

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1991

CHAPTER 879
SENATE BILL 1026

AN ACT TO INCREASE THE NUMBER OF MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL OF SCIENCE AND MATH TO CONFORM TO THE NUMBER OF CONGRESSIONAL DISTRICTS WHICH RESULTED FROM THE 1990 CENSUS; TO MAKE ADMINISTRATIVE CHANGES PERTAINING TO THE NORTH CAROLINA CENTER FOR NURSING; AND TO PROVIDE FOR STAGGERING THE TERMS OF MEMBERS OF THE NURSING SCHOLARS COMMISSION.

The General Assembly of North Carolina enacts:

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

"(a) There shall be a Board of Trustees of the School, which shall consist of ~~25 members~~26 members:

- (1) ~~Eleven~~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;
- (5) Two members appointed by the General Assembly upon the recommendation of the President of the Senate in accordance with G.S. 120-121;
- (6) Two members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121; and
- (7) Two members appointed by the Governor."

Sec. 2. G.S. 116-233(d) reads as rewritten:

"(d) ~~Seven of the initial class of members of the Board of Trustees appointed under G.S. 116-233[(a)](1) and (2) shall be chosen for a term of two years to expire June 30, 1987, and eight shall be chosen for a term of four years to expire June 30, 1989; thereafter, all such members shall be elected to~~ Members appointed under subdivisions (1) or (2) of subsection (a) of this section shall serve four-year terms. Eight of those terms shall expire June 30, 1993, and quadrennially thereafter, and eight of those terms shall expire June 30, 1995, and quadrennially thereafter. ~~No person other than an ex officio~~ Only an ex officio member shall be eligible to serve more than two successive terms. Any vacancy in the membership of the Board of Trustees appointed under G.S. ~~116-233[(a)](1)~~ 116-233(a)(1) or (2) shall be reported promptly by the Secretary of the Board of Trustees to the Board of Governors of The University of North Carolina, which shall fill any such vacancy by appointment of a replacement member to serve for the balance of the unexpired term. Any vacancy in members appointed under G.S. ~~116-233[(a)](5)~~ 116-233(a)(5) or (6) shall be filled in accordance with G.S. 120-122. Any vacancy in members appointed under G.S. ~~116-233[(a)](7)~~ 116-233(a)(7) shall be filled by the Governor for the remainder of the unexpired term. Reapportionment of congressional districts does not affect the right of any member to complete the term for which the member was appointed."

Sec. 3. The Board of Governors shall appoint the member for the 12th Congressional District within 90 days of the ratification of this act. The initial term of the new member shall expire June 30, 1995.

Sec. 4. G.S. 90-171.71 is amended by adding a new subsection to read:

"(e) The North Carolina Center for Nursing shall be administered by The University of North Carolina through the Center's Board of Directors established under this section."

Sec. 5. G.S. 126-5(c1) reads as rewritten:

"(c1) Except as to the provisions of Articles 6 and 7 of this Chapter, the provisions of this Chapter shall not apply to:

- (1) Constitutional officers of the State.
- (2) Officers and employees of the Judicial Department.
- (3) Officers and employees of the General Assembly.
- (4) Members of boards, committees, commissions, councils, and advisory councils compensated on a per diem basis.
- (5) Officials or employees whose salaries are fixed by the General Assembly, or by the Governor, or by the Governor and Council of State, or by the Governor subject to the approval of the Council of State.
- (6) Employees of the Office of the Governor that the Governor, at any time, in his discretion, exempts from the application of the provisions of this Chapter by means of a letter to the State Personnel Director designating these employees.
- (7) Employees of the Office of the Lieutenant Governor, that the Lieutenant Governor, at any time, in his discretion, exempts from the

application of the provisions of this Chapter by means of a letter to the State Personnel Director designating these employees.

- (8) Instructional and research staff, physicians, and dentists of The University of North Carolina.
- (9) Employees whose salaries are fixed under the authority vested in the Board of Governors of The University of North Carolina by the provisions of G.S. 116-11(4), ~~116-1(5) [116-11(5)]~~, 116-11(5), and 116-14.
- (10) Repealed by Session Laws 1991, c. 84, s. 1.
- (11) North Carolina School of Science and Mathematics' employees whose salaries are fixed in accordance with the provisions of G.S. 116-235(c)(1) and G.S. 116-235(c)(2).
- (12) Employees of the North Carolina Low-Level Radioactive Waste Management Authority whose salaries are fixed pursuant to G.S. 104G-5(g)(1) and G.S. 104G-5(g)(2).
- (13) Employees of the North Carolina Hazardous Waste Management Commission whose salaries are fixed pursuant to G.S. 130B-6(g)(1) and G.S. 130B-6(g)(2).
- (14) Employees of the North Carolina State Ports Authority.
- (15) Employees of the North Carolina Air Cargo Airport Authority.
- (16) The executive director and one associate director of the North Carolina Center for Nursing established under Article 9F of Chapter 90 of the General Statutes."

Sec. 6. Effective July 1, 1993, G.S. 90-171.60(d) reads as rewritten:

"(d) ~~Commission members shall be appointed for four year terms. The terms of initial appointees shall expire July 1, 1993. Of the Commission members appointed by the Governor, two shall each serve an initial term of two years, and one shall serve an initial term of four years. Of the Commission members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives, one shall serve an initial term of two years, and two shall each serve an initial term of four years. Of the Commission members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate, one shall serve an initial term of two years, and two shall each serve an initial term of four years. Thereafter, all appointments to the Commission shall be for four-year terms.~~"

Sec. 7. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 8th day of July, 1992.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives