S. 110-88(10); and G.S. 110-89.

Sec. 16. North Carolina Drug Commission; creation, powers, and duties. There is hereby created the North Carolina Drug Commission of the Department of Administration which is hereby designated as the single State agency to coordinate all State efforts relating to drug abuse prevention, education, control, treatment, and rehabilitation, (a) The North Carolina Drug Commission shall have the following functions and duties:

(1) to advise in the coordination of all State efforts related to drug abuse prevention, education, control, treatment, and rehabilitation to the end that the effort to control drug abuse shall be efficiently and effectively administered and duplicating and overlapping efforts eliminated;

(2) to review all requests by non-State agencies to federal agencies for funds to finance drug abuse prevention, education, control, treatment, or rehabilitation programs, with the requirement that such federal funds may be spent within the State of North Carolina only when approved by the North Carolina Drug Commission except in those instances in which requirements for approval by the Drug Commission violates federal law or regulation;

(3) to advise in the coordination of the State's efforts with the efforts of local and municipal governments within the State and with the efforts of other states and the federal government;

(4) to assist private agencies and community organizations by providing needed coordination and information;

(5) to assist in the planning and supervision of public informational programs related to drug abuse;

(6) to assist with the formulation and coordination of programs relating to the early diagnosis, treatment, and rehabilitation of drug abusers;

(7) to assist with the formulation and coordination of training and informational programs for State employees and others;

(8) to advise in the coordination of the State's efforts to obtain federal funds available for drug abuse programs; and

(9) to advise the Secretary of Administration upon any matter the Secretary may refer to it.

(b) To establish standards and adopt rules and regulations:

(1) for the licensing of nonprofessional drug treatment facilities as provided by G.S. 90-109,

(2) relating to the registration and control of the manufacture, distribution, and dispensing of controlled substances as provided by G.S. 90-100.

(c) The Commission is authorized and empowered to adopt such rules and regulations, not inconsistent with the laws of this State, as may be required by the federal government for grants-in-aid for drug abuse prevention, education, control, treatment and rehabilitation purposes which may be made available to the State by the federal government. This section is to be liberally construed in order that the State and its citizens may benefit from such grants-in-aid.

Sec. 17. North Carolina Drug Commission; members, selection, quorum, compensation. The North Carolina Drug Commission of the Department of Administration shall consist of the following 13 members: the Attorney General or his designee, the Executive Officer of the State Board of Pharmacy, four persons appointed by the Secretary of Human Resources including representatives of youth development, mental health, health, and vocational rehabilitation, one person appointed by the Secretary of Correction who shall be a representative of adult correction, the Superintendent of Public Instruction or his designee, the Chairman of the Board of Governors of the North Carolina University System or his designee, a member of the Board of Medical Examiners of the State of North Carolina appointed by the Board of Medical Examiners for a term of two years commencing July 1 of each odd-numbered year, a member of the North Carolina House of Representatives appointed by the Speaker of the House of Representatives for a term of two years commencing July 1 of each odd-numbered year, a member of the North Carolina Senate appointed by the President Pro Tempore of the Senate for a term of two years commencing July 1 of each odd-numbered year, and a youth member appointed by the Governor for a term of two years commencing July 1 of each odd-numbered year. The initial appointed members of the Commission shall be the appointed members of the North Carolina Drug Authority who shall serve for a period equal to the remainder of their current terms on the North Carolina Drug Authority. At the end of the respective terms of office of the initial members of the Commission, the appointment of their

successors, with the exception of those from State agencies, shall be for terms of two years and until their successors are appointed and qualify. Any appointment to fill a vacancy on the Commission created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term.

The Governor shall have the power to remove any member of the Commission from office in accordance with the provisions of Section 13 of the Executive Organization Act of 1973 with the exception that the provision of G.S. 143B-13(c) shall only apply to State employees and shall not apply to other members of the Commission.

The Governor shall designate a member of the Commission to serve as chairman at the pleasure of the Governor.

Members of the Commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Commission shall constitute a quorum for the transaction of business.

All clerical and other services required by the Commission shall be supplied by the Secretary of Administration.

Sec. 18. North Carolina Drug Commission; conforming changes. (1) Article 53 of Chapter 143 of the General Statutes of North Carolina being Sections 143-471 through 143-475 is hereby repealed.

