

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 250
Constitution Committee Substitute Adopted 5/14/91

Short Title: Education Governance Changes.

(Public)

Sponsors:

Referred to:

March 21, 1991

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION, TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO MAKE CORRESPONDING STATUTORY CHANGES.

The General Assembly of North Carolina enacts:

Section 1. Section 7(1) of Article III of the Constitution reads as rewritten:

"(1) **Officers.** A Secretary of State, an Auditor, a Treasurer, a ~~Superintendent of Public Instruction~~, an Attorney General, a Commissioner of Agriculture, a Commissioner of Labor, and a Commissioner of Insurance shall be elected by the qualified voters of the State in 1972 and every four years thereafter, at the same time and places as members of the General Assembly are elected. Their term of office shall be four years and shall commence on the first day of January next after their election and continue until their successors are elected and qualified."

Sec. 2. Section 4 of Article IX of the Constitution reads as rewritten:

"Sec. 4. State Board of Education.

(1) **Board.** The State Board of Education shall consist of the ~~Lieutenant Governor, the Treasurer, and eleven members appointed by the Governor, subject to confirmation by the General Assembly in joint session.~~ Governor, six members appointed by the Governor, six members elected by the Senate, and six members elected by the House of Representatives. The General Assembly shall divide the State into ~~eight~~ twelve educational districts. Of the ~~appointive~~ elected members of the Board, one

1 shall be ~~appointed~~ elected from each of the ~~eight~~ twelve educational ~~districts~~ and ~~three~~
2 shall be ~~appointed from the State at large.~~ districts. ~~Appointments~~ Terms shall be for
3 ~~overlapping terms of eight years.~~ four years, except that three members elected by the
4 Senate, three members elected by the House of Representatives, and three members
5 appointed by the Governor in 1993 shall serve for a two-year term. Appointments to fill
6 vacancies shall be made by the Governor for the unexpired terms and shall not be
7 subject to confirmation, as provided by law. The General Assembly may authorize a
8 member of the General Assembly, a member of the General Assembly after the
9 expiration of his term but before his successor is qualified, a committee of the General
10 Assembly, or a committee of the Senate or the House of Representatives to fill
11 vacancies in positions filled by the Senate or the House of Representatives.

12 (2) **Superintendent of Public Instruction.** The Superintendent of Public
13 Instruction shall be the secretary and chief administrative officer of the State Board of
14 Education. He shall be appointed by the State Board of Education and shall serve at the
15 pleasure of the State Board of Education."

16 Sec. 3. G.S. 115C-10 reads as rewritten:

17 "**§ 115C-10. Appointment of Board.**

18 (a) The State Board of Education shall consist of the Lieutenant Governor, the
19 State Treasurer, and 11 members appointed by the Governor, subject to confirmation by
20 the General Assembly in joint session. the Governor, six members appointed by the
21 Governor, six members elected by the Senate, and six members elected by the House of
22 Representatives. Not more than one public school employee paid from State or local
23 funds may shall serve as an appointive or elective member of the State Board of
24 Education. No spouse of any public school employee paid from State or local funds and
25 no employee of the Department of Public Instruction or his spouse, may shall serve as
26 an appointive or elective member of the State Board of Education. No appointive or
27 elective member shall serve on the Board within two years of having served in the
28 General Assembly. Of the appointive members of the State Board of Education, one
29 shall be appointed from each of the eight educational districts and three shall be
30 appointed as members at large. Appointments shall be for terms of eight years and shall
31 be made in four classes. Appointments to fill vacancies shall be made by the Governor
32 for the unexpired terms and shall not be subject to confirmation.

33 (b) Appointments and elections shall be for four-year terms, except as provided as
34 follows for initial terms. In 1993 the Governor shall designate three of the members he
35 appoints to serve for two-year terms. In 1993 the Senate shall elect members from the
36 first, third, and fifth educational districts for a two-year term, and in 1993 the Senate
37 shall elect members from the seventh, ninth, and eleventh educational districts for a
38 four-year term. In 1993 the House of Representatives shall elect members from the
39 second, fourth, and sixth educational districts for a two-year term, and in 1993 the
40 House of Representatives shall elect members from the eighth, tenth, and twelfth
41 educational districts for a four-year term. For subsequent elections of the members
42 elected by the Senate and House of Representatives, the Senate and House of
43 Representatives shall alternate the educational districts from which to elect the
44 members.

