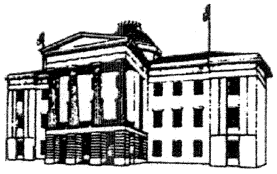
State of North Carolina



BEVERLY EAVES PERDUE
GOVERNOR

EXECUTIVE ORDER NUMBER 34

ETHICS AND ATTENDANCE STANDARDS FOR GUBERNATORIAL APPOINTEES TO BOARDS

WHEREAS, the Governor appoints members to various boards, commissions, committees, councils, and similar entities (hereinafter "boards"); and

WHEREAS, it is essential for the public and the Governor to have confidence in the members of boards and the work done by such boards; and

WHEREAS, gubernatorial appointees to boards must maintain the highest ethical and board attendance standards; and

WHEREAS, the failure of appointees to maintain high ethical standards erodes public confidence in the actions of boards; and

WHEREAS, the excessive absences of appointees from board meetings diminishes the effectiveness of the entire board.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED:**

1. In transacting board business, each person appointed by the Governor shall act always in the best interest of the public without regard for her or his financial interests. To this end, each appointee must recuse herself or himself from voting on any matter on which the appointee has a financial interest.

2. No person appointed by the Governor to serve on a board shall accept a gift from any contractors, subcontractors, or suppliers of the appointee's board. This provision does not prohibit an appointee from accepting a gift that would be permitted under the State Ethics Act, regardless of whether the appointee is covered by the State Ethics Act.

3. If any person appointed by the Governor to serve on a board is indicted for a felony by a state or federal grand jury or fails to fully cooperate in an investigation conducted by a state or federal agency pursuant to law, such action shall constitute grounds for removal from the board for misfeasance, malfeasance, or nonfeasance pursuant to N.C. Gen. Stat. § 143B-13(d), N.C. Gen. Stat. § 143B-16, or other applicable statutes or regulations.

4. All persons appointed by the Governor to serve on a board shall attend at least 75 percent of all regularly scheduled meetings of the board during the board's calendar year. Failure of a board member to attend board meetings in a manner consistent with this Order shall constitute grounds for removal from the board for misfeasance, malfeasance, or nonfeasance pursuant to N.C. Gen. Stat. § 143B-13(d), N.C. Gen. Stat. § 143B-16, or other applicable statutes or regulations.

This Executive Order shall be effective immediately and shall remain in effect until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this ninth day of December in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-fourth.

Beverly Eaves Perdue
Governor

ATTEST:

Elaine F. Marshall
Secretary of State