

2005

**HOUSE
EDUCATION-
UNIVERSITIES**

**COMMITTEE
MINUTES**

HOUSE EDUCATION SUBCOMMITTEE
ON UNIVERSITIES

2005
VOLUME I

CO-CHAIRS

REP. MARGARET DICKSON
REP. KAREN RAY

COMMITTEE ASSISTANT

SUE P. BUEHLMANN

STAFF

DEE ATKINSON, STAFF, RESEARCH
DRUPTI CHAUHAN, STAFF ATTORNEY
SARA KAMPRATH, STAFF ATTORNEY

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
BILLS HEARD – ACTION

March 31 (Dickson-Buehlmann)

- HB 695: Reduced Tuition/UNC Employees – Rep. Insko

Rep. Daughtridge offered an amendment that would clear up the language inconsistencies. The amendment was adopted. He moved that the amendment be rolled into a committee substitute with a favorable report as to the committee substitute bill, and unfavorable report as to the original bill with the recommendation that the committee substitute bill be re-referred to the Committee on Appropriations. The motion carried.

- HB 738: UNC Bd. Of Govs. Delegate Duties to Pres. – Rep. Hackney

Rep. Hackney asked that the bill be held from consideration in order that it be recrafted and the language clarified.

April 7 (Ray – Norwood)

- HB 678: UNC-CH Service Contracts/AB. – Rep. Tolson

PSC was adopted without objection.

Rep. Daughtridge moved to adopt the proposed committee substitute unfavorable to the original. The motion carried.

- HB 780: Need-Based Nursing Scholarships/AB. – Rep. Yongue

PCS was adopted. Rep. Rapp moved to adopt the proposed committee substitute unfavorable to the original bill. The motion carried.

April 14 (Dickson – Buehlmann)

- HB 387: Social Security # Can't Be Student ID # -- Rep. Jeff Barnhart

PCS adopted for discussion. Rep. Michaux made a motion that the bill be given a favorable report as to the committee substitute bill, unfavorable report as to the original bill. The motion carried.

- HB771: UNC/Dual Office Holding – AB – Rep. Dickson

The bill was amended to change effective date to June 30, 2005. Rep. Michaux moved that the amendment be rolled into a new committee substitute with a favorable report as to the committee substitute, and an unfavorable report as to the original bill. The motion carried.

May 5 (Ray – Norwood)

- HB 1552: N.C. A&T University Campus Parking. – Rep. Adams

PCS was adopted for discussion.

Rep. Michaux moved for a favorable report as to the committee substitute bill and an unfavorable report as to the original bill. The motion carried.

- HB 92: UNC/BOG Student Member Vote. – Rep. Adams

Rep. McAllister moved for a favorable report on HB 92: The motion carried.

- HB 1354: UNC/Private Gift Acceptance & Refusal Policy. – Rep. Pate, Jr.

Chair Ray pointed out that Rep. Pate asked that a vote not be taken on the bill at this committee meeting.

Rep. Pate asked that no action be taken and that the bill be held until the UNC Board of Governors meets.

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
2005 – 2006

<u>MEMBER</u>	<u>ASSISTANT</u>	<u>PHONE</u>	<u>OFFICE</u>	<u>SEAT</u>
DICKSON, Margaret – Chair	Sue Buehlmann	733-5776	1219	42
RAY, Karen – Chair		733-5741	1025	75
GRADY, Robert – Vice Chair	Neta Grady	715-9644	302	4
HARRELL, James – Vice Chair	Beth LeGrande	715-1883	403	46
ADAMS, Alma	Jamilah Sabir-Calloway	733-5902	417A	67
DAUGHTRIDGE, Bill	Rachel Dupree	733-5802	304B	87
HOLLO, Mark	Martha Hoover	715-3009	418B	86
HOLMES, George	Glenda Jacobs	733-5654	1211	102
INSKO, Verla	Pam Evans	733-7208	2121	70
MCALLISTER, Mary	Johnna Smith	733-5959	638	58
MICHAUX, Mickey	Anita Wilder	715-2528	1227	57
RAPP, Ray	Dot Barber	733-5732	2213	77
STILLER, Bonner	Carla Farmer	733-5974	301B	52
<u>EX OFFICIO:</u>				
CULPEPPER, Bill	Dot Crocker	715-3028	404	36
CUNNINGHAM, Pete	Valerie Rustin	733-5778	541	7
EDDINS, Rick	Susan Phillips	733-5828	1002	26
HACKNEY, Joe	Emily Reynolds	733-5752	2207	69
Dee Atkinson, Research Assistant		733-2578	545	
Drupti Chauhan, Staff Attorney		733-2578	545	
Sara Kampreth, Staff		733-2578	545	

**NORTH CAROLINA GENERAL ASSEMBLY
EDUCATION SUBCOMMITTEE ON UNIVERSITIES
2005 – 2006 SESSION**



Rep. Margaret Dickson
Chair



Rep. Karen Ray
Chair



Rep. Robert Grady
Vice-Chair



Rep. James Harrell
Vice-Chair



Rep. Alma Adams



Rep. Bill Daughtridge



Rep. Mark Hollo



Rep. George Holmes



Rep. Verla Insko



Rep. Mary McAllister



Rep. Henry M. Michaux



Rep. Raymond Rapp



Rep. Bonner Stiller



Rep. Culpepper
Ex-officio



Rep. Cunningham
Ex-officio



Rep. Eddins
Ex-officio



Rep. Hackney
Ex-officio

ATTENDANCE

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES

(Name of Committee)

2005 – 2006 SESSION

[illegible]

**REVISED NOTICE
HB 739 HAS BEEN REMOVED FROM THE AGENDA**

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, March 31, 2005**

TIME: **11:00 AM**

LOCATION: **425 LOB**

The following bills will be considered:

HB 695 Reduced Tuition/UNC Employees – Rep. Insko

HB 738 UNC Bd. of Govs. Delegate Duties to Pres. – Rep. Hackney

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m on Wednesday, March 30, 2005.

