

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 14
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40010-MK-28 (01/03)

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

Sponsors: Representative Burr.

Referred to:

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-12 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 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 – four trustees, elected by the board of education of the public school administrative unit located in the administrative area of the institution. If there are two or more public school administrative units, whether city or county units, or both, located within the administrative area, the trustees shall be elected jointly by all of the boards of education of those units, each board having one vote in the election of each trustee, except as provided in G.S. 115D-59. No board of education shall elect a member of the board of education or any person employed by the board of education to serve as a trustee, however, any such person currently serving on a board of trustees shall be permitted to fulfill the unexpired portion of the trustee's current term.

Group Two – four 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 Two 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 Three – 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 President Pro Tempore of the Senate shall make recommendations for terms expiring in 2017 and 2019, and every four years thereafter. The



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1 Speaker of the House of Representatives shall make recommendations for appointments to terms
2 expiring in 2018 and 2020, and every four years thereafter.

3 Group Four – the president of the student government or the chairman of the executive board
4 of the student body of each community college established pursuant to this Chapter shall be an ex
5 officio nonvoting member of the board of trustees of each said institution.

6 (b) All trustees shall be residents of the administrative area of the institution for which
7 they are selected or of counties contiguous thereto with the exception of members provided for in
8 subsection (a) of this section, Group Four.

9 (b1) No person who has been employed full time by the community college within the prior
10 5 years and no spouse or child of a person currently employed full time by the community college
11 shall serve on the board of trustees of that college.

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

20 **SECTION 2.** Notwithstanding G.S. 115D-12, as amended by this act, the current
21 members serving on the Montgomery Community College board of trustees as of the effective
22 date of this act shall serve the remainder of their terms. Thereafter, as terms expire, or when a
23 vacancy occurs prior to the expiration of a term, the board of trustees members shall be appointed
24 in accordance with G.S. 115D-12, as amended by this act. If a vacancy occurs in a Group Three
25 seat that was appointed by the Governor, the vacancy shall be filled by joint recommendation of
26 the Speaker of the House of Representatives and the President Pro Tempore of the Senate as
27 provided in G.S. 120-121. Upon expiration of that term, the member shall be appointed in
28 accordance with G.S. 115D-12.

29 **SECTION 3.** This act applies only to Montgomery Community College.

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