1 (c) The Senate and the House of Representatives, in electing members of the
2 State Board of Education, shall select from a slate of nominees made in each house as
3 provided by resolution of that house. In the event there is more than one individual who
4 is seeking nomination, the slate of nominees shall contain at least two nominations for
5 any vacancy.

6 (d) Appointments to fill vacancies in positions filled by the Governor shall be
7 made by the Governor for the unexpired terms. Appointments to fill vacancies in
8 positions filled by the Senate shall be made by the President Pro Tempore of the Senate
9 when the General Assembly has adjourned a regular session to a date certain, which
10 date is more than 10 days after the date of adjournment, after **sine die** adjournment of
11 the regular session, or after the beginning of the terms of members of the General
12 Assembly but before convening of the regular session; otherwise, the appointments shall
13 be made by the Senate. Appointments to fill vacancies in positions filled by the House
14 of Representatives shall be made by the Speaker of the House of Representatives when
15 the General Assembly has adjourned a regular session to a date certain, which date is
16 more than 10 days after the date of adjournment, after **sine die** adjournment of the
17 regular session, or after the beginning of the terms of members of the General Assembly
18 but before convening of the regular session; otherwise, the appointments shall be made
19 by the House of Representatives. The President Pro Tempore of the Senate and the
20 Speaker of the House of Representatives shall continue to exercise their authority to fill
21 vacancies under this section until each of their successors in office is selected.

22 ~~The Governor shall transmit to the presiding officers of the Senate and the House of~~
23 ~~Representatives, on or before the sixtieth legislative day of the General Assembly, the~~
24 ~~names of the persons appointed by him and submitted to the General Assembly for~~
25 ~~confirmation; thereafter, pursuant to joint resolution, the Senate and the House of~~
26 ~~Representatives shall meet in joint session for consideration of an action upon such~~
27 ~~appointments."~~

28 Sec. 4. G.S. 115C-18 reads as rewritten:

29 "**§ 115C-18. Election-Appointment of Superintendent of Public Instruction.**

30 ~~The Superintendent of Public Instruction shall be elected by the qualified voters of~~
31 ~~the State in 1972 and every four years thereafter at the same time and places as~~
32 ~~members of the General Assembly are elected. His term of office shall be four years and~~
33 ~~shall commence on the first day of January next after election and continue until his~~
34 ~~successor is elected and qualified.~~

35 ~~If the office of the Superintendent of Public Instruction is vacated by death,~~
36 ~~resignation, or otherwise, it shall be the duty of the Governor to appoint another to serve~~
37 ~~until his successor is elected and qualified. Every such vacancy shall be filled by~~
38 ~~election at the first election for members of the General Assembly that occurs more than~~
39 ~~30 days after the vacancy has taken place, and the person chosen shall hold the office~~
40 ~~for the remainder of the unexpired term fixed in Article III, Sec. 7 of the Constitution of~~
41 ~~North Carolina. When a vacancy occurs in the office and the term expires on the first~~
42 ~~day of January succeeding the next election for members of the General Assembly, the~~
43 ~~Governor shall appoint to fill the vacancy for the unexpired term of the office. Upon the~~
44 ~~occurrence of a vacancy in the office for any of the causes stated herein, the Governor~~

1 ~~may appoint an interim officer to perform the duties of that office until a person is~~
2 ~~appointed or elected pursuant to Article III, Sec. 7 of the Constitution of North Carolina~~
3 ~~to fill the vacancy and is qualified.~~

4 ~~The time of the election of the Superintendent of Public Instruction shall be in~~
5 ~~accordance with the provisions of Article 1 of Subchapter I of Chapter 163 of the~~
6 ~~General Statutes.~~

7 ~~The election, term and induction into office of the Superintendent of Public~~
8 ~~Instruction shall be in accordance with the provisions of G.S. 147-4. appointed by the~~
9 ~~State Board of Education and shall serve at the pleasure of the State Board of~~
10 ~~Education.~~"

