

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 387

Short Title: UNC Trustee Appointments.

(Public)

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Sponsors: Senator Rand.

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Referred to: Rules and Operations of the Senate.

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March 16, 1999

A BILL TO BE ENTITLED

1  
2 AN ACT TO PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE  
3 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL EACH  
4 APPOINT A MEMBER TO THE BOARD OF TRUSTEES OF EACH  
5 CONSTITUENT INSTITUTION.

6 The General Assembly of North Carolina enacts:

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

8 "**§ 116-31. Membership of the boards of trustees.**

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

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

- 1           (1) Twelve or more persons elected prior to July 1, 1972, by and from the  
2 membership of the Board of Trustees of the University of North  
3 Carolina, and
- 4           (2) The president of the student government of the institution, ex officio.
- 5           (c) If any vacancy should occur in any board of trustees during the year beginning  
6 July 1, 1972, the Governor may appoint a person to serve for the balance of the year.
- 7           (d) Effective July 1, ~~1973~~, 1999, each of the 16 constituent institutions shall have  
8 board of trustees composed of 13 persons chosen as follows:
- 9           (1) ~~Eight Six~~ elected by the Board of Governors,
- 10           (2) Four appointed by the Governor, ~~and~~
- 11           (2a) One appointed by the President Pro Tempore of the Senate,
- 12           (2b) One appointed by the Speaker of the House of Representatives, and
- 13           (3) The president of the student government ex officio.
- 14           (e) From and after July 1, ~~1973~~, 1999, the term of office of all trustees, except the  
15 ex officio member, shall be four years, commencing on July 1 of odd-numbered years. In  
16 every odd-numbered year the Board of Governors shall elect ~~four~~ two persons to each  
17 board of ~~trustees and trustees~~, the Governor shall appoint two persons to each ~~such board~~.  
18 board of trustees, the President Pro Tempore of the Senate and the Speaker of the House  
19 of Representatives shall each appoint one person to each board of trustees.
- 20           ~~(f) In electing boards of trustees to serve commencing July 1, 1973, the Board of~~  
21 ~~Governors shall designate four persons for four year terms and four for two year terms.~~  
22 ~~The Governor, in making appointments of trustees to serve commencing July 1, 1973,~~  
23 ~~shall designate two persons for four year terms and two for two year terms.~~
- 24           (g) From and after July 1, 1973, any person who has served two full four-year  
25 terms in succession as a member of a board of trustees shall, for a period of one year, be  
26 ineligible for election or appointment to the same board but may be elected or appointed  
27 to the board of another institution.
- 28           (h) From and after July 1, 1973, no member of the General Assembly or officer or  
29 employee of the State or of any constituent institution or spouse of any such member,  
30 officer or employee shall be eligible for election or appointment as a trustee. Any trustee  
31 who is elected or appointed to the General Assembly or who becomes an officer or  
32 employee of the State or of any constituent institution or whose spouse is elected or  
33 appointed to the General Assembly or becomes such officer or employee shall be deemed  
34 thereupon to resign from his membership on the board of trustees.
- 35           (i) No person may serve simultaneously as a member of a board of trustees and as  
36 a member of the Board of Governors. Any trustee who is elected or appointed to the  
37 Board of Governors shall be deemed to resign as a trustee effective as of the date that his  
38 term commences as a member of the Board of Governors.
- 39           (j) From and after July 1, ~~1973~~, 1999, whenever any vacancy shall occur in the  
40 membership of a board of trustees among those ~~appointed by the Governor~~, appointed, it  
41 shall be the duty of the secretary of the board to inform the ~~Governor~~ appropriate  
42 appointing authority of the existence of such vacancy, and the ~~Governor~~ appointing  
43 authority shall appoint a person to fill the unexpired term, and whenever any vacancy

1 shall occur among those elected by the Board of Governors, it shall be the duty of the  
2 secretary of the board to inform the Board of Governors of the existence of the vacancy,  
3 and the Board of Governors shall elect a person to fill the unexpired term. Whenever a  
4 member shall fail, for any reason other than ill health or service in the interest of the State  
5 or nation, to be present for three successive regular meetings of a board of trustees, his  
6 place as a member shall be deemed vacant. "

7 Section 2. G.S. 120-123 is amended by adding a new subdivision to read:

8 "(70) The board of trustees of any constituent institution of The University of  
9 North Carolina as defined by G.S. 116-2."

10 Section 3. This act is effective when it becomes law.