

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1886

Short Title: Science & Math Bd. Change.

(Public)

Sponsors: Representatives G. Miller; and Mosley.

Referred to: Education.

May 30, 1994

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN THE BOARD OF TRUSTEES OF THE SCHOOL OF SCIENCE AND MATHEMATICS AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 116-233 reads as rewritten:

"§ 116-233. Board of Trustees; appointment; terms of office.

(a) There shall be a Board of Trustees of the School, which shall consist of 26-16 members:

- (1) ~~Twelve members who shall be appointed by the Board of Governors of The University of North Carolina, one from each congressional district;~~
- (2) ~~Four members without regard to residency who shall be appointed by the Board of Governors of The University of North Carolina;~~
- (3) ~~Three members, ex officio, who shall be the chief academic officers, respectively, of constituent institutions. The Board of Governors shall in 1985 and quadrennially thereafter designate the three constituent institutions whose chief academic officers shall so serve, such designations to expire on June 30, 1989, and quadrennially thereafter;~~
- (4) ~~The chief academic officer of a college or university in North Carolina other than a constituent institution, ex officio. The Board of Governors shall designate in 1985 and quadrennially thereafter which college or university whose chief academic officer shall so serve, such designation to expire on June 30, 1989, and quadrennially thereafter;~~

- 1 (5) ~~Two members appointed by the General Assembly upon the~~
2 ~~recommendation of the President of the Senate in accordance with~~
3 ~~G.S. 120-121;~~
4 (6) ~~Two members appointed by the General Assembly upon the~~
5 ~~recommendation of the Speaker of the House of Representatives in~~
6 ~~accordance with G.S. 120-121; and~~
7 ~~(7) Two members appointed by the Governor.~~
8 (1) Fourteen members appointed by the Governor:
9 a. Six members who are scientists, mathematicians, or
10 administrators familiar with the educational needs and methods
11 of society;
12 b. Two members representing the business and industrial
13 community;
14 c. One member appointed upon the recommendation of the
15 Lieutenant Governor;
16 d. One member appointed upon the recommendation of the
17 Superintendent of Public Instruction;
18 e. One member appointed upon the recommendation of the State
19 Board of Education;
20 f. One member appointed upon the recommendation of the Board
21 of Governors of The University of North Carolina;
22 g. One member appointed upon the recommendation of the
23 President of the Community College System; and
24 h. One member appointed upon the recommendation of the
25 President of Private Colleges and Universities; and
26 (2) Two members appointed by the General Assembly:
27 a. One member upon the recommendation of the Speaker of the
28 House of Representatives; and
29 b. One member upon the recommendation of the President Pro
30 Tempore of the Senate.

31 (b) Appointed members of the Board of Trustees shall be selected for their
32 interest in and commitment to public education and to the purposes of the School, and
33 they shall be charged with the responsibility of serving the interests of the whole State.
34 In appointing members, the objective shall be to obtain the services of the best qualified
35 persons, taking into consideration the desirability of diversity of membership, including
36 men and women, representatives of different races, and members of different political
37 parties.

38 (c) ~~No member of the General Assembly or officer or employee of the State or of~~
39 ~~the School or of any constituent institution of The University of North Carolina, or the~~
40 ~~spouse of any such member, member officer or employee, shall be is eligible to be~~
41 appointed to the Board of Trustees; and any appointed trustee who is elected or
42 appointed to the General Assembly ~~or who becomes an officer or employee of the State,~~
43 ~~of the School, or of a constituent institution of The University of North Carolina, or~~
44 whose spouse is elected or appointed to the General Assembly ~~or becomes such an~~

1 officer or employee, shall be deemed thereupon shall be considered to resign from his or
2 her membership on the Board of Trustees. This subsection does not apply to ex officio
3 members.