11 Sec. 5. G.S. 115C-21(a) reads as rewritten:

12 "(a) Administrative Duties. – It shall be the duty of the Superintendent of Public
13 Instruction:

- 14 (1) To organize and establish a Department of Public Instruction which
15 shall include such divisions and departments as are necessary for
16 supervision and administration of the public school system, to
17 administer the funds for the operation of the Department of Public
18 Instruction, and to enter into contracts for the operations of the
19 Department of Public Instruction.
- 20 (2) To keep the public informed as to the problems and needs of the public
21 schools by constant contact with all school administrators and
22 teachers, by his personal appearance at public gatherings, and by
23 information furnished to the press of the State.
- 24 (3) To report biennially to the Governor 30 days prior to each regular
25 session of the General Assembly, such report to include information
26 and statistics of the public schools, with recommendations for their
27 improvement and for such changes in the school law as shall occur to
28 him.
- 29 (4) To have printed and distributed such educational bulletins as he shall
30 deem necessary for the professional improvement of teachers and for
31 the cultivation of public sentiment for public education, and to have
32 printed all forms necessary and proper for the administration of the
33 Department of Public Instruction.
- 34 (5) To have under his direction, in his capacity as the ~~constitutional head of~~
35 ~~the public school system,~~ chief administrative officer of the State Board
36 of Education, all those matters relating to the supervision and
37 administration of the public school system.
- 38 (6) To create a special fund within the Department of Public Instruction to
39 manage funds received as grants from nongovernmental sources in
40 support of public education. The Superintendent may accept grants and
41 gifts from corporations and other sources made in support of public
42 education and may hold and disburse such funds, in accordance with
43 the purposes, conditions, and limitations associated with such grants

1 and gifts. Any special fund created pursuant to this subdivision shall
2 be subject to audit by the State Auditor."

3 Sec. 6. G.S. 115C-65 reads as rewritten:

4 **"§ 115C-65. State divided into districts.**

5 The State of North Carolina shall be divided into ~~eight~~ 12 educational districts
6 embracing the counties herein set forth:

7

8

FIRST DISTRICT

9

10 ~~Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Hyde, Martin,~~
11 ~~Pasquotank, Perquimans, Pitt, Tyrrell, Washington.~~

12

13

SECOND DISTRICT

14

15 ~~Brunswick, Carteret, Craven, Duplin, Greene, Jones, Lenoir, New Hanover, Onslow,~~
16 ~~Pamlico, Pender, Sampson, Wayne.~~

17

18

THIRD DISTRICT

19

20 ~~Durham, Edgecombe, Franklin, Granville, Halifax, Johnston, Nash, Northampton,~~
21 ~~Vance, Wake, Warren, Wilson.~~

22

23

FOURTH DISTRICT

24

25 ~~Bladen, Columbus, Cumberland, Harnett, Hoke, Lee, Montgomery, Moore,~~
26 ~~Richmond, Robeson, Scotland.~~

27

28

FIFTH DISTRICT

29

30 ~~Alamance, Caswell, Chatham, Davidson, Forsyth, Guilford, Orange, Person,~~
31 ~~Randolph, Rockingham, Stokes.~~

32

33

SIXTH DISTRICT

34

35 ~~Anson, Cabarrus, Cleveland, Gaston, Lincoln, Mecklenburg, Stanly, Union.~~

36

37

SEVENTH DISTRICT

38

39 ~~Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Davie, Iredell,~~
40 ~~Rowan, Surry, Watauga, Wilkes, Yadkin.~~

41

42

EIGHTH DISTRICT

43

1 ~~Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon,~~
2 ~~Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey.~~
3 districts. The 12 educational districts are the same as the districts specified for the
4 purpose of nominating and electing members of the House of Representatives of the
5 Congress of the United States in 1992."

6 Sec. 7. G.S. 143A-42 reads as rewritten:

7 **"§ 143A-42. Superintendent of Public Instruction; transfer of office and**
8 **Department of Public Instruction; powers and duties.**

9 The office of the Superintendent of Public Instruction, as provided for by ~~Article III,~~
10 ~~Sec. 7, Article IX, Sec. 4(2),~~ of the Constitution, and the Department of Public
11 Instruction are hereby transferred to the Department of Public Education. The
12 Superintendent of Public Instruction shall be the secretary and chief administrative
13 officer of the State Board of Education, and shall have such powers and duties as are
14 conferred by the Constitution, by the State Board of Education, Chapter 115C of the
15 General Statutes, and the laws of this State."