Sec. 19. North Carolina Council on Interstate Cooperation; creation, powers, and duties. There is hereby created the North Carolina Council on Interstate Cooperation of the Department of Administration.

(a) The North Carolina Council on Interstate Cooperation shall have the following functions and duties:

(1) to carry forward the participation of this State as a member of the Council of State Governments;

(2) to encourage and assist the legislative, executive, administrative, and judicial officials and employees of this State to develop and maintain friendly contact by correspondence, by conference and otherwise, with officials and employees of the other states, of the federal government, and of local units of government;

(3) to endeavor to advance cooperation between this State and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating:

a. the adoption of compacts;

b. the enactment of uniform or reciprocal statutes;

c. the adoption of uniform or reciprocal administrative rules and regulations;

d. the informal cooperation of governmental offices with one another;

e. the personal cooperation of governmental officials and employees with one another, individually;

f. the interchange and clearance of research and information; and

g. any other suitable process.

(4) to study, analyze, and report to the Secretary of Administration its recommendations concerning interstate compacts affecting the interest of North Carolina and studies and reports prepared by the Council of State Governments and similar agencies; regularly to inform the members of the General Assembly and other State officials of the publications and services which the Council of State Governments makes available to them; and to attend appropriate national and regional conferences of State officials considering interstate problems of concern to North Carolina and report thereon to the Secretary;

(5) in short, to do all such acts as will, in the opinion of this Council enable this State to do its part, or more than its part, in forming a more perfect union among the various governments in the United States and in developing the Council of State Governments for that purpose;

(6) to advise the Secretary of Administration upon any matter the Secretary may refer to it; and

(7) the Council shall report to the Governor and to the Legislature within 15 days after the convening of each regular legislative session.

Sec. 20. North Carolina Council on Interstate Cooperation; members, selection, quorum, compensation. The North Carolina Council on Interstate Cooperation of the Department of Administration shall consist of 11 members. The composition of the Council shall be as follows:

(1) President of the Senate;

(2) Speaker of the House of Representatives;

(3) Three Senators designated by the President of the Senate;

(4) Three Representatives designated by the Speaker of the House; and

(5) Three administrative officials designated by the Governor.

The initial members of the Council shall be the appointed members of the North Carolina Commission on Interstate Cooperation who shall serve for a period equal to the remainder of the current terms on the North Carolina Commission on Interstate Cooperation, all of whose terms expire June 30, 1977.

Sec. 21. Officers of the Council. The Governor shall biennially designate the chairman of the Council from among the legislative members of the Council.

Sec. 22. Senate members on Interstate Cooperation. The President of the Senate shall, on or before July 1 of the year in which each regular session of the General Assembly is held, designate three members of the Senate as members of the Council on Interstate Cooperation.

Sec. 23. House members on Interstate Cooperation. The Speaker of the House of Representatives shall, on or before July 1 of the year in which each regular session of the General Assembly is held, designate three members of the House as members of the Council on Interstate Cooperation.

Sec. 24. Terms of office of members. Each of the Senate and House members of the Council shall serve until his successor as a member of the Council is designated. Each administrative member of the Council shall serve for a term of two years and until his successor is designated.

The Governor shall have the power to remove any of his appointees to the Council from office in accordance with the provisions of Section 16 of the Executive Organization Act of 1973.

Members of the Council shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Council shall constitute a quorum for the transaction of business.

All clerical and other services required by the Council shall be supplied by the Secretary of Administration.

Sec. 25. North Carolina Council on Interstate Cooperation; conforming changes. The following sections of the General Statutes of North Carolina are hereby repealed: G.S. 143-178, G.S. 143-179, G.S. 143-180, G.S. 143-181, G.S. 143-182, G.S. 143-183, G.S. 143-184, and G.S. 143-185.

Sec. 26. State Youth Advisory Council; creation, powers, and duties. There is hereby created the State Youth Advisory Council of the Department of Administration. The State Youth Advisory Council shall have the following functions and duties:

(1) to advise the youth councils of North Carolina;

(2) to encourage State and local councils to take active part in governmental and civic affairs, promote and participate in leadership and citizenship programs, and cooperate with other youth-oriented groups;

(3) to receive on behalf of the Department of Administration and to recommend expenditure of gifts and grants from public and private donors;

(4) to establish procedures for the election of its youth representatives by the State Youth Council; and

(5) to advise the Secretary of Administration upon any matter the Secretary may refer to it.