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, April 7, 2005**

TIME: **11:00 AM**

LOCATION: **425 LOB**

The following bills will be considered:

HB 678 UNC-CH Service Contracts/AB. – Rep. Tolson

HB 753 No Preapproval UNC Consultant Contracts/AB. – Rep. Harrell, III

HB 754 UNC Construction Specifications/AB. – Rep. Harrell, III

HB 780 Need-Based Nursing Scholarships/AB. – Rep. Yongue

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m on Thursday, March 31, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Mary Ann Norwood (Committee Assistant)

ADDITION TO AGENDA – HB 771

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, April 14, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 92: UNC/BOG Student Member Vote. – Rep. Adams

HB 387: Social Security # Can't Be Student ID #. – Rep. Barnhart

HB 771: UNC/Dual Office Holding. – AB – Rep. Dickson

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m on Tuesday, April 12, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

REMOVAL OF HB 92 FROM THE AGENDA
NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, April 14, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 387: Social Security # Can't Be Student ID #. – Rep. Barnhart

HB 771: UNC/Dual Office Holding. – AB – Rep. Dickson

Respectfully,

Representatives Dickson and Ray
Chairs

I hereby certify this notice was filed by the committee assistant at the following offices at **3:00 p.m on Tuesday, April 12, 2005**

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, May 5, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 92: **UNC/BOG Student Member Vote. – Rep. Adams**

HB 1354: **UNC/Private Gift Acceptance & Refusal Policy. – Rep. Pate, Jr.**

HB 1552: **N.C. A&T University Campus Parking. – Rep. Adams**

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m. on Tuesday, May 3, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Mary Ann Norwood (Committee Assistant)

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, May 12, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 1464: **Repeal Sunset on UNC Design Contracts/Report. – Rep. McMahan.**

HB 1515: **Med Schools/Crim Background Check. – Reps. Laroque and England.**

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m. on Tuesday, May 10, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, May 19, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 1515: Med Schools/Crim Background Check. – Reps. Laroque and England.

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m. on Tuesday, May 17, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, May 26, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 1515: Med Schools/Crim Background Check. – Reps. Laroque and England.

HB 1105: In-State Tuition/Paramedic-to-BSN Program. – Reps. West and Womble.

HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m. on Tuesday, May 24, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

NOTICE OF CONTINUATION OF MEETING

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: Tuesday, May 31, 2005

TIME: 2:55 P.M.

LOCATION: AROUND REP. DICKSON'S DESK IN CHAMBERS
SEAT #42

The following bills will be discussed:

HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
1:00 p.m. on Tuesday, May 31, 2005.

___ Principal Clerk

___ Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Wednesday, June 1, 2005**

TIME: **12:00 Noon**

LOCATION: **425 LOB**

The following bills will be discussed:

HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
4:30 p.m. on Tuesday, May 31, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
Thursday, March 31, 2005
Representative Dickson, Chair, Presiding

The House Education Subcommittee on Universities met on Thursday, March 31, 2005, in Room 425 of the Legislative Office Building at 11:00 A.M. The following members were present: Chairs Margaret Dickson and Karen Ray; Vice Chair Jim Harrell; Representatives Adams, Daughtridge, Hollo, Insko, McAllister, Michaux, Rapp, Stiller, and Ex-Officio Representative Joe Hackney.

Chair Dickson called the meeting to order and recognized the Pages, Sergeant-at-Arms, Staff, and visitors.

Two bills were on the Agenda for consideration:

- HB 695 Reduced Tuition/UNC Employees. – Rep. Insko
- HB 738 UNC Bd. Of Govs. Delegate Duties to Pres. – Rep. Hackney

HB 695: Rep. Insko was recognized by the Chair and asked to speak on HB 695. She said that the bill as framed allows the UNC Board of Governors to permit full-time faculty and staff to enroll in up to three courses per academic year tuition free (previously, this was one course per semester); it allows 25% tuition reduction for spouse and dependent children of full-time faculty and staff; it provides that a full-time UNC employee, or the spouse or dependent child of that employee who is a legal resident of North Carolina, qualifies as a resident for tuition purposes without having maintained that legal residence for at least 12 months; and it requires the UNC Board of Governors and the State Board of Community Colleges to study the feasibility of a tuition waiver exchange program.

Rep. Rapp asked if a fiscal note had been prepared and what the costs of this benefit will be.

Mr. Mark Fleming of UNC was recognized by the Chair to speak. He said the bill would be re-referred to the House Appropriations Committee if a favorable report is forthcoming at which time a fiscal note will be prepared. Also speaking to the bill was Mr. Larry Nielson of N.C. State University. Several other issues were raised.

Rep. Daughtridge said the language of the bill appears to be inconsistent among the sections of the bill. Several other members of the Committee expressed concern with the language and the cost of the bill.

Rep. Daughtridge offered an amendment that would clear up the language inconsistencies. The amendment was adopted. He moved that the amendment be rolled

into a committee substitute with a favorable report as to the committee substitute bill, and an unfavorable report as to the original bill with the recommendation that the committee substitute bill be re-referred to the Committee on Appropriations. The motion carried.

HB 738: Rep. Hackney was recognized by the Chair to explain the bill. He stated that the bill's intent is to correct technical oversights that currently exist. He asked Mr. Charles Mercer of the UNC Board of Governors to further explain the bill. Mr. Mercer said the bill would allow the UNC Board of Governors to delegate any of its statutory duties to the President of The University of North Carolina when the delegation appears necessary for the expeditious operation of The University of North Carolina, and that the Board may rescind any delegation or part of any delegation of authority.

A comprehensive discussion among the Members present followed and many issues related to the bill were raised among which was the scope of authority being delegated to the President.


Rep. Daughtridg moved for approval of the bill. The motion did not carry.

Rep. Hackney asked that the bill be held from consideration in order that it be recrafted and the language clarified.

There was no further business; the meeting was adjourned.

Respectfully submitted,


Representative Margaret H. Dickson
Presiding Chair


Sue Buehlmann
Committee Assistant

Attachments

Committee Notice

Agenda

House Bill 695

House Bill 738

Amendments

Committee Substitute for House Bill 695

Bill Analysis for House Bill 695

Bill Analysis for House Bill 738

Visitor Registration Sheet

REVISED NOTICE
HB 739 HAS BEEN REMOVED FROM THE AGENDA

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, March 31, 2005**

TIME: **11:00 AM**

LOCATION: **425 LOB**

The following bills will be considered:

HB 695 **Reduced Tuition/UNC Employees – Rep. Insko**

HB 738 **UNC Bd. of Govs. Delegate Duties to Pres. – Rep. Hackney**

Respectfully,

Representatives Dickson and Ray
Chairs

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m on Wednesday, March 30, 2005.