16 Sec. 8. G.S. 147-3(c) reads as rewritten:

17 "(c) The general civil executive officers of this State are as follows:

- 18 (1) A Governor;
- 19 (2) A Lieutenant Governor;
- 20 (3) Private secretary for the Governor;
- 21 (4) A Secretary of State;
- 22 (5) An Auditor;
- 23 (6) A Treasurer;
- 24 (7) An Attorney General;
- 25 ~~(8) A Superintendent of Public Instruction;~~
- 26 (9) The members of the Governor's Council;
- 27 (10) A Commissioner of Agriculture;
- 28 (11) A Commissioner of Labor;
- 29 (12) A Commissioner of Insurance."

30 Sec. 9. G.S. 147-4 reads as rewritten:

31 **"§ 147-4. Executive officers – election; term; induction into office.**

32 The executive department shall consist of a Governor, a Lieutenant Governor, a
33 Secretary of State, an Auditor, a Treasurer, ~~a Superintendent of Public Instruction,~~ an
34 Attorney General, a Commissioner of Agriculture, a Commissioner of Insurance, and a
35 Commissioner of Labor, who shall be elected for a term of four years, by the qualified
36 electors of the State, at the same time and places, and in the same manner, as members
37 of the General Assembly are elected. Their term of office shall commence on the first
38 day of January next after their election and continue until their successors are elected
39 and qualified. The persons having the highest number of votes, respectively, shall be
40 declared duly elected, but if two or more be equal and highest in votes for the same
41 office, then one of them shall be chosen by joint ballot of both houses of the General
42 Assembly. Contested elections shall be determined by a joint ballot of both houses of
43 the General Assembly in such manner as shall be prescribed by law."

44 Sec. 10. G.S. 147-11.1 reads as rewritten:

1 **"§ 147-11.1. Succession to office of Governor; Acting Governor.**

2 (a) Lieutenant Governor. –

3 (1) The Lieutenant Governor-elect shall become Governor upon the
4 failure of the Governor-elect to qualify. The Lieutenant Governor shall
5 become Governor upon the death, resignation, or removal from office
6 of the Governor. The further order of succession to the office of
7 Governor shall be prescribed by law. A successor shall serve for the
8 remainder of the term of the Governor whom he succeeds and until a
9 new Governor is elected and qualified.

10 (2) During the absence of the Governor from the State, or during the
11 physical or mental incapacity of the Governor to perform the duties of
12 his office, the Lieutenant Governor shall be Acting Governor. The
13 further order of succession as Acting Governor shall be prescribed by
14 law.

15 (b) President of Senate, Speaker of the House and Other Officers. –

16 (1) If, by reason of failure to qualify, death, resignation, or removal from
17 office, there is neither a Governor nor a Lieutenant Governor to
18 discharge the powers and duties of the office of Governor, then the
19 President of the Senate shall, upon his resignation as President of the
20 Senate and as Senator, become Governor.

21 (2) If, at the time when under subdivision (1) of this subsection the
22 President of the Senate is to become Governor, there is no President of
23 the Senate, or the President of the Senate fails to qualify as Governor,
24 then the Speaker of the House of Representatives shall, upon his
25 resignation as Speaker and as Representative, become Governor.

26 (3) If, at the time when under subdivision (2) of this subsection the
27 Speaker of the House of Representatives is to become Governor, there
28 is no Speaker of the House of Representatives, or the Speaker of the
29 House of Representatives fails to qualify as Governor, then that officer
30 of the State of North Carolina who is highest on the following list, and
31 who is not under disability to serve as Governor, shall, upon his
32 resignation of the office which places him in the order of succession,
33 become Governor: Secretary of State, Auditor, Treasurer,
34 ~~Superintendent of Public Instruction,~~ Attorney General, Commissioner of
35 Agriculture, Commissioner of Labor, and Commissioner of Insurance.

