

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 771
Committee Substitute Favorable 4/19/05
Senate Education/Higher Education Committee Substitute Adopted 6/21/06
Fourth Edition Engrossed 6/26/06

Short Title: UNC/Dual Office Holding.-AB

(Public)

Sponsors:

Referred to:

March 17, 2005

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE PROHIBITION AGAINST CERTAIN SPOUSES OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, MEMBERS OF THE BOARD OF TRUSTEES OF A CONSTITUENT INSTITUTION, OR MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES FROM BEING EMPLOYEES OR OFFICERS OF THE STATE AND TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY FROM SERVING ON THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-7(b) reads as rewritten:

"(b) ~~From and after July 1, 1973, no~~No member of the General Assembly or officer or employee of the ~~State or of~~State, The University of North Carolina, or any constituent institution ~~or spouse of any such member, officer or employee~~ may be a member of the Board of Governors. No spouse of a member of the General Assembly, or of an officer or employee of The University of North Carolina, or any constituent institution may be a member of the Board of Governors. Any member of the Board of Governors who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution or whose spouse is elected or appointed to the General Assembly or becomes ~~such an~~ officer or employee of The University of North Carolina, or any constituent institution shall be deemed thereupon to resign from his membership on the Board of Governors."

SECTION 2. G.S. 116-31(h) reads as rewritten:

"(h) ~~From and after July 1, 1973, no~~No member of the General Assembly or officer or employee of the ~~State or of~~State, The University of North Carolina, or any constituent institution ~~or spouse of any such member, officer or employee~~ shall be eligible for election or appointment as a trustee. No spouse of a member of the General

1 Assembly, or of an officer or employee of a constituent institution may be a trustee of
2 that constituent institution. Any trustee who is elected or appointed to the General
3 Assembly or who becomes an officer or employee of the ~~State or of~~State, The
4 University of North Carolina, or any constituent institution or whose spouse is elected
5 or appointed to the General Assembly or becomes ~~such an~~ officer or employee of that
6 constituent institution shall be deemed thereupon to resign from ~~his~~ membership on the
7 board of trustees."

8 **SECTION 3.** G.S. 115D-2.1(d) reads as rewritten:

9 "(d) No member of the General Assembly, no officer or employee of the State,
10 and no officer or employee of an institution under the jurisdiction of the State Board ~~and~~
11 ~~no spouse of any of those persons,~~ shall be eligible to serve on the State Board. No
12 spouse of a member of the General Assembly or of an officer or employee of the
13 Community College System or of an institution under the jurisdiction of the State Board
14 shall be eligible to serve on the State Board. ~~Furthermore, no~~No person who within the
15 prior five years has been an employee of the Community Colleges System Office shall
16 be eligible to serve on the State Board."

17 **SECTION 4.** G.S. 115D-12(b1) reads as rewritten:

18 "(b1) No person who has been employed full time by the community college within
19 the prior 5 years and no spouse or child of a person currently employed full time by the
20 community college shall serve on the board of trustees of that ~~college~~.college.
21 Notwithstanding G.S. 115D-16 and G.S. 128-1.1, no member of the General Assembly
22 shall be eligible to serve on the board of trustees of a community college."

23 **SECTION 5.** Section 4 of this act is effective when it becomes law and
24 applies to terms beginning on or after that date. The remainder of this act is effective
25 when it becomes law.