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES

A G E N D A

Thursday, March 31, 2005

Room 425

11:00 AM

Representative Margaret H. Dickson

Representative Karen Ray

CHAIRS

OPENING REMARKS

Presiding Chair: Rep. Margaret Dickson

AGENDA ITEMS

HB 695 Reduced Tuition/UNC Employees. – Rep. Insko

HB 738 UNC Bd. of Govs. Delegate Duties to Pres. – Rep. Hackney

ADJOURNMENT

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 695

Short Title: Reduced Tuition/UNC Employees.-AB (Public)

Sponsors: Representatives Insko; Adams, Fisher, Parmon, and Wainwright.

Referred to: Education Subcommittee on Universities, if favorable, Appropriations.

March 17, 2005

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE EXISTING TUITION WAIVER PROGRAM AND TO
PROVIDE AN EXCEPTION TO THE TWELVE-MONTH RESIDENCY
REQUIREMENT FOR CERTAIN UNIVERSITY OF NORTH CAROLINA
EMPLOYEES AND THEIR CHILDREN.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-143 reads as rewritten:

**"§ 116-143. State-supported institutions of higher education required to charge
tuition and fees.**

(a) The Board of Governors of the University of North Carolina shall fix the
tuition and fees, not inconsistent with actions of the General Assembly, at the
institutions enumerated in G.S. 116-4 in such amount or amounts as it may deem best,
taking into consideration the nature of each institution and program of study and the
cost of equipment and maintenance; and each institution shall charge and collect from
each student, at the beginning of each semester or quarter, tuition, fees, and an amount
sufficient to pay other expenses for the term.

(b) In the event that said students are unable to pay the cost of tuition and
required academic fees as the same may become due, in cash, the said several boards of
trustees are hereby authorized and empowered, in their discretion, to accept the
obligation of the student or students together with such collateral or security as they
may deem necessary and proper, it being the purpose of this Article that all students in
State institutions of higher learning shall be required to pay tuition, and that free tuition
is hereby abolished.

(c) Inasmuch as the giving of tuition and fee waivers, or especially reduced rates,
represent in effect a variety of scholarship awards, the said practice is hereby prohibited
except when expressly authorized by statute or by the Board of Governors of the
University of North Carolina; and, furthermore, it is hereby directed and required that
all budgeted funds expended for scholarships of any type must be clearly identified in
budget reports.

1 (d) Notwithstanding the above provision relating to the abolition of free tuition,
2 the Board of Governors of the University of North Carolina may, in its ~~discretion~~,
3 discretion, do the following:

4 (1) ~~provide~~ Provide regulations under which a full-time faculty member
5 of the rank of full-time instructor or above, and any full-time staff
6 member of the University of North Carolina may during the period of
7 normal employment enroll for not more than ~~one course~~ three courses
8 ~~per semester~~ academic year in the University of North Carolina free of
9 charge for tuition, provided such enrollment does not interfere with
10 normal employment obligations and further provided that such
11 enrollments are not counted for the purpose of receiving general fund
12 appropriations.

13 (2) Provide regulations under which the spouse and one or more
14 dependent children of a full-time faculty member or staff member of
15 The University of North Carolina may have the spouse's or dependent
16 children's tuition reduced by twenty-five percent (25%) so long as the
17 employee remains employed full-time at The University of North
18 Carolina."

19 **SECTION 2.** G.S. 116-143.1 is amended by adding a new subsection to
20 read:

21 "(m) Notwithstanding subsection (b) of this section, a person who is a full-time
22 employee of The University of North Carolina, or is the spouse or dependent child of a
23 full-time employee of The University of North Carolina, and who is a legal resident of
24 North Carolina, qualifies as a resident for tuition purposes without having maintained
25 that legal residence for at least 12 months immediately prior to his or her classification
26 as a resident for tuition purposes."

27 **SECTION 3.** The Board of Governors of The University of North Carolina
28 and the State Board of Community Colleges shall study the feasibility of a tuition
29 waiver exchange program under which full-time employees of The University of North
30 Carolina would be allowed to take a specified number of courses at a community
31 college without paying tuition, and full-time employees of a community college would
32 be allowed to take a specified number of courses at The University of North Carolina
33 without paying tuition. The Boards shall report the results of this study to the Joint
34 Legislative Education Oversight Committee by April 1, 2006.

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 738

Short Title: UNC Bd. of Govs. Delegate Duties to Pres.-AB

(Public)

Sponsors: Representative Hackney.

Referred to: Education Subcommittee on Universities.

March 17, 2005

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE BOARD OF GOVERNORS MAY DELEGATE
SOME OF ITS STATUTORY DUTIES TO THE PRESIDENT OF THE
UNIVERSITY OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-11(13) reads as rewritten:

"§ 116-11. Powers and duties generally.

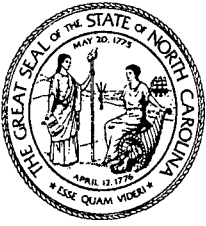
The powers and duties of the Board of Governors shall include the following:

...

(13) The Board may delegate any part of its authority over the affairs of any institution to the board of trustees or, through the President, to the chancellor of the institution in any case where such delegation appears necessary or prudent to enable the institution to function in a proper and expeditious manner. The Board may delegate any part of its authority over the affairs of The University of North Carolina to the President in any case where the delegation appears necessary or prudent to enable The University of North Carolina to function in a proper and expeditious manner. Any delegation of authority may be rescinded by the Board at any time in whole or in part.

...."

SECTION 2. This act is effective when it becomes law.