36 (c) Acting Governor Generally. –

37 (1) If, by reason of absence from the State or physical or mental
38 incapacity, there is neither a Governor nor a Lieutenant Governor
39 qualified to discharge the powers and duties of the office of Governor,
40 then the President of the Senate shall become Acting Governor.

41 (2) If, at the time when under subdivision (1) of this subsection the
42 President of the Senate is to become Acting Governor, there is no
43 President of the Senate, or the President of the Senate fails to qualify

1 as Acting Governor, then the Speaker of the House of Representatives
2 shall become Acting Governor.

3 (3) If, at the time when under subdivision (2) of this subsection the
4 Speaker of the House of Representatives is to become Acting
5 Governor, there is no Speaker of the House of Representatives, or the
6 Speaker of the House of Representatives fails to qualify as Acting
7 Governor, then that officer of the State of North Carolina who is
8 highest on the following list, and who is not under disability to serve
9 as Acting Governor, shall become Acting Governor: Secretary of
10 State, Auditor, Treasurer, ~~Superintendent of Public Instruction~~, Attorney
11 General, Commissioner of Agriculture, Commissioner of Labor, and
12 Commissioner of Insurance.

13 (d) Governor Serving under Subsection (c). – An individual serving as Acting
14 Governor under subsection (c) of this section shall continue to act for the remainder of
15 the term of the Governor whom he succeeds and until a new Governor is elected and
16 qualified, except that:

17 (1) If his tenure as Acting Governor is founded in whole or in part upon
18 the absence of both the Governor and Lieutenant Governor from the
19 State, then he shall act only until the Governor or Lieutenant Governor
20 returns to the State; and

21 (2) If his tenure as Acting Governor is founded in whole or in part upon
22 the physical or mental incapacity of the Governor or Lieutenant
23 Governor, then he shall act only until the removal of the incapacity of
24 the Governor or Lieutenant Governor.

25 (e) Officers to Which Subsections (b), (c) and (d) Applicable. – Subsections (b),
26 (c), and (d) of this section shall apply only to such officers as are eligible to the office of
27 Governor under the Constitution of North Carolina, and only to officers who are not
28 under impeachment by the House of Representatives at the time they are to become
29 Governor or Acting Governor.

30 (f) Compensation of Acting Governor. – During the period that any individual
31 serves as Acting Governor under subsection (c) of this section, his compensation shall
32 be at the rate then provided by law in the case of the Governor."

33 Sec. 11. G.S. 163-1 is amended by deleting the entries in the table for
34 "Superintendent of Public Instruction".

35 Sec. 12. G.S. 163-8 reads as rewritten:

36 "**§ 163-8. Filling vacancies in State executive offices.**

37 If the office of Governor or Lieutenant Governor shall become vacant, the
38 provisions of G.S. 147-11.1 shall apply. If the office of any of the following officers
39 shall be vacated by death, resignation, or otherwise than by expiration of term, it shall
40 be the duty of the Governor to appoint another to serve until his successor is elected and
41 qualified: Secretary of State, Auditor, Treasurer, ~~Superintendent of Public Instruction~~,
42 Attorney General, Commissioner of Agriculture, Commissioner of Labor, and
43 Commissioner of Insurance. Each such vacancy shall be filled by election at the first
44 election for members of the General Assembly that occurs more than 60 days after the

1 vacancy has taken place, and the person chosen shall hold the office for the remainder
2 of the unexpired four-year term: Provided, that when a vacancy occurs in any of the
3 offices named in this section and the term expires on the first day of January succeeding
4 the next election for members of the General Assembly, the Governor shall appoint to
5 fill the vacancy for the unexpired term of the office.

6 Upon the occurrence of a vacancy in the office of any one of these officers for any
7 of the causes stated in the preceding paragraph, the Governor may appoint an acting
8 officer to perform the duties of that office until a person is appointed or elected pursuant
9 to this section and Article III, Section 7 of the State Constitution, to fill the vacancy and
10 is qualified."

11 Sec. 13. G.S. 163-278.27 reads as rewritten:

12 **"§ 163-278.27. Penalty for violations; duty to report and prosecute.**

13 (a) Any individual, candidate, political committee, referendum committee,
14 treasurer, person or media who violates the provisions of G.S. 163-278.7, 163-278.8,
15 163-278.9, 163-278.10, 163-278.11, 163-278.12, 163-278.14, 163-278.16, 163-278.17,
16 163-278.18, 163-278.40A, 163-278.40B, 163-278.40C, 163-278.40D or 163-278.40E is
17 guilty of a misdemeanor.

