

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 613
Commerce Committee Substitute Adopted 5/8/13
Rules and Operations of the Senate Committee Substitute Adopted 5/14/13
House Committee Substitute Favorable 6/21/13
Fifth Edition Engrossed 6/24/13

Short Title: Create Military Affairs Commission.

(Public)

Sponsors:

Referred to:

April 4, 2013

A BILL TO BE ENTITLED

AN ACT TO CREATE THE NORTH CAROLINA MILITARY AFFAIRS COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. The North Carolina Advisory Commission on Military Affairs is hereby abolished.

SECTION 2. Chapter 127C of the General Statutes reads as rewritten:

"Chapter 127C.

"Advisory Commission on Military Affairs; North Carolina Military Affairs Commission.

"§ 127C-1. Creation of the North Carolina Advisory Commission on Military Affairs; Commission established; purpose; transaction of business.

(a) Establishment. – There is established the North Carolina Military Affairs Commission. The Commission shall be established within the Office of the Governor. The Department of Commerce is responsible for organizational, budgetary, and administrative purposes.

(b) Purpose. – The Commission shall provide advice, counsel, and recommendations to the Governor, the General Assembly, the Secretary of Commerce, and other State agencies on initiatives, programs, and legislation that will continue and increase the role that North Carolina's military installations, the National Guard, and Reserves play in America's defense strategy and the economic health and vitality of the State. The Commission is authorized to:

(1) Coordinate and provide recommendations to the Governor, General Assembly, and State agencies to protect North Carolina's military installations from encroachment or other initiatives that could result in degradation or restrictions to military operations, training ranges, or low-level routes.

(2) Cooperate with military installations to facilitate the military mission, training, and continued presence of major military installations in the State and notify the commanding military officer of a military installation and the governing body in affected counties and municipalities of any economic development or other projects that may impact military installations.

(3) Identify and support ways to provide a sound infrastructure, adequate housing and education, and transition support into North Carolina's workforce for military members and their families, military retirees, and veterans.



- 1 (4) Lead the State's initiative to prepare for the next round of Base Realignment
2 and Closure (BRAC), as defined by the Governor and the General
3 Assembly, with input from local military communities.
- 4 (5) Identify and support economic development organizations and initiatives
5 that focus on leveraging the military and other business opportunities to help
6 create jobs and expand defense and homeland security related economic
7 development activity in North Carolina.
- 8 (6) Assist military installations located within the State by coordinating with
9 commanders, communities, and State and federal agencies on affairs that
10 affect military installations and may require State coordination and
11 assistance.
- 12 (7) Support the long-term goal of a viable and prosperous military presence in
13 the State, which shall include development of comprehensive economic
14 impact studies of military activities in North Carolina, updated every two
15 years with recommendations for initiatives to support this goal.
- 16 (8) Support the Army's Compatible Use Buffer Program, the Working Lands
17 Group, and related initiatives.
- 18 (9) Adopt processes to ensure that all planning, coordination, and actions are
19 conducted with timely consideration having been given to relevant military
20 readiness or training concerns and with appropriate communications with all
21 potentially affected military entities.
- 22 (10) Share information and coordinate efforts with the North Carolina
23 congressional delegation and other federal agencies, as appropriate.
- 24 (11) Any other issue or matter that the Commission deems essential to fulfilling
25 its purpose.

26 (c) Transaction of Business. – The Commission shall meet, at a minimum, at least once
27 during each quarter and shall provide a report on military affairs to the Governor and to the
28 General Assembly at least every six months. Prior to the start of a Regular Session of the
29 General Assembly, the Commission shall report to the General Assembly with
30 recommendations, if any, for legislation. Priority actions or issues may be submitted at any
31 time.

