

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1229

Short Title: Comm. Coll. Bd. Teacher of Year.

(Public)

Sponsors: Representatives Hardaway; Bowman, Brubaker, Burke, Edwards, Hall, S. Hunt, H. Hunter, Jeralds, Michaux, and Wicker.

Referred to: Education.

April 12, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO PLACE THE COMMUNITY COLLEGES' TEACHER OF THE YEAR
3 ON THE STATE BOARD OF COMMUNITY COLLEGES.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 115D-2.1(b) reads as rewritten:

6 "(b) The State Board of Community Colleges shall consist of ~~20~~21 members, as
7 follows:

8 (1) The Lieutenant Governor (or a person designated by the Lieutenant
9 Governor) shall be a member ex officio.

10 (2) The Treasurer of North Carolina shall be a member ex officio.

11 (2a) The Community Colleges' Teacher of the Year shall be a member ex
12 officio.

13 (3) The Governor shall appoint to the State Board four members from the
14 State at large and one member from each of the six Trustee
15 Association Regions defined in G.S. 115D-63 [G.S. 115D-62]. The
16 initial appointments by the Governor shall be made effective July 1,
17 1980, or as soon as feasible thereafter. In order to establish regularly
18 overlapping terms, the initial appointments by the Governor shall be
19 made so that three expire June 30, 1981, three expire June 30, 1983,
20 and four expire June 30, 1985. Each subsequent regular appointment
21 by the Governor shall be for a term of six years and until a successor is
22 appointed and qualifies. Any vacancy occurring among his appointees
23 before the expiration of term shall be filled by appointment of the

1 Governor; the member so appointed shall meet the same residential
2 qualification, if any, as the member whom he succeeds and shall serve
3 for the remainder of the unexpired term of that member.

4 (4) The General Assembly shall elect eight members of the State Board
5 from the State at large in the following manner:

6 a. In 1980, the Senate shall elect three members, one of whom
7 shall serve a term expiring June 30, 1981, one of whom shall
8 serve a term expiring June 30, 1983, and one of whom shall
9 serve a term expiring June 30, 1985. In 1985, the Senate shall
10 elect two members to serve terms expiring June 30, 1991. Each
11 subsequent regular election by the Senate shall be for a term of
12 six years and until a successor is elected and qualifies.

13 b. In 1980, the House of Representatives shall elect four members,
14 one of whom shall serve a term expiring June 30, 1981, one of
15 whom shall serve a term expiring June 30, 1983, and two of
16 whom shall serve a term expiring June 30, 1985. In 1985, the
17 House of Representatives shall elect two members, to serve
18 terms expiring June 30, 1991. Each subsequent regular election
19 by the House of Representatives shall be for a term of six years
20 and until a successor is elected and qualifies.

21 c. Repealed by Session Laws 1985, c. 227, s. 5, effective May 23,
22 1985.

23 d. The initial elections by the two houses of the General Assembly
24 shall be held on or before July 1, 1980.

25 e. Any vacancy occurring among the members elected by the two
26 houses of the General Assembly before the expiration of term
27 shall be filled when the General Assembly next convenes. The
28 member then elected shall be elected by the same house that
29 elected the member whom he succeeds, and shall serve for the
30 remainder of the unexpired term of that member.

31 f. At each session of the General Assembly held in an odd-
32 numbered year, the presiding officer of each house shall assign
33 to either a standing or a special committee of that house the
34 duty of receiving from the members of that house nominations
35 of persons to be considered by that house for election to the
36 State Board. The chairmen of the two committees shall jointly
37 determine a common final date for receiving nominations from
38 members of that house, and a common date for reporting to
39 their respective houses their nominations for the State Board.
40 Each committee shall screen the proposed candidates for
41 nomination as to their qualifications, background, lack of
42 statutory disabilities, and willingness and ability to serve if
43 elected. Each Senator and each Representative may nominate
44 only one candidate. When the nominating process is closed,

1 each committee shall list all candidates and shall separately vote
2 'aye' or 'no' on each candidate to determine whether that person
3 shall be listed as a nominee of the committee. The verbal vote
4 of a majority of those members of the committee present and
5 voting shall constitute one nominee of the committee. An
6 individual cannot be a candidate for nomination to more than
7 one place. If a sufficient number of candidates are submitted to
8 the committee of the House of Representatives then that
9 committee shall nominate at least two persons for each place to
10 be filled by the House of Representatives, otherwise that
11 committee shall nominate at least one person for each place to
12 be filled by the House of Representatives. The committee of
13 the Senate shall nominate at least two persons for each place to
14 be filled by the Senate. No person may simultaneously be a
15 candidate for election by both houses, and if one is nominated
16 in both houses, he shall determine by which house he shall be
17 nominated and so advise the chairman of both committees. The
18 two houses shall, by joint resolution, fix a common date and
19 time for the election of members of the State Board. At the
20 election session in each house, the committee shall report its list
21 of nominees with the term of office indicated for each nominee.
22 The ballot in the House of Representatives shall also include the
23 names of all other persons nominated by a member of that
24 house who are determined by the committee to be qualified for
25 the offices, with the committee's list of nominees being clearly
26 set out on the ballot. No additional nominations shall be
27 received from the floor. Each house shall then proceed to an
28 election of the State Board. In order to be chosen, a nominee
29 shall receive the votes of a majority of all members present and
30 voting.

31 When each house has chosen one person for each place to be
32 filled on the State Board, the chairman of the committee shall
33 make a motion for the simultaneous election of those persons
34 by that house to the indicated positions and for the indicated
35 terms. The vote shall then be called electronically. If a majority
36 of those voting shall vote 'aye,' persons named in the motion
37 shall be declared to have been elected. Each house may adopt
38 rules consistent with this section with respect to the election by
39 that house of members of the State Board."

40 Sec. 2. This act shall become effective July 1, 1989.