4 (d) ~~Members appointed under subdivisions (1) or (2) of subsection (a) of this~~
5 ~~section shall serve four-year terms. Eight of those terms shall expire June 30, 1993, and~~
6 ~~quadrennially thereafter, and eight of those terms shall expire June 30, 1995, and~~
7 ~~quadrennially thereafter. Only an ex officio member shall be eligible to serve more than~~
8 ~~two successive terms. Any vacancy in the membership of the Board of Trustees~~
9 ~~appointed under G.S. 116-233(a)(1) or (2) shall be reported promptly by the Secretary~~
10 ~~of the Board of Trustees to the Board of Governors of The University of North Carolina,~~
11 ~~which shall fill any such vacancy by appointment of a replacement member to serve for~~
12 ~~the balance of the unexpired term. Any vacancy in members appointed under G.S. 116-~~
13 ~~233(a)(5) or (6) shall be filled in accordance with G.S. 120-122. Any vacancy in~~
14 ~~members appointed under G.S. 116-233(a)(7) shall be filled by the Governor for the~~
15 ~~remainder of the unexpired term. Reapportionment of congressional districts does not~~
16 ~~affect the right of any member to complete the term for which the member was~~
17 ~~appointed. Four of the initial class of members of the Board of Trustees appointed under~~
18 ~~G.S. 116-233(a) by the Governor shall each be chosen for a term of one year to end~~
19 ~~June 30, 1995; four shall each be chosen for a term of three years to end June 30, 1997;~~
20 ~~and four shall each be chosen for a term of four years to end June 30, 1998. The two~~
21 ~~members of the initial class appointed by the General Assembly shall be chosen to serve~~
22 ~~four-year terms. Any vacancy in the membership of the Board of Trustees appointed~~
23 ~~under G.S. 116-233(a) shall be reported promptly by the Secretary of the Board of~~
24 ~~Trustees to the appointing officeholder or body responsible for appointment of the~~
25 ~~position vacated. That officeholder or body shall fill the vacancy by appointing an~~
26 ~~appropriate replacement to serve for the balance of the unexpired term.~~

27 (e) ~~Of the initial members appointed under G.S. 116-233[(a)](5), one member~~
28 ~~shall serve a term to expire June 30, 1987, and one member shall serve a term to expire~~
29 ~~June 30, 1989. Subsequent appointments shall be for four-year terms. The initial~~
30 ~~members appointed under G.S. 116-233[(a)](6), shall be appointed for terms to expire~~
31 ~~June 30, 1987. Subsequent appointments shall be for two-year terms. The initial~~
32 ~~members appointed under G.S. 116-233[(a)](7) shall be appointed for terms to expire~~
33 ~~January 15, 1989. Successors shall be appointed for four-year terms.~~

34 (f) Whenever an appointed member of the Board of Trustees shall fail, for any
35 reason other than ill health or service in the interest of the State or nation, to be present
36 at three successive regular meetings of the Board, ~~his or her~~ that member's place as a
37 member of the Board shall be deemed considered vacant."

38 Sec. 2. G.S. 116-234 reads as rewritten:

39 "**§ 116-234. Board of Trustees; meetings; rules of procedure; officers.**

40 (a) The Board of Trustees shall meet at least four times a year and may hold
41 special meetings at any time, at the call of the chairman or upon petition addressed to
42 the ~~chairman~~ chair by at least four of the members of the Board.

1 (b) ~~The Board of Trustees shall elect a chairman and a vice chairman; no ex officio~~
2 ~~member may hold such an office. The Governor shall appoint the chair and the vice-chair~~
3 ~~of the Board of Trustees upon recommendation by the members of the Board.~~

4 (c) The Board of Trustees shall determine its own rules of procedure and may
5 delegate to ~~such~~ any committees as it may create such of its powers as it ~~deems~~ considers
6 appropriate.

7 (d) Members of the Board of Trustees, ~~other than ex officio members under G.S. 116-~~
8 ~~233(a)(3),~~ Trustees shall receive such the per diem compensation and necessary travel
9 and subsistence expenses while engaged in the discharge of their official duties ~~as that is~~
10 provided by law for members of State boards and commissions. ~~Ex officio members under~~
11 ~~G.S. 116-233(a)(3) shall be reimbursed for travel expenses as provided by G.S. 138-6. (1985,~~
12 ~~e. 757, s. 206(b).)~~"

13 Sec. 3. G.S. 116-237 is repealed.

14 Sec. 4. There is appropriated from the General Fund to the Board of
15 Governors of The University of North Carolina the sum of fifty thousand dollars
16 (\$50,000) for the 1994-95 fiscal year, for the Board of Trustees of the North Carolina
17 School of Science and Mathematics, to implement this act.

18 Sec. 5. This act becomes effective July 1, 1994.