32 ~~There is created in the Office of the Governor the North Carolina Advisory Commission on~~
33 ~~Military Affairs to advise the Governor and the Secretary of Commerce on protecting the~~
34 ~~existing military infrastructure in this State and to promote new military missions and~~
35 ~~economic opportunities for the State and its citizens.~~

36 "**§ 127C-2. Membership.**

37 (a) ~~The North Carolina Advisory Commission on Military Affairs Commission shall~~
38 ~~consist of 21 voting members, who shall serve on the Executive Committee, and 17 nonvoting,~~
39 ~~ex officio members who shall serve by reason of their positions 21 voting members who are~~
40 ~~appointed by the Governor, the Speaker of the House of Representatives, and the President Pro~~
41 ~~Tempore of the Senate, nonvoting members, and nonvoting ex officio members as designated~~
42 ~~in this section.~~

43 (b) ~~The Executive Committee voting members of the Commission shall be appointed as~~
44 ~~follows:~~

- 45 (1) ~~Three members appointed by the Speaker of the House of Representatives,~~
46 ~~one of whom shall be a member of a recognized veterans'~~
47 ~~organization. Eleven members appointed by the Governor, consisting of:~~
 - 48 a. One person residing near Camp Lejeune, who is retired from the
49 military and is actively involved in a military affairs organization, or
50 a person who is involved in military issues through civic,
51 commercial, or governmental relationships.

- 1 b. One person residing near Marine Corps Air Station Cherry Point,
2 who is retired from the military and is actively involved in a military
3 affairs organization, or a person who is involved in military issues
4 through civic, commercial, or governmental relationships.
- 5 c. One person residing near Seymour Johnson Air Force Base, who is
6 retired from the military and is actively involved in a military affairs
7 organization, or a person who is involved in military issues through
8 civic, commercial, or governmental relationships.
- 9 d. One person residing near Ft. Bragg, who is retired from the military
10 and is actively involved in a military affairs organization, or a person
11 who is involved in military issues through civic, commercial, or
12 governmental relationships.
- 13 e. One person residing near Coast Guard Station Elizabeth City, who is
14 retired from the military and is actively involved in a military affairs
15 organization, or a person who is involved in military issues through
16 civic, commercial, or governmental relationships.
- 17 f. Six persons who may reside in any part of the State, who are
18 involved in military issues through civic, commercial, or
19 governmental relationships.
- 20 (2) ~~Three members appointed by the President Pro Tempore of the Senate, one~~
21 ~~of whom shall be a member of a recognized veterans' organization.~~Five
22 members appointed by the Speaker of the House of Representatives,
23 consisting of:
- 24 a. One member of the House of Representatives. A House member who
25 has served in the military or has extensive experience in the area of
26 military affairs shall be selected.
- 27 b. One person residing near Camp Lejeune, who is retired from the
28 military and is actively involved in a military affairs organization, or
29 a person who is involved in military issues through civic,
30 commercial, or governmental relationships.
- 31 c. One person residing near Marine Corps Air Station Cherry Point,
32 who is retired from the military and is actively involved in a military
33 affairs organization, or a person who is involved in military issues
34 through civic, commercial, or governmental relationships.
- 35 d. One person residing near Seymour Johnson Air Force Base, who is
36 retired from the military and is actively involved in a military affairs
37 organization, or a person who is involved in military issues through
38 civic, commercial, or governmental relationships.
- 39 e. One person residing near Ft. Bragg, who is retired from the military
40 and is actively involved in a military affairs organization, or a person
41 who is involved in military issues through civic, commercial, or
42 governmental relationships.
- 43 (3) ~~Fifteen members appointed by the Governor, consisting of:~~Five members
44 ~~appointed by the President Pro Tempore of the Senate, consisting of:~~
45 a. Three representatives from the Jacksonville community.One member
46 of the Senate. A Senate member who has served in the military or has
47 extensive experience in the area of military affairs shall be selected.
- 48 b. Three representatives from the Havelock community.One person
49 residing near Camp Lejeune, who is retired from the military and is
50 actively involved in a military affairs organization, or a person who

1 is involved in military issues through civic, commercial, or
 2 governmental relationships.

3 c. ~~Three representatives from the Goldsboro community.~~ One person
 4 residing near Marine Corps Air Station Cherry Point, who is retired
 5 from the military and is actively involved in a military affairs
 6 organization, or a person who is involved in military issues through
 7 civic, commercial, or governmental relationships.