HOSE BILL 695: Reduced Tuition/UNC Employees

BILL ANALYSIS

Committee: House Education University
Subcommittee

Introduced by: Rep. Insko

Summary by: Drupti Chauhan
Committee Counsel

Date: March 31, 2005

Version: 1st Edition

SUMMARY: *House Bill 695 would allow full-time employees of The University of North Carolina to take three courses per academic year free of charge. The bill would also allow a 25% tuition reduction for spouses and dependent children of full-time University employees and waive the 12 month residency requirement for in-state tuition for spouses or dependent children of full-time University employees. The bill directs the UNC Board of Governors and the State Board of Community Colleges to study the feasibility of a tuition waiver exchange program.*

CURRENT LAW: Currently, full-time employees (full-time faculty members of the rank of full-time instructor or above and full-time staff members) may enroll in one course per semester free of charge. The enrollment may not interfere with normal employment obligations and these enrollments are not counted for the purpose of receiving General Fund appropriations. Spouses and dependent children of full-time employees of The University do not receive any tuition discounts at this time. In order to qualify as a resident for tuition purposes, a person must have established legal residency in the State and have maintained it for 12 months.

BILL ANALYSIS: Section 1 of the bill provides that the UNC Board of Governors may adopt regulations to allow full-time faculty members (of the rank of full-time instructor or above) and full-time staff members of The University of North Carolina to enroll in three courses per academic year free of charge. It also allows the UNC Board of Governors to adopt regulations to allow a 25% tuition reduction for spouses and dependent children of full-time faculty and staff members of The University of North Carolina so long as the employee remains employed full-time.

Section 2 of the bill would remove the 12 month residency requirement for in-state tuition for full-time employees of The University of North Carolina and their spouses and dependent children.

Section 3 of the bill directs the UNC Board of Governors and the State Board of Community Colleges to study the feasibility of a tuition waiver exchange program. This program would allow full-time employees of The University of North Carolina to take a specified number of courses at a North Carolina community college without paying tuition and allow full-time employees of community colleges to take a specified number of courses at a constituent university without paying tuition. Both Boards are report the results of this study to the Joint Legislative Education Oversight Committee by April 1, 2006.

EFFECTIVE DATE: The bill would be effective when it becomes law.

HB695-SMRQ-001



HOUSE BILL 738: UNC Bd. of Govs. Delegate Duties to Pres.-AB

BILL ANALYSIS

Committee: House Education Subcommittee
on Universities

Date: March 29, 2005

Version: First Edition

Introduced by: Rep. Hackney

Summary by: Sara Kamprath
Committee Analyst

SUMMARY: *House Bill 738 would allow the UNC Board of Governors (Board) to delegate any of its statutory duties to the President of The University of North Carolina when the delegation appears necessary for the expeditious operation of The University of North Carolina. The Board may rescind any delegation or part of any delegation of authority. The bill becomes effective when it becomes law. The Board requested this bill as a part of its 2005 non-budget legislative agenda.*

CURRENT LAW: The UNC Board of Governors (Board) elects the President of the University of North Carolina to serve as the chief administrative officer of The University of North Carolina. The Board currently has authority to delegate any of its authority over the affairs of a constituent institution to the board of trustees of that institution or, through the President, to the chancellor of the institution when the delegation seems necessary for the expeditious operation of the institution. The Board may rescind the delegation, in whole or in part, at any time.

H738-SMRJ-001

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from permanent sub committee(s) is/are presented:

By Representatives Dickson and Ray (Chairs) for the Education Subcommittee on Universities.

☐ Committee Substitute for

H.B. 695

A BILL TO BE ENTITLED AN ACT TO EXPAND THE EXISTING
TUITION WAIVER PROGRAM AND TO PROVIDE AN EXCEPTION TO THE TWELVE-
MONTH RESIDENCY REQUIREMENT FOR CERTAIN UNIVERSITY OF NORTH CAROLINA
EMPLOYEES AND THEIR CHILDREN.

REPORTED TO THE STANDING COMMITTEE ON

RECOMMENDED ACTION:

- ☐ With a favorable recommendation.
- ☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on
- ☐ With a favorable recommendation, as amended.
- ☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on
- ☐ With an unfavorable recommendation.
- ☐ With a favorable recommendation as to proposed committee substitute bill, ☐ which changes the title, unfavorable as to original bill.
- ☐ With a favorable recommendation as to proposed House committee substitute bill, ☐ which changes the title, unfavorable as to Senate committee substitute bill.
- ☐ Without prejudice.
- ☐ Other recommended action: _____

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representative Bell, Lucas, and McLawhorn for the Standing Committee on Education.

s/ Tharion H. McLawhorn

- ☐ With a favorable report.
- ☐ With a favorable report, as amended.
- ☒ With a favorable report as to the committee substitute bill, unfavorable as to the original bill and recommendation that the committee substitute bill be referred to the Committee on Appropriations.

03/26/03

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill/resolution is placed on the Calendar of _____.
- ____ The (committee substitute) bill/resolution (as amended,) is (ordered engrossed and) re-referred to the Committee on _____.
- ____ The bill/resolution is re-referred to the Committee on _____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on _____.
- ____ Pursuant to Rule 36(b), the (House) committee substitute bill (No. ____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. ____)/ resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule ____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. ____ which (is adopted.) (fails of adoption.) (by EV _____,) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. ____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute bill.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate _____ (by the following vote, _____ RC) (, by EV _____,) and the bill is ordered enrolled.

VISITOR REGISTRATION SHEET

House Education Subcommittee on Universities

Name of Committee

Thursday, March 31, 2005 @ 11a.m.

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Mark Lanier

UNCW

Charles Mercer

UNC Board of Governors

Mark Fleming

University

Larry Nielsen

NC State

Andy Willis

NC State

Dan Payne

Edwards & Kelly

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
Thursday, April 7, 2005
Representative Ray, Chair, Presiding

The House Education Subcommittee on Universities met on Thursday, April 7, 2005, in Room 425 of the Legislative Office Building at 11:00 A.M. The following members were present: Chairs Margaret Dickson and Karen Ray; Representatives Adams, Aldridge, Hollo, McAllister, Michaux, Rapp, Bonner, and Ex-officio Joe hackney

Rep. Ray called the meeting to order and recognized the Pages, Sergeant-at-Arms, Staff, and visitors.