Sec. 27. State Youth Advisory Council; members, selection, quorum, compensation. The State Youth Advisory Council of the Department of Administration shall consist of 16 members. The composition and appointment of the Council shall be as follows:

Eight youths to be elected by the procedure adopted by the Youth Advisory Council; and eight adults to be appointed by the Governor.

The initial members of the Council shall be the appointed members of the Youth Advisory Board who shall serve for a period equal to the remainder of their current terms on the Youth Advisory Board. The current terms of the youth members expire July 1, 1976, the current terms of four of the adult members expire April 7, 1976, and the remaining four adult members' terms expire May 1, 1978. At the end of the respective terms of office of the initial members of the Council, the appointment of their successors shall be as follows:

(1) eight youth members to serve for terms beginning on July 1, 1976, and expiring on June 30, 1977. At the end of the terms of office of these youth members of the Council, the appointment of their successors shall be for terms of one year and until their successors are appointed and qualify.

(2) four adult members to serve for terms beginning on April 8, 1976, and expiring on July 1, 1980; and four adult members to serve for terms beginning on May 1, 1978, and expiring on July 1, 1982. At the end of the respective terms of office of these adult members of the Council, the appointment of their successors shall be for terms of four years and until their successors are appointed and qualify.

Any appointment to fill a vacancy on the Council created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term.

The Governor shall have the power to remove any member of the Council from office in accordance with the provisions of Section 16 of the Executive Organization Act of 1973.

The Governor shall designate an adult member of the Council to serve as chairman at the pleasure of the Governor. The Council shall elect a youth member to serve as vice-chairman for a one-year term.

A majority of the Council shall constitute a quorum for the transaction of business.

Members of the Council who are not officers or employees of the State shall receive per diem and necessary travel and subsistence expenses in accordance with provisions of G.S. 138-5.

All clerical and other services required by the Council shall be supplied by the Secretary of Administration.

Sec. 28. The State Youth Council. There shall be a State Youth Council. It shall be established within one year of July 1, 1975, in accordance with the methods and procedures established by the Youth Advisory Council. The State Youth Council is authorized and empowered to do the following:

(1) to consider problems affecting youth and recommend solutions or approaches to these problems to State and local governments and their officials;

(2) to promote statewide activities for the benefit of youth; and,

(3) to elect the youth representatives to the Youth Advisory Council.

Sec. 29. Local Youth Councils. The primary purpose of local youth councils is to promote participation by youth in programs affecting civic and governmental affairs.

Sec. 30. State Youth Advisory Council; conforming changes. Article 29C of Chapter 143 of the General Statutes of North Carolina, being sections G.S. 143-283.24 through G.S. 143-283.32, is hereby repealed.

Sec. 31. North Carolina Marine Science Council; creation, powers, and duties. There is hereby created the North Carolina Marine Science Council of the Department of Administration. The North Carolina Marine Science Council shall have the following functions and duties:

(1) to encourage the use and study of the ocean, estuarine, and coastal waters of the State of North Carolina by citizens and industries of the State;

(2) to foster education and training in ocean science technology in the State of North Carolina, including extension and continuing education;

(3) to assist in maintaining liaison with the corresponding authorities of nearby coastal states;

(4) to advise in the development and maintenance of the continuing inventory of the ocean resources of the State of North Carolina and the industries and institutions that have significant competence in the science and industry of the oceans, including the personnel and facilities;

(5) to advise in the coordination of efforts toward full development of the State's marine resources with proper attention being given to the need for conservation;

(6) to coordinate plans for, and work with relevant governmental agencies in, the implementation of all federal, State, and local legislation relating to coastal and marine resources;

(7) to review all research, education, and management programs relating to coastal and marine resources and to recommend revision when appropriate; and

(8) to advise the Secretary of Administration upon any matter the Secretary may refer to it.

