

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 526

Short Title: Add Trustees/University System.

(Public)

Sponsors: Senators Plexico, Winner, Perdue, Hartsell, Plyler, Conder and Davis.

Referred to: Rules and Operation of the Senate

March 29, 1995

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT
FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH
CONSTITUENT INSTITUTION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 116-31 reads as rewritten:

"§ 116-31. Membership of the boards of trustees.

(a) All persons who, as of June 30, 1972, are serving as trustees of the regional universities and of the North Carolina School of the Arts, except those who may have been elected to the Board of Governors, shall continue to serve for one year beginning July 1, 1972, and the terms of all such trustees shall continue for the period of one year.

(b) Effective July 1, 1972, a separate board of trustees shall be created for each of the following institutions: North Carolina State University at Raleigh, the University of North Carolina at Asheville, the University of North Carolina at Chapel Hill, the University of North Carolina at Charlotte, the University of North Carolina at Greensboro, and the University of North Carolina at Wilmington. For the period commencing July 1, 1972, and ending June 30, 1973, each such board shall be constituted as follows:

- (1) Twelve or more persons elected prior to July 1, 1972, by and from the membership of the Board of Trustees of the University of North Carolina, and
- (2) The president of the student government of the institution, ex officio.

1 (c) If any vacancy should occur in any board of trustees during the year
2 beginning July 1, 1972, the Governor may appoint a person to serve for the balance of
3 the year.

4 (d) Effective July 1, ~~1973~~, 1995, each of the 16 constituent institutions shall have
5 board of trustees composed of ~~13~~ 17 persons chosen as follows:

6 (1) Eight elected by the Board of Governors,

7 (1a) Four appointed by the General Assembly, two upon the
8 recommendation of the President Pro Tempore of the Senate and two
9 upon the recommendation of the Speaker of the House of
10 Representatives.

11 (2) Four appointed by the Governor, and

12 (3) The president of the student government ex officio.

13 (e) From and after July 1, 1973, the term of office of all trustees, except the ex
14 officio member, shall be four years, commencing on July 1 of odd-numbered years. In
15 every odd-numbered year the Board of Governors shall elect four persons to each board
16 of ~~trustees and trustees~~, the Governor shall appoint two persons to each ~~such board~~ board
17 of trustees, and the General Assembly shall appoint two persons to each board of
18 trustees.

19 (f) In electing boards of trustees to serve commencing July 1, 1973, the Board of
20 Governors shall designate four persons for four-year terms and four for two-year terms.
21 The Governor, in making appointments of trustees to serve commencing July 1, 1973,
22 shall designate two persons for four-year terms and two for two-year terms.

23 (f1) In appointing members of each board of trustees to serve commencing July 1,
24 1995, the General Assembly shall make its appointments based upon the
25 recommendation of the President Pro Tempore of the Senate and the Speaker of the
26 House of Representatives who shall each designate two persons, one for a four-year
27 term and one for a two-year term.

28 (g) From and after July 1, 1973, any person who has served two full four-year
29 terms in succession as a member of a board of trustees shall, for a period of one year, be
30 ineligible for election or appointment to the same board but may be elected or appointed
31 to the board of another institution.

32 (h) From and after July 1, 1973, no member of the General Assembly or officer
33 or employee of the State or of any constituent institution or spouse of any such member,
34 officer or employee shall be eligible for election or appointment as a trustee. Any
35 trustee who is elected or appointed to the General Assembly or who becomes an officer
36 or employee of the State or of any constituent institution or whose spouse is elected or
37 appointed to the General Assembly or becomes such officer or employee shall be
38 deemed thereupon to resign from his membership on the board of trustees.

39 (i) No person may serve simultaneously as a member of a board of trustees and
40 as a member of the Board of Governors. Any trustee who is elected or appointed to the
41 Board of Governors shall be deemed to resign as a trustee effective as of the date that
42 his term commences as a member of the Board of Governors.

43 (j) From and after July 1, 1973, whenever any vacancy shall occur in the
44 membership of a board of trustees among those appointed by the Governor, it shall be

1 the duty of the secretary of the board to inform the Governor of the existence of such
2 vacancy, and the Governor shall appoint a person to fill the unexpired ~~term, and~~
3 ~~whenever~~ term. From and after July 1, 1973, whenever any vacancy shall occur among
4 those elected by the Board of Governors, it shall be the duty of the secretary of the
5 board to inform the Board of Governors of the existence of the vacancy, and the Board
6 of Governors shall elect a person to fill the unexpired term. From and after July 1, 1995,
7 whenever any vacancy shall occur among those appointed by the General Assembly, it
8 shall be the duty of the secretary of the board to inform the President Pro Tempore of
9 the Senate and the Speaker of the House of Representatives of the existence of the
10 vacancy, and the vacancy shall be filled in accordance with G.S. 120-122 for the
11 unexpired term. Whenever a member shall fail, for any reason other than ill health or
12 service in the interest of the State or nation, to be present for three successive regular
13 meetings of a board of trustees, his place as a member shall be deemed vacant."

14 Sec. 2. This act is effective upon ratification.