Two Bills were on the Agenda for consideration:

- HB 678 UNC-CH Service Contracts/AB.- Rep. Tolson
- HB 780 Need-Based nursing Scholarships/AB.- Rep. Yongue

HB 678: Rep. McAllister as recognized by the chair to make a motion to move to accept the Proposed Committee Substitute. The PCS was adopted without objection.

Rep. Tolson was recognized to speak on HB 678. He said that the bill allowed the university system to obtain service contracts with terms of less than 10 years without approval from the State Purchasing Officer. HB 678 would allow The University of North Carolina to obtain bids on service contracts without obtaining approval from the State Purchasing Officer. This helps to negotiate better pricing and saves one to two weeks in procurement.

Rep. Tolson asked if there were any questions. There were no questions from the committee.

Rep. Daughtridg moved to adopt the proposed committee substitute unfavorable to the original. The motion carried.

HB 780: Rep. Yongue was recognized to speak on HB 780. The Proposed Committee Substitute (PCS) for HB 780 makes the need-based Nurse Education Scholarship Loan Program consistent with the other need-based scholarships administered by the State Education Assistance Authority. HB 780 saves money, promotes efficiency, and places all scholarship selection responsibility with the State Education Assistance Authority. It is non controversial and improves the process.

Rep. Dickson asked how other need-based scholarships were processed.

Rep. Yongue stated that more and more need-based scholarships are processed through the authority because of its efficiency.

Rep. Daughtridge asked who is on the State Education Assistance Authority and who appoints the board.

Steve Brooks, state director from State Education Assistance Authority was recognized. He stated that a board of directors appointed by the governor governed the board, which is chaired by Dick Robertson from Winston Salem.

Rep. Daughtridge also asked if there would be one set of criteria for both the community colleges and the universities.


Mr. Steve Brooks stated that they were an affiliated agency of the university system and responsive to the Board of Governors as well as the community colleges and independent colleges. The eligibility standards of the programs will not be changed in any way. This is just an administrative change for efficiency and organization.

After much discussion, Rep. Rapp moved to adopt the proposed committee substitute unfavorable to the original. The motion carried.

There was no further business and the meeting was adjourned.

Respectfully submitted,


Representative Karen Ray
Presiding Chair


Mary Ann Norwood
Committee Assistant

Attachments

Committee Notice
Agenda Notice
House Bill 678
House Bill 780
Committee Substitute for House Bill 678
Committee Substitute for House Bill 780
Bill Analysis for House Bill 678
Bill Analysis for House Bill 780
Visitor Registration Sheet

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, April 7, 2005**

TIME: **11:00 AM**

LOCATION: **425 LOB**

The following bills will be considered:

HB 678 UNC-CH Service Contracts/AB. – Rep. Tolson

HB 753 No Preapproval UNC Consultant Contracts/AB. – Rep. Harrell, III

HB 754 UNC Construction Specifications/AB. – Rep. Harrell, III

HB 780 Need-Based Nursing Scholarships/AB. – Rep. Yongue

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m on Thursday, March 31, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Mary Ann Norwood (Committee Assistant)

**REVISED AGENDA
HB 753 REMOVED
HB 754 REMOVED**

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: Thursday, April 7, 2005

TIME: 11:00 AM

LOCATION: 425 LOB

The following bills will be considered:

HB 678 UNC-CH Service Contracts/AB. – Rep. Tolson

HB 780 Need-Based Nursing Scholarships/AB. – Rep. Yongue

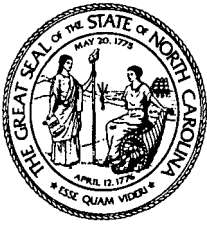
Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
5:00 p.m. on Tuesday, April 05, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Mary Ann Norwood (Committee Assistant)



HOUSE BILL 678: UNC Service Contracts

BILL ANALYSIS

Committee: House Education Subcommittee
on Universities

Date: April 7, 2005

Version: PCS H678-CSRQ-7 [v.1]

Introduced by: Rep. Tolson

Summary by: Drupti Chauhan
Committee Counsel

SUMMARY: *The PCS for House Bill 678 would allow The University of North Carolina to obtain bids on service contracts without obtaining approval from the State Purchasing Officer. The original bill only provided for The University of North Carolina at Chapel Hill to have this exemption.*

CURRENT LAW: Service contracts are handled by each agency and have no particular bid requirements. The agency chooses the company based on its requirements and then send the service contract to the State Purchasing and Contract office for review. However, if the service contract is for more than three years (including extensions and renewals), the State Purchasing and Contract office must give the agency **prior approval** before the request for proposals is posted.

BILL ANALYSIS: The PCS for House Bill 678 would provide that The University of North Carolina is not required to obtain the prior approval of the State Purchasing and Contract office before it solicits bids for services contracts of up to ten years or less.

EFFECTIVE DATE: This bill would become effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

D

HOUSE BILL 678
PROPOSED COMMITTEE SUBSTITUTE H678-CSRQ-7 [v.1]

4/4/2005 11:13:50 AM

Short Title: UNC Service Contracts/AB.

(Public)

Sponsors:

Referred to:

March 17, 2005

A BILL TO BE ENTITLED

AN ACT ALLOWING THE UNIVERSITY OF NORTH CAROLINA TO OBTAIN
BIDS ON CERTAIN SERVICE CONTRACTS WITHOUT OBTAINING
APPROVAL FROM THE STATE PURCHASING OFFICER.

The General Assembly of North Carolina enacts:

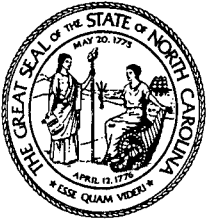
SECTION 1. G.S. 143-53 is amended by adding the following new
subsection to read:

"§ 143-53. Rules.

...

(d) Notwithstanding the provisions of this section or any rule adopted pursuant to this Article, the University of North Carolina may solicit bids for service contracts with a term of 10 years or less, including extensions and renewals, without the prior approval of the State Purchasing Officer.

SECTION 2. This act is effective when it becomes law.



BILL ANALYSIS

HOUSE BILL 780: Need-Based Nursing Scholarships.-AB.