Sec. 32. North Carolina Marine Science Council; members, selection, quorum, compensation. The North Carolina Marine Science Council of the Department of Administration shall consist of twenty-five members appointed by the Governor. The composition of the Council shall be as follows: 21 members appointed by the Governor from the public and private academic and scientific institutions in the State and from the various industries and professions in the State concerned with the exploration and use of the sea; one member representing the Department of Transportation in the area of ports and waterways; two members representing the Department of Natural and Economic Resources in the area of coastal resources and environmental protection; and one member representing the Department of Human Resources in the area of health services. The initial members of the Council shall be the appointed members of the North Carolina Marine Science Council who shall serve for a period equal to the remainder of their current terms on the North Carolina Marine Science Council, 12 of whose appointments expire June 17, 1977, five of whose appointments expire June 17, 1979, and four of whose appointments expire June 17, 1981. At the end of the respective terms of office of the initial members of the Council, the appointment of their successors, with the exception of those from State agencies, shall be for terms of six years and until their successors are appointed and qualify. Any appointment to fill a vacancy on the Council created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term.

The Governor shall have the power to remove any member of the Council from office in accordance with the provisions of Section 16 of the Executive Organization Act of 1973.

The Governor shall designate a member of the Council to serve as chairman at the pleasure of the Governor.

Members of the Council shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Council shall constitute a quorum for the transaction of business.

All clerical and other services required by the Council shall be supplied by the Secretary of Administration.

Sec. 33. North Carolina Marine Science Council; conforming changes.

(1) Senate Joint Resolution 799, 1969 Session Laws, is hereby repealed.

(2) Article 37A of Chapter 143 of the General Statutes of North Carolina is hereby repealed.

Sec. 34. North Carolina Human Relations Council; creation, powers, and duties. There is hereby created the North Carolina Human Relations Council of the Department of Administration. The North Carolina Human Relations Council shall have the following functions and duties:

(1) to study problems concerning human relations;

(2) to promote equality of opportunity for all citizens;

(3) to promote understanding, respect, and goodwill among all citizens;

(4) to provide channels of communication among the races;

(5) to encourage the employment of qualified people without regard to race;

(6) to encourage youths to become better trained and qualified for employment;

(7) to receive on behalf of the Department of Administration and to recommend expenditure of gifts and grants from public and private donors;

(8) to enlist the cooperation and assistance of all State and local government officials in the attainment of the objectives of the Council;

(9) to assist local good neighborhood councils and bi-racial human relations committees in promoting activities related to the functions of the Council enumerated above; and

(10) to advise the Secretary of Administration upon any matter the Secretary may refer to it.

Sec. 35. North Carolina Human Relations Council; members, selection, quorum, compensation. The Human Relations Council of the Department of Administration shall consist of 20 members appointed by the Governor to serve at his pleasure.

The Governor shall designate a member of the Council to serve as chairman at the pleasure of the Governor.

Members of the Council shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Council shall constitute a quorum for the transaction of business.

All clerical and other services required by the Council shall be supplied by the Secretary of the Department of Administration.

Sec. 36. North Carolina Human Relations Council; conforming changes.

(1) Article 49 of Chapter 143 of the General Statutes of North Carolina is hereby repealed.

Sec. 37. Council on the Status of Women; creation, powers, and duties. There is hereby created the Council on the Status of Women of the Department of Administration. The Council on the Status of Women shall have the following functions and duties:

(1) to advise the Governor, the principal State departments, and the State legislature concerning the education and employment of women in the State of North Carolina; and

(2) to advise the Secretary of Administration upon any matter the Secretary may refer to it.

Sec. 38. Council on the Status of Women; members, selection, quorum, compensation. The Council on the Status of Women of the Department of Administration shall consist of seven members appointed by the Governor. The initial members of the Council shall be the appointed members of the Commission on the Education and Employment of Women who shall serve for a period equal to the remainder of their current terms on the Commission on Education and Employment of Women, four of whose appointments expire June 30, 1976, and three of whose appointments expire June 30, 1977. At the end of the respective terms of office of the initial members of the Council, the appointment of their successors shall be for terms of two years and until their successors are appointed and qualify. Any appointment to fill a vacancy on the Council created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term.

The Governor shall have the power to remove any member of the Council from office in accordance with the provisions of Section 16 of the Executive Organization Act of 1973.

