

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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HOUSE BILL 12

Short Title: Stanly CC/Bd. of Trustees. (Local)

Sponsors: Representatives Burr, Iler, and J. Bell (Primary Sponsors).

Referred to: Education - Community Colleges

January 26, 2017

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE APPOINTMENT METHOD OF THE STANLY COMMUNITY COLLEGE BOARD OF TRUSTEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-12, as amended by S.L. 2011-175, reads as rewritten:

"§ 115D-12. Each institution to have board of trustees; selection of trustees.

(a) Each community college established or operated pursuant to this Chapter shall be governed by a board of trustees consisting of 13 members, or of additional members if selected according to the special procedure prescribed by the ~~third~~second paragraph of this subsection, who shall be selected by the following agencies. No member of the General Assembly may be appointed to a local board of trustees for a community college.

Group One ~~—~~ eight trustees, elected by the board of commissioners of the county in which the institution is located. Provided, however, if the administrative area of the institution is composed of two or more counties, the trustees shall be elected jointly by the boards of commissioners of all those counties, each board having one vote in the election of each trustee. Provided, also, the county commissioners of the county in which the community college has established a satellite campus may elect an additional two members if the board of trustees of the community college agrees. No more than one trustee from Group One may be a member of a board of county commissioners. Should the ~~boards of education or the~~ boards of commissioners involved be unable to agree on one or more trustees the senior resident superior court judge in the superior court district or set of districts as defined in G.S. 7A-41.1 where the institution is located shall fill the position or positions by appointment.

Group Two – four trustees, appointed by the ~~Governor~~General Assembly under G.S. 120-121, two of whom shall be appointed upon recommendation of the Speaker of the House of Representatives and two of whom shall be appointed upon recommendation of the President Pro Tempore of the Senate. The Speaker of the House of Representatives shall make recommendations for terms expiring in 2017 and 2019, and every four years thereafter. The President Pro Tempore of the Senate shall make recommendations for appointments to terms expiring in 2018 and 2020, and every four years thereafter.

Group Three – the president of the student government or the chairman of the executive board of the student body of each community college established pursuant to ~~G.S. 115D~~this Chapter shall be an ex officio nonvoting member of the board of trustees of each said institution.

(b) All trustees shall be residents of the administrative area of the institution for which they are selected or of counties contiguous thereto with the exception of members provided for in ~~G.S. 115D-12(a)~~, subsection (a) of this section, Group Three.



1 (b1) No person who has been employed full time by the community college within the prior
2 5 years and no spouse or child of a person currently employed full time by the community college
3 shall serve on the board of trustees of that college.

4 (c) Vacancies occurring in ~~any group~~ Group One for whatever reason shall be filled for the
5 remainder of the unexpired term by the agency or agencies authorized to select trustees of that
6 group and in the manner in which regular selections are made. Should the selection of a Group
7 One trustee not be made by the agency or agencies having the authority to do so within 60 days
8 after the date on which a vacancy occurs, whether by creation or expiration of a term or for any
9 other reason, the Governor shall fill the vacancy by appointment for the remainder of the
10 unexpired term. Vacancies occurring in Group Two shall be filled as provided in G.S. 120-122."

11 **SECTION 2.** Notwithstanding G.S. 115D-12, as amended by this act, the current
12 members serving on the Stanly Community College board of trustees as of the effective date of
13 this act shall serve the remainder of their terms. Thereafter, as terms expire, or when a vacancy
14 occurs prior to the expiration of a term, the board of trustees members shall be appointed in
15 accordance with G.S. 115D-12, as amended by this act. If a vacancy occurs in a Group Two seat
16 that was appointed by the Governor, the vacancy shall be filled by joint recommendation of the
17 Speaker of the House of Representatives and the President Pro Tempore as provided in
18 G.S. 120-121. Upon expiration of that term, the member shall be appointed in accordance with
19 G.S. 115D-12.

20 **SECTION 3.** This act applies only to Stanly Community College.

21 **SECTION 4.** This act is effective when it becomes law.