Committee: House Education Subcommittee
on Universities
Date: April 5, 2005
Version: PCS for First Edition (H780-
CSRJ-5[v.3])

Introduced by: Rep. Yongue
Summary by: Sara Kamprath
Committee Analyst

SUMMARY: *The Proposed Committee Substitute (PCS) for House Bill 780 amends the need-based Nurse Education Scholarship Loan Program so that the State Education Assistance Authority administers the program in the same manner as other need-based scholarships. The PCS gives the State Education Assistance Authority the responsibility for adopting rules for selecting candidates to receive the scholarship loans. The PCS also makes technical and conforming changes. The act becomes effective January 1, 2006 and applies to all scholarship loans awarded after that date.*

CURRENT LAW: The General Assembly created a need-based scholarship loan fund for students in licensed practical nursing or registered nursing programs offered by community colleges, UNC constituent institutions and private colleges.

The need-based nursing scholarship loan funds shall be administered by the State Board of Community Colleges, the UNC Board of Governors, and the State Education Assistance Authority. The State Board of Community Colleges and the UNC Board of Governors shall determine how the funds are allocated among their respective constituent institutions. After consulting with the N.C. Association of Independent Colleges and Universities, the Board of the State Education Assistance Authority shall determine how funds are allocated to private nonprofit colleges offering nursing degrees.

Each institution receiving funds is responsible for publicizing the availability of the scholarship loans, distributing and reviewing applications for the scholarship loans and selecting recipients.

BILL ANALYSIS: Under the provisions of the PCS, the State Education Assistance Authority assumes responsibility for administering the need-based nursing scholarship loan funds in accordance with rules adopted by its board.

Distribution of the scholarship loan funds to students enrolled in the community colleges, UNC constituent institutions, and private colleges shall be proportional to the amounts awarded to the same category of students in the previous fiscal year.

The State Education Assistance Authority assumes responsibility for promulgating rules necessary to implement the program, including the selection criteria and method of selecting recipients.

BACKGROUND: The 1989 General Assembly first funded the program as part of an effort to reduce the shortage of practicing nurses in the State. The awards for the Nurse Education Scholarship Loan Program range from \$400 to \$5,000. The maximum amount for students enrolled in associate nursing degree and LPN programs is \$3,000. The maximum amount for students enrolled in a BSN program is \$5,000. The loan is forgiven if the student works one year for each year that the loan was received. Loans that are not repaid through service must be repaid in cash.

The UNC Board of Governors requested this bill as a part of its 2005 non-budget legislative initiatives.

H780-SMRJ-001

PROPOSED COMMITTEE SUBSTITUTE H780-CSRJ-5 [v.3]

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE PROCESS BY WHICH THE NEED-BASED
3 SCHOLARSHIP LOAN FUND IS ADMINISTERED.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 90-171.65 reads as rewritten:

6 **"§ 90-171.65. Need-based nursing scholarships fund.**

7 (a) There is created a need-based scholarship loan fund for nursing students.
8 Need-based scholarship loans shall be available for study in nursing programs offered
9 by community colleges and The University of North Carolina, and by private colleges
10 ~~which~~ that offer licensed practical nursing or registered nursing programs. Part-time
11 students and nontraditional students who have post-secondary degrees, and registered
12 nurses pursuing a baccalaureate degree in nursing, are eligible to receive need-based
13 nursing scholarship loans.

14 (b) ~~Need-based nursing scholarship loan funds shall be administered by the State~~
15 ~~Board of Community Colleges, the Board of Governors of The University of North~~
16 ~~Carolina, and the State Education Assistance Authority. The State Board of Community~~
17 ~~Colleges and the Board of Governors of The University of North Carolina shall allocate~~
18 ~~the scholarship loan funds among their respective constituent institutions which have~~
19 ~~programs of education leading to a degree in nursing. Distribution shall be in a manner~~
20 ~~determined by the appropriate governing body. The State Education Assistance~~
21 ~~Authority shall distribute scholarship loan funds to private nonprofit colleges which~~
22 ~~offer nursing degree programs. Distribution shall be in a manner determined by the~~
23 ~~Board of the State Education Assistance Authority after consultation with the North~~
24 ~~Carolina Association of Independent Colleges and Universities.~~ State Education
25 Assistance Authority in accordance with rules and regulations adopted by the Board of
26 the State Education Assistance Authority. Distribution of scholarship loan funds among
27 students enrolled in the constituent institutions of The University of North Carolina,
28 community colleges, and private colleges shall be in amounts proportionate to the

1 amounts awarded to each such group of students in the preceding fiscal year.
2 Scholarship loans shall be made only to prospective and enrolled nursing students under
3 the terms and conditions established for the need-based nursing scholarship loan
4 program by the State Education Assistance Authority.

5 (c) The State Education Assistance Authority shall carry out the following
6 functions in implementing the need-based nursing scholarship loan program:

- 7 (1) Promulgate the rules and regulations necessary to implement the
8 scholarship ~~program;~~program, including the selection criteria and
9 method of selection of recipients of need-based nursing scholarship
10 loans;
- 11 (2) Disburse, collect, and monitor scholarship loan funds;
- 12 (3) Establish the terms and conditions of promissory notes executed by
13 loan recipients;
- 14 (4) Approve service repayment agreements;
- 15 (5) Collect cash repayments required when service repayment is not
16 completed; and
- 17 (6) Adopt rules to allow for the forgiveness of scholarship loans if it
18 determines that it is impossible for the recipient to practice nursing in
19 North Carolina for a sufficient time to repay the loan because of the
20 death or permanent disability of the recipient within ten years
21 following graduation or termination of enrollment in a nursing
22 education program.

23 ~~(d) — Each institution to which scholarship loan funds are allocated shall publicize~~
24 ~~the availability of, shall disseminate, receive and review applications for, and shall~~
25 ~~select the recipients of scholarship loans. Scholarship loans shall be made only to~~
26 ~~prospective and enrolled nursing students under the terms and conditions established for~~
27 ~~the need-based nursing scholarship loan program by the State Education Assistance~~
28 ~~Authority."~~

29 **SECTION 2.** This act becomes effective January 1, 2006, and applies to all
30 scholarship loans awarded after that date.

