

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 923

Short Title: Clarify UNC Board Nomination Process.

(Public)

Sponsors: Representatives Warner; Barnhill, Beard, Bowman, DeVane, Dockham, Gardner, Gist, Gottovi, Gray, Hege, Hightower, Hurley, Jeralds, Jones, Lineberry, Luebke, McAllister, Nesbitt, and Privette.

Referred to: Education.

April 19, 1991

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE PROCEDURES GOVERNING THE SELECTION OF NOMINEES FOR ELECTION TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE TIME FOR HOLDING THE ELECTION.

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. ~~Eight members shall be so elected at the regular legislative session in 1987 and 1989, and 16~~ Sixteen members shall be ~~so~~ elected at the regular legislative session in ~~1991-1993~~ and every two years thereafter. The Senate and House of Representatives shall each elect one-half of the persons necessary to fill the vacancies on the Board of Governors. Should additional vacancies occur as a result of one or more unexpired terms, the chamber which originally elected a member to the vacant seat shall elect the member who shall fulfill the unexpired term. Of the 16 members elected every two years beginning in 1993, at least two shall be women, at least two other members shall be members of a minority race, and at least two other members shall be members of the political party to which the largest minority of the members of the General Assembly belong.

1 **(b)** In 1991 and every four years thereafter the Senate shall elect at least two
2 members of the political party to which the largest minority of the members of the
3 General Assembly belong and the House of Representatives shall elect at least two
4 women and two members of a minority race. In 1993 and every four years thereafter
5 the Senate shall elect at least two women and two members of a minority race and the
6 House of Representatives shall elect at least two members of the political party to which
7 the largest minority of the members of the General Assembly belong.

8 **(c)** In electing members to the Board of Governors, the Senate and the House of
9 Representatives shall select from a slate of nominees made in each house. The slate
10 shall be prepared as provided by resolution of each house. For each category for which
11 members of the Board of Governors are to be elected, the slate of nominees shall
12 contain at least twice the number of nominees for the total seats open in a category to
13 the maximum extent possible. In 1991 and biennially thereafter, each house shall hold
14 their elections within 30 legislative days after appointments to their Education
15 Committees are complete.

16 ~~**(b)** **(d)** All terms shall commence on July 1 of odd-numbered years and all~~
17 ~~members shall serve for eight-year overlapping terms, except that beginning with members~~
18 ~~elected in 1987, all members shall serve for four-year overlapping terms.~~

19 ~~**(e)** **(e)** Beginning with elections in 1989, no No person may be elected to:~~

20 ~~(1) More than three full four-year terms in succession;~~

21 ~~(2) A four-year term if preceded immediately by election to two full eight-~~
22 ~~year terms in succession; or~~

23 ~~(3) A four-year term if preceded immediately by election to an eight-year~~
24 ~~term and a four-year term four-year term in succession.~~

25 Resignation from a term of office does not constitute a break in service for the purpose
26 of this subsection. Service prior to the beginning of those terms in 1989 shall be
27 included in the limitations.

28 ~~**(d)** The Senate and House of Representatives, in electing members of the Board~~
29 ~~of Governors, shall select from a slate of nominees made in each house as provided by~~
30 ~~resolution of that house. In the event there is more than one individual who is seeking a~~
31 ~~nomination to the Board of Governors, the slate of nominees shall contain at least two~~
32 ~~nominees for any vacancy. The Senate and the House of Representatives shall elect one~~
33 ~~half of the persons necessary to fill the vacancies, with the Senate to hold its election~~
34 ~~prior to the House of Representatives. In the event that an odd number of members are~~
35 ~~to be elected, the House of Representatives shall select the additional nominee. In 1973~~
36 ~~and every four years thereafter through 1989, the Senate shall elect at least one woman~~
37 ~~and one member of a minority race and the House of Representatives shall elect at least~~
38 ~~one member of the political party to which the largest minority of the members of the~~
39 ~~General Assembly belong. In 1975 and every four years thereafter through 1987, the~~
40 ~~Senate shall elect at least one member of the political party to which the largest minority~~
41 ~~of the members of the General Assembly belong and the House of Representatives shall~~
42 ~~elect at least one woman and one member of a minority race. In 1991 and every four~~
43 ~~years thereafter the Senate shall elect at least two members of the political party to~~
44 ~~which the largest minority of the members of the General Assembly belong and the~~

1 House of Representatives shall elect at least two women and two members of a minority
2 race. In 1993 and every four years thereafter the Senate shall elect at least two women
3 and two members of a minority race and the House of Representatives shall elect at
4 least two members of the political party to which the largest minority of the members of
5 the General Assembly belong. In 1989 and biennially thereafter, these elections shall
6 be held during the first 30 legislative days after committee assignments.

7 (e) Of the eight members elected every two years through 1989, at least one shall
8 be a woman, at least one other member shall be a member of a minority race, and at
9 least one other member shall be a member of the political party to which the largest
10 minority of the members of the General Assembly belong. Of the 16 members elected
11 every two years beginning in 1991, at least two shall be women, at least two other
12 members shall be members of a minority race, and at least two other members shall be
13 members of the political party to which the largest minority of the members of the
14 General Assembly belong. In subsequent elections to the Board, the General Assembly
15 shall maintain at least these minimum proportions among the members of the Board.

16 (f) Effective July 1, 1987, and thereafter, any Any person who has not attained the age
17 of 70 years, and who has served at least one full term as chairman of the Board of
18 Governors shall be a member emeritus of the Board of Governors. Members emeriti
19 have all the rights and privileges of membership except they do not have a vote."

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