

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 464

Short Title: Board of Governors Election.

(Public)

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Sponsors: Senators Winner of Buncombe, Winner of Mecklenburg; and Hyde.

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Referred to: Education/Higher Education.

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March 4, 1993

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE MANNER OF SELECTION OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. G.S. 116-6 reads as rewritten:

**"§ 116-6. Election and terms of members of Board of Governors.**

(a) As the terms of members of the Board of Governors provided for in G.S. 116-5 expire, their successors shall be elected by the Senate and House of Representatives. ~~Sixteen~~ Eighteen members shall be elected at the regular legislative session in ~~1993-1995~~ and every two years thereafter. The Senate and the House of Representatives shall each elect one-half of the persons necessary to fill the vacancies on the Board of Governors. Of the ~~16-18~~ members elected every two years beginning in ~~1993-1995~~, at least two shall be women, at least two other members shall be members of a minority race, and at least two other members shall be members of the political party to which the largest minority of the members of the General Assembly belongs.

(b) ~~In 1993 and every four years thereafter the Senate shall elect at least two women and two members of a minority race, and the House of Representatives shall elect at least two members of the political party to which the largest minority of the members of the General Assembly belongs. In 1995 and every four years thereafter the Senate shall elect at least two members of the political party to which the largest minority of the members of the General Assembly belongs, and the House of Representatives shall elect at least two women and two members of a minority race. In 1995 and every two years thereafter, the Senate and the House of Representatives shall~~ each elect at least one woman, one member of a minority race, and one member of the

1 political party to which the largest minority of the General Assembly belongs. In 1995  
2 and quadrennially thereafter, the Senate shall elect one person from each of  
3 Congressional Districts 1, 3, 5, 7, 9, and 11. In 1997 and quadrennially thereafter, the  
4 House of Representatives shall elect one person from each of Congressional Districts 1,  
5 3, 5, 7, 9, and 11. In 1995 and quadrennially thereafter, the House of Representatives  
6 shall elect one person from each of Congressional Districts 2, 4, 6, 8, 10, and 12. In  
7 1997 and quadrennially thereafter, the Senate shall elect one person from each of  
8 Congressional Districts 2, 4, 6, 8, 10, and 12. A person elected from a congressional  
9 district must be a resident of the district, and if the member ceases to be a resident of  
10 that district, the seat is vacated. Change in the boundaries of a congressional district  
11 does not prevent a person from completing the remainder of a term, however. Once  
12 elected, all members of the board are still, as provided by G.S. 116-7(a), 'deemed  
13 members-at-large, charged with the responsibility of serving the best interests of the  
14 whole State'.

15 (c) In electing members to the Board of Governors, the Senate and the House of  
16 Representatives shall select from a slate of candidates made in each house. The slate  
17 shall be prepared as provided by resolution of each house. If a sufficient number of  
18 nominees who are legally qualified are submitted in a category for which members of  
19 the Board of Governors are to be elected, then the slate of candidates shall list at least  
20 twice the number of candidates for the total seats open in a category. All qualified  
21 candidates in a category shall compete against all other qualified candidates in a  
22 category. In 1993 and biennially thereafter, each house shall hold their elections within  
23 30 legislative days after appointments to their education committees are complete.

24 (d) All terms shall commence on July 1 of odd-numbered years and all members  
25 shall serve for four-year overlapping terms.

26 (e) No person may be elected to:

27 (1) More than three full four-year terms in succession;

28 (2) A four-year term if preceded immediately by election to two full eight-  
29 year terms in succession; or

30 (3) A four-year term if preceded immediately by election to an eight-year  
31 term and a four-year term in succession.

32 Resignation from a term of office does not constitute a break in service for the purpose  
33 of this subsection. Service prior to the beginning of those terms in 1989 shall be  
34 included in the limitations.

35 (f) Any person who has served at least one full term as chairman of the Board of  
36 Governors shall be a member emeritus of the Board of Governors for one four-year term  
37 beginning at the expiration of that member's regular elected term. Any person already  
38 serving as an emeritus member may serve an additional four-year term beginning July 1,  
39 1991. Members emeriti have all the rights and privileges of membership except they do  
40 not have a vote.

41 (g) Effective July 1, 1991, and thereafter, any person who has served at least one  
42 term as a member of the Board of Governors after having served as Governor of North  
43 Carolina shall be a member emeritus of the Board of Governors, with all the rights and  
44 privileges of membership as in G.S. 116-6(f)."

1           Sec. 2. G.S. 116-6.1(a) reads as rewritten:

2           "(a) Commencing July 1, 1991, and during his continuance as a student in good  
3 standing at a constituent institution of The University of North Carolina, the person  
4 serving as president of the University of North Carolina Association of Student  
5 Governments (UNCASG) or his designee shall serve ex officio as a member of the  
6 Board of Governors. This student member shall be in addition to the ~~32~~members  
7 elected to the Board of Governors."

8           Sec. 3. This act is effective upon ratification, but does not affect the terms of  
9 office of members elected in 1993 or previously.