8 d. ~~Three representatives from the Fayetteville community.~~ One person
 9 residing near Seymour Johnson Air Force Base, who is retired from
 10 the military and is actively involved in a military affairs organization,
 11 or a person who is involved in military issues through civic,
 12 commercial, or governmental relationships.

13 e. ~~Three public members from across the State.~~ One person residing
 14 near Ft. Bragg, who is retired from the military and is actively
 15 involved in a military affairs organization, or a person who is
 16 involved in military issues through civic, commercial, or
 17 governmental relationships.

18 (b1) The following members of the General Assembly shall serve as nonvoting members
 19 of the Commission:

20 (1) One member of the House of Representatives, appointed by the Speaker of
 21 the House of Representatives, who represents a district which contains all or
 22 any portion of one of the military installations described in sub-subdivisions
 23 b. through e. of subdivision (2) of subsection (b) of this section.

24 (2) One member of the Senate appointed by the President Pro Tempore of the
 25 Senate, who represents a district which contains all or any portion of one of
 26 the military installations described in sub-subdivisions b. through e. of
 27 subdivision (3) of subsection (b) of this section.

28 (c) The following ~~members, office holders~~ or their designee, shall serve ~~ex officio~~ as
 29 nonvoting ex officio members of the Commission:

30 (1) The Lieutenant Governor.

31 ~~(1a)~~ (2) Secretary of Public Safety.

32 ~~(2)~~ (3) Secretary of Commerce.

33 ~~(2a)~~ (4) The Secretary of Transportation.

34 ~~(2b)~~ (5) The Secretary of the Department of Environment and Natural Resources.

35 ~~(3)~~ (6) Commanding General 18th Airborne Corps, Fort Bragg. The Commissioner
 36 of Agriculture.

37 (4) Commanding General Marine Corps Base, Camp Lejeune.

38 (5) Commanding General Marine Corps Air Station, Cherry Point.

39 (6) Commander 4th FW, Seymour Johnson Air Force Base.

40 (7) Commander 43rd Airlift Wing, Pope Air Force Base.

41 (8) Commander of the U.S. Coast Guard Support Center, Elizabeth City.

42 ~~(9)~~ (7) Adjutant General of the North Carolina National Guard.

43 ~~(10)~~ (8) The Executive Director of the North Carolina League of Municipalities. The
 44 Mayor of Elizabeth City, or designee.

45 (9) The Mayor of Fayetteville, or designee.

46 (10) The Mayor of Goldsboro, or designee.

47 (11) The Executive Director of the North Carolina Association of County
 48 Commissioners. The Mayor of Havelock, or designee.

49 (12) The Mayor of Jacksonville, or designee.

50 ~~(12)~~ (13) The Assistant Secretary for Veterans Affairs, Department of
 51 Administration.

1 ~~(13)~~(14) The President of The University of North Carolina.
2 ~~(14)~~(15) The President of the North Carolina Community College System.
3 (16) The Superintendent of Public Instruction.
4 (c1) The following officers, or their designee, shall be invited to serve as nonvoting ex
5 officio members of the Commission:

- 6 (1) Commanding General, 18th Airborne Corps, Ft. Bragg.
- 7 (2) Commanding General, Marine Corps Installations East.
- 8 (3) Commanding Officer, Marine Corps Air Station, Cherry Point.
- 9 (4) Commanding Officer, 4th Fighter Wing, Seymour Johnson Air Force Base.
- 10 (5) Commanding Officer, U.S. Army Corps of Engineers, Wilmington District.
- 11 (6) Commanding Officer, U.S. Coast Guard Base, Elizabeth City.
- 12 (7) Commanding Officer, Marine Corps Air Station, New River.
- 13 (8) Commanding Officer, Camp Lejeune Marine Corps Base.
- 14 (9) Commanding Officer, Fleet Readiness Center East.
- 15 (10) Commanding Officer, Military Ocean Terminal, Sunny Point.
- 16 (11) Commanding Officer, Coast Guard Sector North Carolina.
- 17 (12) Commanding Officer, Naval Support Activity Hampton Roads.

18 (d) ~~The Governor shall designate one member of the Executive Committee appointed~~
19 ~~pursuant to subsection (b) of this section to serve as chair. The Executive Committee shall elect~~
20 ~~four persons from amongst its membership to serve as vice chairs.~~Chair of the Commission
21 shall be appointed by the Governor from the voting members of the Commission.