18 (b) Whenever the Board has knowledge of or has reason to believe there has been
19 a violation of any section of this Article, it shall report that fact, together with
20 accompanying details, to the following prosecuting authorities:

- 21 (1) In the case of a candidate for nomination or election to the State Senate
22 or State House of Representatives: report to the district attorney of the
23 prosecutorial district in which the candidate for nomination or election
24 resides;
- 25 (2) In the case of a candidate for nomination or election to the office of
26 Governor, Lieutenant Governor, Secretary of State, State Auditor,
27 State Treasurer, ~~State Superintendent of Public Instruction~~, State Attorney
28 General, State Commissioner of Agriculture, State Commissioner of
29 Labor, State Commissioner of Insurance, and all other State elective
30 offices, Justice of the Supreme Court, Judge of the Court of Appeals,
31 judge of a superior court, judge of a district court, and district attorney
32 of the superior court: report to the district attorney of the prosecutorial
33 district in which Wake County is located;
- 34 (3) In the case of an individual other than a candidate, including, without
35 limitation, violations by members of political committees, referendum
36 committees or treasurers: report to the district attorney of the
37 prosecutorial district in which the individual resides; and
- 38 (4) In the case of a person or any group of individuals: report to the
39 district attorney or district attorneys of the prosecutorial district or
40 districts in which any of the officers, directors, agents, employees or
41 members of the person or group reside.

42 (c) Upon receipt of such a report from the Board, the appropriate district attorney
43 shall prosecute the individual or persons alleged to have violated a section or sections of
44 this Article."

1 Sec. 14. The amendments set out in Sections 1 and 2 of this act shall be
2 submitted to the qualified voters of the State at an election to be held on November 5,
3 1991, which election shall be conducted under the laws then governing elections in the
4 State. At that election, each qualified voter desiring to vote shall be provided a ballot on
5 which shall be printed the following:

6 " FOR Constitutional amendments to change the composition of the
7 State Board of Education and to make the Superintendent of Public
8 Instruction an appointee of the State Board of Education.

9 AGAINST Constitutional amendments to change the composition of
10 the State Board of Education and to make the Superintendent of Public
11 Instruction an appointee of the State Board of Education."

12 Those qualified voters favoring the amendments set out in Sections 1 and 2
13 of this act shall vote by making an "X" or a check mark in the square beside the
14 statement beginning "FOR", and those qualified voters opposed to those amendments
15 shall vote by making an "X" or check mark in the square beside the statement beginning
16 "AGAINST".

17 Notwithstanding the foregoing provisions of this section, voting machines
18 may be used in accordance with rules prescribed by the State Board of Elections.

19 Sec. 15. If a majority of votes cast thereon are in favor of the amendments set
20 out in Sections 1 and 2 of this act, the State Board of Elections shall certify the
21 amendments to the Secretary of State, who shall enroll the amendments so certified
22 among the permanent records of his office, and the amendments shall become effective
23 upon such certification, except that:

24 (1) Such amendments do not affect the manner of filling vacancies of the
25 Superintendent of Public Instruction for the term that commenced
26 January 1, 1989;

27 (2) The term of office of the Superintendent of Public Instruction for the
28 term that commenced January 1, 1989, is extended until March 31,
29 1993, and he shall continue to serve as a member of the Council of
30 State until March 31, 1993; and

31 (3) The term of office of all members of the State Board of Education who
32 were appointed or elected prior to March 31, 1993, and the terms of
33 the Lieutenant Governor and State Treasurer on the State Board of
34 Education shall expire on March 31, 1993.

35 Sec. 16. Sections 3 through 13 of this act shall become effective only if the
36 Constitutional amendments set out in Sections 1 and 2 of this act are approved by the
37 voters. If the Constitutional amendments are approved by the voters, Sections 3 through
38 13 of this act shall become effective March 31, 1993. Sections 14 and 15 of this act are
39 effective upon ratification.

40 Sec. 17. This act is effective upon ratification.