The Governor shall designate a member of the Council to serve as chairman at the pleasure of the Governor.

Members of the Council shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Council shall constitute a quorum for the transaction of business.

All clerical and other services required by the Council shall be supplied by the Secretary of Administration.

Sec. 39. Council on the Status of Woman; conforming changes.

(1) Article 50 of Chapter 143 of the General Statutes of North Carolina, being Sections 143-423 through 143-428, are hereby repealed.

Sec. 40. North Carolina Manpower Council; creation, powers, and duties. There is hereby created the North Carolina Manpower Council of the Department of Administration. The North Carolina Manpower Council shall have the following functions and duties:

(1) to plan and promote the development of comprehensive and coordinated State manpower plan, taking into account overall State planning and area planning;

(2) to advise in the coordination of State manpower and manpower-related programs so as to reduce duplication of programs and activities to provide for the efficient administration;

(3) to be the State sponsor of federal manpower programs in North Carolina;

(4) to advise the General Assembly, the Governor, the State agencies and institutions, the Congress, and the federal agencies with respect to the best means of meeting the manpower needs of North Carolina; and,

(5) to advise the Secretary of Administration upon any matter the Secretary may refer to it.

Sec. 41. North Carolina Manpower Council; members, selection, quorum, compensation. The North Carolina Manpower Council of the Department of Administration shall consist of 15 members appointed by the Governor for terms of four years. Terms of the initial members of the Council unless otherwise indicated shall expire on June 30, 1979. The Council shall be composed of the following members: one representative of the State community colleges nominated by the State Board of Education; one representative of the Employment Security Commission; one representative of the Department of Human Resources; one representative of the Department of Administration; at least two representatives of organized labor whose term shall expire on June 30, 1977; at least two representatives of business and industry whose term shall expire on June 30, 1977; representatives of community-based organizations and of the client community to be served under applicable federal

legislation; representatives of the general public; and provided, further, that at least one-third of the membership of the council shall be representatives of the units or combinations of units of general local government which have federally approved comprehensive manpower plans.

The Governor, by executive order, shall promulgate criteria for determining the eligibility of persons under this Section and for this purpose, may promulgate the rules, regulations, or guidelines established by any federal agency interpreting and applying equivalent provisions of law. At the end of the respective terms of office of the initial members of the Council, the appointment of their successors shall be for terms of four years and until their successors are appointed and qualify. Any appointment to fill a vacancy on the Council created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term.

The Governor shall have the power to remove any member of the Council from office in accordance with the provisions of Section 16 of the Executive Organization Act of 1973.

The Governor shall designate a member of the Council to serve as Chairman at the pleasure of the Governor.

Members of the Council shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Council shall constitute a quorum for the transaction of business.

All clerical and other services required by the Council shall be supplied by the Secretary of Administration.

Sec. 42. North Carolina Manpower Council; conforming changes. Article 29D of Chapter 143 of the General Statutes of North Carolina, being G.S. 143-283.41 through G.S. 143-283.48, is hereby repealed.

Sec. 43. Standardization Committee; creation, powers, and duties. There is hereby created the Standardization Committee of the Department of Administration.

It shall be the duty of the Standardization Committee to recommend to the Secretary of Administration the establishment and modification of standard specifications wherever feasible applying to articles purchased or leased. In the generation of recommendations for any specifications the Standardization Committee shall seek the advice, assistance and cooperation of any State department, institution or agency to ascertain its precise requirements in any given commodity. Each specification recommended for any commodity shall insofar as practicable satisfy the requirements of the majority of the State departments, institutions or agencies which use the same in common. After its adoption, by the Secretary, each standard specification shall, until revised or rescinded, apply alike in terms and effect to every State purchase of commodity described in such specifications. In the preparation of specifications the Standardization Committee shall have the power to make use of any State laboratory with or without charge for tests in making determination of quality.

Sec. 44. Standardization Committee; members, selection, quorum. The Standardization Committee shall consist of seven members as follows:

(1) The Secretary of Administration who shall be the chairman,
(2) An engineer from the Department of Transportation to be appointed upon recommendation by the Secretary of Transportation,
(3) A representative of State or local education agencies,
(4) A representative of the State departments,
(5) A representative of the State charitable and correctional institutions, and
(6) Two members of the Advisory Budget Commission to be designated by the Governor.