VISITOR REGISTRATION SHEET

EDUCATION UNIT

Name of Committee

417105

Date _____

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE ASSISTANT

NAME

FIRM OR AGENCY

Juanne Stevens	nursing
Steve Brooks	SEAA
Kevin Fitzgerald	UNC
Mike Mangum	DOA - P&C
Bob Rhinehart	DOA - P&C
James O. Smith	UNC
Michael	NCSU
William Lawrence	NCLL
Bill Scobbin	KCLH
Ray Willis	NC State

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
Thursday, April 14, 2005
Representative Dickson, Chair, Presiding

The House Education Subcommittee on Universities met on Thursday, April 14, 2005, in Room 425 of the Legislative Office Building at 11:00 A.M. The following members were present: Chair Margaret Dickson, Vice-Chair Jim Harrell, Reps. Daughtridge, Hollo, McAllister, Michaux, Rapp, and Stiller.

Chair Dickson called the meeting to order and recognized the Pages, Sergeant-at-Arms, Staff, and visitors.

Two bills were on the Agenda for consideration:

- HB 387 Social Security # Can't Be Student ID # – Rep. Jeff Barnhart
- HB 771 UNC/Dual Office Holding. – AB – Rep. Margaret Dickson

HB 387: Rep. McAllister made a motion for the adoption of the PSC for discussion purposes. The chair called on Rep. Barnhart to explain the bill. He stated that this bill would prohibit institutions of UNC from using Social Security numbers as student's ID number or as part of that number, but allows use of the Social Security number when required by state or federal law. The bill applies to students who first enroll for the fall semester of 2006 and subsequent semesters.

He said that the bill is proposed to address the ever-increasing problem of identity theft often associated with Social Security numbers. Mr. David Dunn of UNC-Charlotte and Ms. Leslie Winner of UNC were asked to speak on the bill. They supported the bill's intent as explained by Rep. Barnhardt.

Rep. Michaux made a motion that the bill be given a favorable report as to the committee substitute bill; unfavorable report as to the original bill. The motion carried.

HB 771: Chair Dickson asked Vice-Chair Jim Harrell to preside at this point in the meeting so that she could present HB 771 for consideration.

Rep. Dickson gave a comprehensive overview of the bill and said the bill eliminates the prohibition against certain spouses of members of the UNC Board of Governors, members of the Board of Trustees of a constituent institution, or members of the State Board of Community Colleges from being employees or officers of the State.

Rep. McAllister moved that the bill be given a favorable report.

Several members of the Committee asked for language clarification and asked about several provisions in the bill relating to spouses and workplace.

Staff Attorney Drupti Chauhan answered member's questions pertaining to the bill and its provisions.

Rep. Dickson offered an amendment to the bill, which would change the effective date of the bill to January 1, 2006. She said the amendment speaks to the fact that the appointment process is in progress at the present time.

Rep. Michaux moved for reconsideration and for a vote on the amendment. All were in favor except Rep. Daughtridge who voted no.

Rep. Dickson withdrew her amendment and moved for its adoption.

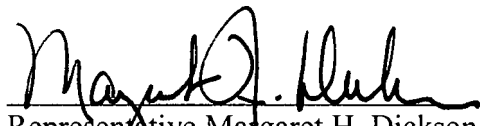
Rep. Daughtridge questioned the effective date of the bill, and Rep. Michaux said that could be remedied by amending the bill and changing the effective date to June 30, 2005.


Rep. Dickson accepted the amendment.

Rep. Michaux moved that the amendment be rolled into a new committee substitute with with a favorable report as to the committee substitute, and an unfavorable report as to the original bill. The Motion carried.

There was no further business; the meeting adjourned.

Respectfully submitted,


Representative Margaret H. Dickson
Presiding Chair


Sue Buehlmann
Committee Assistant

Minutes – April 14, 2005
Education Subcommittee on Universities
Page 3

Attachments

Committee Notice

Agenda

House Bill 387

House Bill 771

Amendments

Committee Substitute for House Bill 387

Committee Substitute for House Bill 771

Bill Analysis for House Bill 387

Bill Analysis for House Bill 771

Visitor Registration Sheet

ADDITION TO AGENDA – HB 771

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, April 14, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 92: UNC/BOG Student Member Vote. – Rep. Adams

HB 387: Social Security # Can't Be Student ID #. – Rep. Barnhart

HB 771: UNC/Dual Office Holding. – AB – Rep. Dickson

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m on Tuesday, April 12, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES

A G E N D A

Thursday, April 14, 2005

Room 425

11:00 AM

Representative Margaret H. Dickson

Representative Karen Ray

CHAIRS

OPENING REMARKS

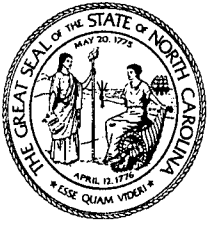
Presiding Chair: Rep. Margaret Dickson

AGENDA ITEMS

HB 387: Social Security # Can't Be Student ID #. – Rep. Barnhart

HB 771: UNC/Dual Office Holding. – AB – Rep. Dickson

ADJOURNMENT



HOUSE BILL 771: UNC/Dual Office Holding-AB

BILL ANALYSIS

Committee: House Education Subcommittee
on Universities

Date: April 14, 2005

Version: 1st Edition

Introduced by: Rep. Dickson

Summary by: Drupti Chauhan
Committee Counsel

SUMMARY: *House Bill 771 would remove the current prohibition against spouses of officers or employees of the State from being members of the UNC Board of Governors, trustees of UNC constituent institutions or the State Board of Community Colleges.*

CURRENT LAW:

UNC Board of Governors

Spouses of the following **cannot** be members of the UNC Board of Governors:

- A member of the General Assembly
- An officer of the State
- An employee of the State
- An officer of any constituent institution
- An employee of any constituent institution

UNC Constituent Institutions

Spouses of the following **cannot** be trustees of the constituent institutions:

- A member of the General Assembly
- An officer of the State
- An employee of the State
- An officer of any constituent institution
- An employee of any constituent institution

State Board of Community Colleges

Spouses of the following **cannot** be members of the State Board of Community Colleges

- A member of the General Assembly
- An officer of the State
- An employee of the State
- An officer of an institution under the jurisdiction of the State Board of Community Colleges
- An employee of an institution under the jurisdiction of the State Board of Community Colleges

