

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH50130-LH-62 (02/08)

Short Title: Amend UNC Board of Governors Members.

(Public)

Sponsors: Representative Michaux.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REVISE THE PROCEDURE BY WHICH THE GENERAL ASSEMBLY
ELECTS THE MEMBERS 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 members shall be elected at the regular legislative session in ~~1993-2007~~ 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 members elected every two years beginning in 2007, each one shall represent a different constituent institution.

(b) Repealed by Session Laws 2001-503, s. 1.

(b1) In 2007, and every four years thereafter, the Senate shall elect a member nominated by the Board of Trustees of each of the following constituent institutions: the University of North Carolina at Chapel Hill, the University of North Carolina at Greensboro, the University of North Carolina at Asheville, the University of North Carolina at Wilmington, Elizabeth City State University, Fayetteville State University, North Carolina Central University, and the North Carolina School of the Arts. In 2007, and every four years thereafter, the House of Representatives shall elect a member nominated by the Board of Trustees of each of the following constituent institutions: North Carolina State University, the University of North Carolina at Charlotte, Appalachian State University, East Carolina University, North Carolina Agricultural and Technical State University, the University of North Carolina at Pembroke, Western Carolina University, and Winston-Salem State University.

1 In 2009, and every four years thereafter, the Senate shall elect a member nominated
2 by the Board of Trustees of each of the following constituent institutions: North
3 Carolina State University, the University of North Carolina at Charlotte, Appalachian
4 State University, East Carolina University, North Carolina Agricultural and Technical
5 State University, the University of North Carolina at Pembroke, Western Carolina
6 University, and Winston-Salem State University. In 2009, and every four years
7 thereafter, the House of Representatives shall elect a member nominated by the Board
8 of Trustees of each of the following constituent institutions: the University of North
9 Carolina at Chapel Hill, the University of North Carolina at Greensboro, the University
10 of North Carolina at Asheville, the University of North Carolina at Wilmington,
11 Elizabeth City State University, Fayetteville State University, North Carolina Central
12 University, and the North Carolina School of the Arts.

13 (c) The Board of Trustees of each constituent institution shall submit a list of
14 four candidates to the General Assembly by February 1, 2007, and by February 1 every
15 two years thereafter. In electing members to the Board of Governors, the Senate and the
16 House of Representatives shall select from thea slate of candidates ~~made in each~~
17 ~~house submitted by the Board of Trustees of the constituent institutions.~~ The slate shall
18 be prepared as provided by resolution of each house. ~~If a sufficient number of nominees~~
19 ~~who are legally qualified are submitted, then the slate of candidates shall list at least~~
20 ~~twice the number of candidates for the total seats open.~~ All qualified candidates shall
21 compete against all other qualified candidates. In 1993 and biennially thereafter, each
22 house shall hold their elections within 30 legislative days after appointments to their
23 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
29 eight-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)."

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SECTION 2. This act is effective when it becomes law.