Four members of said Committee shall constitute a quorum for the transaction of business, or the performance of any duties imposed upon the Committee by this Article. The Committee shall meet at such time, or times, as it shall by rule or regulation prescribe, but it may meet at other times at the call of the chairman.

The members of the Committee are appointed by the Governor to serve at the pleasure of the Governor.

All clerical and other services required by the Committee shall be supplied by the Secretary of Administration. Laboratory services will be provided by the head of the department in which the laboratory is located.

Sec. 45. Standardization Committee; conforming changes. G.S. 143-61 of the General Statutes of North Carolina is hereby repealed.

Sec. 46. Department of Administration; conforming changes. (a)

(1) Whenever the words "Director of Administration", "Director of the Department of Administration", "Director of the North Carolina Department of Administration", or "Director" when referring to the Director of Administration are used or appear in any statute or law of this State the same shall be deleted and the words "Secretary of Administration" or "Secretary", as appropriate, shall be inserted in lieu thereof.

(2) Whenever the words "Assistant Director of the Budget", "State Property Control and Construction Officer", or "State Budget Officer", or "Director of the Division of Purchase and Contract", or "Director of Purchase and Contract" are used or appear in any statute or law of this State, the same shall be deleted and the words "Secretary of Administration" or "Secretary", as appropriate shall be inserted in lieu thereof.

(3) Whenever the words "Purchase and Contract Division", "Division of Purchase and Contract", "Budget Division", or "Division" when referring to either the Purchase and Contract or Budget Divisions are used or appear in any statute or law of this State, the same shall be deleted and the words "Department of Administration" or "Department", as appropriate shall be inserted in lieu thereof except in subsection 1 and 2 of G.S. 143-341.

(4) Whenever the words "Division of Property Control" or "Division" when referring to the Property Control Division are used or appear in any statute or law of this State the same shall be deleted and the words "Department of Administration" or "Department", as appropriate, shall be inserted in lieu thereof.

(5) Whenever the words "General Services Division" or "Division" when referring to the General Services Division are used or appear in any statute or law of the State the same shall be deleted and "Department of Administration" or "Department" as appropriate shall be inserted in lieu thereof.

(b) In addition to the foregoing, the following amendments to the General Statutes of North Carolina are hereby made:

(1) G.S. 143-336 is hereby amended by deleting the words "'Division' means a division of the Department of Administration, unless the context otherwise requires" from paragraph 4 of G.S. 143-336.

(2) The words "Designating personnel and" shall be deleted from line 1 of G.S. 143-53(1).

(3) The word "Bureau" shall be deleted and the word "Division" shall be inserted in lieu thereof on line 3 of G.S. 143-341(1)b.

(4) G.S. 143-341(8)i.2 shall be rewritten to read as follows: "To acquire passenger motor vehicles by transfer from other State agencies and by purchase. All motor vehicles transferred to or purchased by the Department shall become part of a central motor pool."

(5) G.S. 143B-2 is hereby amended by adding the following subsection: "7. Department of Administration."

(6) G.S. 143B-6 is hereby amended by adding the following subsection: "7. Department of Administration."

(c) The following sections of the General Statutes of North Carolina are hereby repealed: Article 10 of Chapter 143A of the General Statutes, being Sections 143A-80 through 143A-96; Article 8 of Chapter 129 of the General Statutes; G.S. 143-337; G.S. 143-338; G.S. 143-339; G.S. 143-340(1); G.S. 143-340(2); G.S. 143-340(3); G.S. 143-340(4); G.S. 143-340(5); G.S. 143-340(6); G.S. 143-340(7); G.S. 143-340(8); G.S. 143-340(9); G.S. 143-340(11); G.S. 143-340(13); G.S. 143-340(15); G.S. 143-340(16); and G.S. 143-340(23).

Sec. 47. The provisions of G.S. 143B-13(c) shall not apply to ex officio members of a Commission whose membership on a Commission is the result of being a member of the Council of State, the General Assembly or other elected office.

Sec. 48. This act shall become effective on July 1, 1975.

In the General Assembly read three times and ratified, this the 26th day of June, 1975.