NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 1090
SENATE BILL 460

AN ACT CHANGING THE COMPOSITION OF THE NORTH CAROLINA BOARD OF WATER AND AIR RESOURCES AND LOCAL AND REGIONAL AIR POLLUTION CONTROL BOARDS AND TO ELIMINATE POSSIBLE CONFLICTS OF INTEREST THEREIN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-214(a) is hereby amended and rewritten to read as follows:

"(a) Organization — There is hereby created the North Carolina Board of Water and Air Resources, hereinafter referred to as 'Board' which shall be charged with the duty of administering this Article. The Board shall consist of:

(1) One licensed physician;

(2) One who shall, at the time of appointment, be actively connected with the State or local Board of Health and have had experience in water and air pollution control activities;

(3) One who shall, at the time of appointment, be actively connected with and have had experience in agriculture, provided that except for the connection with agriculture such member shall not be an employee, officer or representative of any industry or political subdivision which may fall under the jurisdiction or be directly affected by the Board created by this statute;

(4) One who shall, at the time of appointment, be a licensed engineer engaged in work connected with planning or conservation of water or air resources, or planning of water or sewer systems, or having experience in the field of industrial water supply or water and air pollution control, or have had practical experience in water supply and water and air pollution control problems of municipal government;

(5) One who shall, at the time of appointment, be actively connected with and have had experience in the fish and wildlife activities of the State, provided that except for the connection with the fish and wildlife activities of the State, such member shall not be an employee, officer or representative of any industry or political subdivision which may fall under the jurisdiction or be directly affected by the Board created by this statute;

(6) One who shall, at the time of appointment, be knowledgeable in the ground water industry, provided that such member shall not be an employee, officer or representative of any industry or political subdivision which may fall under the jurisdiction or be directly affected by the Board created by this statute;

(7) Five members interested in water and air pollution control, appointed from the public at large, provided that no such public member shall be an employee, officer or representative of any industry or political subdivision which may fall under the jurisdiction or be directly affected by the Board created by this statute;

(8) One who shall, at the time of appointment, be actively connected with industrial production and have had experience in the field of industrial air and water pollution control;

(9) One who shall, at the time of appointment, be actively connected with and have had experience in pollution control problems of municipal or county government.

The members shall serve staggered terms of office of six years. Each appointment shall be made by the Governor of North Carolina upon the expiration of the term of each member appointed pursuant to the provisions of G.S. 143-214(a) as amended by Chapter 892 of the Session Laws of 1967. The Governor shall have the power to designate from the at-large members the member of the Board who shall serve as Chairman thereof for such period as the Governor may fix. All members shall hold their offices until their successors are appointed and qualified. Any member appointed by the Governor to fill a vacancy occurring in any of the appointments shall be appointed for the remainder of the term of the member causing the vacancy. The Governor may at any time, remove any member of the Board for gross inefficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in office. In each instance appointments to fill vacancies in the membership of the Board shall be a person or persons with similar experience and qualifications in the same field required of the member being replaced. Provided, however, appointments to fill vacancies in the membership of the Board which were appointed pursuant to G.S. 143-214(a) as amended by Chapter 892 of the Session Laws of 1967 shall be appointed to conform with the membership criteria in paragraphs (1) through (9) of this subsection (a).

The office of member of the North Carolina Board of Water and Air Resources is declared to be an office that may be held concurrently with any other elective or appointive office, under the authority of Article VI, Section 9 of the North Carolina Constitution."

Sec. 2. This act shall become effective July 1, 1971.

In the General Assembly read three times and ratified, this the 21st day of July, 1971.