

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SECOND EXTRA SESSION 1996**

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**1**

HOUSE BILL 29

Short Title: Add Trustees/Univ. System.

(Public)

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Sponsors: Representatives Grady; and Preston.

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Referred to: Rules, Calendar, and Operations of the House.

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July 9, 1996

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT  
2 FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT  
3 INSTITUTION.  
4

5 The General Assembly of North Carolina enacts:

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

7 "**§ 116-31. Membership of the boards of trustees.**

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

12 (b) Effective July 1, 1972, a separate board of trustees shall be created for each of  
13 the following institutions: North Carolina State University at Raleigh, the University of  
14 North Carolina at Asheville, the University of North Carolina at Chapel Hill, the  
15 University of North Carolina at Charlotte, the University of North Carolina at  
16 Greensboro, and the University of North Carolina at Wilmington. For the period  
17 commencing July 1, 1972, and ending June 30, 1973, each such board shall be constituted  
18 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~~, 1997, each of the 16 constituent institutions shall have  
8 board of trustees composed of ~~13~~ 17 persons chosen as follows:
- 9 (1) Eight elected by the Board of Governors,
- 10 (1a) Four appointed by the General Assembly, two upon the  
11 recommendation of the President Pro Tempore of the Senate and two  
12 upon the recommendation of the Speaker of the House of  
13 Representatives.
- 14 (2) Four appointed by the Governor, and
- 15 (3) The president of the student government ex officio.
- 16 (e) From and after July 1, 1973, the term of office of all trustees, except the ex  
17 officio member, shall be four years, commencing on July 1 of odd-numbered years. In  
18 every odd-numbered year the Board of Governors shall elect four persons to each board  
19 of ~~trustees and trustees,~~ the Governor shall appoint two persons to each ~~such board.~~ board  
20 of trustees, and the General Assembly shall appoint two persons to each board of trustees.
- 21 (f) In electing boards of trustees to serve commencing July 1, 1973, the Board of  
22 Governors shall designate four persons for four-year terms and four for two-year terms.  
23 The Governor, in making appointments of trustees to serve commencing July 1, 1973,  
24 shall designate two persons for four-year terms and two for two-year terms.
- 25 (f1) In appointing members of each board of trustees to serve commencing July 1,  
26 1997, the General Assembly shall make its appointments based upon the recommendation  
27 of the President Pro Tempore of the Senate and the Speaker of the House of  
28 Representatives who shall each designate two persons, one for a four-year term and one  
29 for a two-year term.
- 30 (g) From and after July 1, 1973, any person who has served two full four-year  
31 terms in succession as a member of a board of trustees shall, for a period of one year, be  
32 ineligible for election or appointment to the same board but may be elected or appointed  
33 to the board of another institution.
- 34 (h) From and after July 1, 1973, no member of the General Assembly or officer or  
35 employee of the State or of any constituent institution or spouse of any such member,  
36 officer or employee shall be eligible for election or appointment as a trustee. Any trustee  
37 who is elected or appointed to the General Assembly or who becomes an officer or  
38 employee of the State or of any constituent institution or whose spouse is elected or  
39 appointed to the General Assembly or becomes such officer or employee shall be deemed  
40 thereupon to resign from his membership on the board of trustees.
- 41 (i) No person may serve simultaneously as a member of a board of trustees and as  
42 a member of the Board of Governors. Any trustee who is elected or appointed to the

1 Board of Governors shall be deemed to resign as a trustee effective as of the date that his  
2 term commences as a member of the Board of Governors.

3 (j) From and after July 1, 1973, whenever any vacancy shall occur in the  
4 membership of a board of trustees among those appointed by the Governor, it shall be the  
5 duty of the secretary of the board to inform the Governor of the existence of such  
6 vacancy, and the Governor shall appoint a person to fill the unexpired term, ~~and whenever~~  
7 term. From and after July 1, 1973, whenever any vacancy shall occur among those  
8 elected by the Board of Governors, it shall be the duty of the secretary of the board to  
9 inform the Board of Governors of the existence of the vacancy, and the Board of  
10 Governors shall elect a person to fill the unexpired term. From and after July 1, 1997,  
11 whenever any vacancy shall occur among those appointed by the General Assembly, it  
12 shall be the duty of the secretary of the board to inform the President Pro Tempore of the  
13 Senate and the Speaker of the House of Representatives of the existence of the vacancy,  
14 and the vacancy shall be filled in accordance with G.S. 120-122 for the unexpired term.  
15 Whenever a member shall fail, for any reason other than ill health or service in the  
16 interest of the State or nation, to be present for three successive regular meetings of a  
17 board of trustees, his place as a member shall be deemed vacant."

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