22 (e) ~~The terms of the members of the Executive Committee shall be as follows:~~

- 23 ~~(1) The members initially appointed by the Speaker of the House of~~
24 ~~Representatives and the President Pro Tempore of the Senate shall serve~~
25 ~~terms ending on December 31, 2003.~~
- 26 ~~(2) Seven of the members appointed by the Governor shall serve initial terms~~
27 ~~ending on December 31, 2002.~~
- 28 ~~(3) Eight of the members appointed by the Governor shall serve initial terms~~
29 ~~ending on December 31, 2003.~~

30 ~~Thereafter, all members shall serve two year terms.~~

31 (e) The voting members of the Commission shall serve for two-year terms, with no
32 prohibition against being reappointed, except initial appointments shall be for terms as follows:

- 33 (1) The Governor shall initially appoint seven members for a term of two years
34 and four members for a term of three years.
- 35 (2) The President Pro Tempore of the Senate shall initially appoint the member
36 of the Senate and two members for a term of two years and two members for
37 a term of three years.
- 38 (3) The Speaker of the House of Representatives shall initially appoint the
39 member from the House of Representatives and two members for a term of
40 two years and two members for a term of three years.

41 Initial terms shall commence on August 1, 2013.

42 (f) The initial meeting of the Commission shall be within 30 days of the effective date
43 of this act at a time and place to be determined by the Secretary of Commerce. The first order
44 of business at the initial meeting of the Commission shall be the adoption of bylaws and
45 establishment of committees, after which the Commission shall meet upon the call of the
46 Chairman or the Military Advisor within the Office of the Governor. The members shall
47 receive no compensation for attendance at meetings, except a per diem expense reimbursement.
48 Members of the Commission who are not officers or employees of the State shall receive
49 reimbursement for subsistence and travel expenses at rates set out in G.S. 138-5 from funds
50 made available to the Commission. Members of the Commission who are officers or employees
51 of the State shall be reimbursed for travel and subsistence at the rates set out in G.S. 138-6 from

1 funds made available to the Commission. The Department of Commerce shall use funds within
2 its budget for the per diem, subsistence, and travel expenses authorized by this subsection.

3 **"§ 127C-3. Military Advisor.**

4 The Military Advisor within the Office of the Governor shall serve as the administrative
5 head of the Commission and be responsible for the operations and normal business activities of
6 the Commission, with oversight by the ~~Executive Committee~~Commission.

7 **~~"§ 127C-4. Purposes.~~**

8 ~~The Commission shall have the following responsibilities and duties:~~

- 9 (1) ~~Advise the Governor and Secretary of Commerce on how to strengthen the~~
10 ~~State's relationship with the military to protect the installations of this State~~
11 ~~from the results of any future defense budget cuts or military downsizing by~~
12 ~~providing a sound infrastructure, affordable housing, and affordable~~
13 ~~education for military members and their families, working to be viewed by~~
14 ~~national military leaders as the most military friendly State in the nation.~~
15 (2) ~~Develop a strategic plan to provide initiatives to support the long term~~
16 ~~viability and prosperity of the military of this State that shall include, at~~
17 ~~least:~~
18 a. ~~A comprehensive Economic Impact Study of Military Activities in~~
19 ~~North Carolina to be conducted by the North Carolina State~~
20 ~~University Department of Economics and the East Carolina~~
21 ~~University Office of Regional Development.~~
22 b. ~~A Strengths/Weaknesses/Opportunities/Threats (SWOT) Analysis~~
23 ~~conducted by a professional strategic planning group on the current~~
24 ~~status of the military in North Carolina.~~
25 (3) ~~Study ways to improve educational opportunities for military personnel in~~
26 ~~North Carolina.~~
27 (4) ~~Assist in coordinating the State's interests in future activities of the~~
28 ~~Department of Defense.~~
29 (5) ~~Promote initiatives to improve the quality of life for military personnel in~~
30 ~~this State."~~

31 **SECTION 3.** This act becomes effective August 1, 2013.