HOUSE BILL 771

Page 2

BILL ANALYSIS: House Bill 771 would allow the spouses of officers or employees of the State to be eligible to be members of the UNC Board of Governors, members of the board of trustees of UNC constituent institutions, and members of the State Board of Community Colleges. However, the following prohibitions would remain in place:

UNC Board of Governors

Spouses of the following **could not** be members of the UNC Board of Governors:

- A member of the General Assembly
- An officer of The University of North Carolina
- An employee of The University of North Carolina
- An officer of any constituent institution
- An employee of any constituent institution

UNC Constituent Institutions

Spouses of the following **could not** be trustees of constituent institutions:

- A member of the General Assembly
- An officer of the constituent institution in question
- An employee of the constituent institution in question

State Board of Community Colleges

Spouses of the following **could not** be members of the State Board of Community Colleges:

- A member of the General Assembly
- An officer of the Community College System
- An employee of the Community College System
- An officer of an institution under the jurisdiction of the State Board of Community Colleges
- An employee of an institution under the jurisdiction of the State Board of Community Colleges

BACKGROUND: There is no statutory definition of a public office or public officer but the North Carolina courts have held that an office is a delegation to an elected or appointed individual of some of the sovereign functions of the government to be exercised for the public benefit. Some of the criteria that are considered include the following: whether the position was created by election or appointment and not by contract of employment; whether the individual is required to take an oath or post a bond before assuming the duties of the position; whether the statute or constitution that creates the position designates it as a public office; executive, legislative, or judicial functions have been delegated to the individual and the exercise of those powers will bind the rights of others; and the individual is largely independent of the control of others and has the power of direction supervision and control.

EFFECTIVE DATE: The bill would become effective when it becomes law.

HB771-SMRQ-001

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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D

HOUSE BILL 387
PROPOSED COMMITTEE SUBSTITUTE H387-CSRJ-8 [v.3]

4/14/2005 10:54:07 AM

Short Title: Social Security # Can't Be Student ID #.

(Public)

Sponsors:

Referred to:

February 28, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT ANY CONSTITUENT INSTITUTION FROM ASSIGNING
3 A STUDENT'S SOCIAL SECURITY NUMBER AS THE STUDENT'S
4 IDENTIFICATION NUMBER.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Part 5 of Article 1 of Chapter 116 of the General Statutes is
7 amended by adding a new section to read:

8 "§ 116-43.7. Social security number shall not be assigned as a student
9 identification number.

10 (a) No constituent institution shall assign an individual identification number to a
11 student that is identical to or incorporates the student's social security number.

12 (b) No constituent institution shall allow the public display or use of a student's
13 social security number without the written consent of the student.

14 (c) This section does not prohibit the use of a student's social security number by
15 a constituent institution when required by applicable State or federal law."

16 SECTION 2. The UNC Board of Governors shall report to the Joint
17 Legislative Education Oversight Committee on the status of the implementation of the
18 Banner Project, an initiative that will allow the constituent institutions to use randomly
19 generated personal identification numbers as student identifiers instead of social
20 security numbers. The Board shall report at the beginning of the fall semester of the
21 2006 academic year on the number of institutions that have completed implementation
22 and the target dates for final implementation by the remaining constituent institutions.

23 SECTION 3. This act is effective when it becomes law and applies to all
24 students who enroll for the first time at a constituent institution for the 2007 academic
25 year, beginning with the fall semester and each subsequent semester.

VISITOR REGISTRATION SHEET

House Education Subcommittee on Universities

April 14, 2005

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Alfred Mays	UNC-OP 910 Raleigh Rd Chapel Hill, 27514
Amanda Devore	NCSU
Jo ANN PEARSON	UNC-OP 910 Raleigh Rd Chapel Hill 27514
Sam Watts	NC Center for Public Policy Research
A. Payne	NCHE
Gardner Payne	Edminster A Webb
Mark Fleming	University
DAVID DUNN	UNC CHARLOTTE
Leslie Winner	UNC
Jonathan Ducote	Citizen

[illegible]

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE

The following report(s) from standing committee(s) is/are presented:

By Representative(s) Dickson, Ray (Chairs) for the Education Subcommittee on Universities.

☐ Committee Substitute for

HB 387 A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY CONSTITUENT INSTITUTION FROM ASSIGNING A STUDENT'S SOCIAL SECURITY NUMBER AS THE STUDENT'S IDENTIFICATION NUMBER.

By Representatives Dickson, Ray, Chairs, for the EDUCATION SUBCOMMITTEE ON UNIVERSITIES, with approval of standing committee chairs for report to be made directly to the floor of the House:

s/ Maurice W. Lucas

☒ With a favorable report as to the committee substitute bill, unfavorable as to the original bill.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on

_____.

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from standing committee(s) is/are presented:

By Representative(s) Dickson, Ray (Chairs) for the Education Subcommittee on Universities.

☐ Committee Substitute for

HB 771 A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE PROHIBITION AGAINST CERTAIN SPOUSES OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, MEMBERS OF THE BOARD OF TRUSTEES OF A CONSTITUENT INSTITUTION, OR MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES FROM BEING EMPLOYEES OR OFFICERS OF THE STATE.

By Representatives Dickson, Ray, Chairs, for the EDUCATION SUBCOMMITTEE ON UNIVERSITIES, with approval of standing committee chairs for report to be made directly to the floor of the House:

s/ Maurin W. Lucas

☒ With a favorable report as to the committee substitute bill, unfavorable as to the original bill.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on
_____.

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
THURSDAY, MAY 5, 2005
Representative Ray, Presiding Chair

The House Education Subcommittee on Universities met on Thursday, May 5, 2005, in Room 425 of the Legislative Office Building at 11:00 A.M. The following members were present: Chairs Margaret Dickson and Karen Ray; Reps. Adams, Daughtridge, Hollo, McAllister, Michaux, Rapp, and Stiller.

Chair Ray called the meeting to order and recognized the Pages, Sergeant at Arms, Staff, and Visitors.

Three bills were on the Agenda for consideration:

- HB 92: UNC/BOG Student Member Vote. – Rep. Adams.
- HB 1354: UNC/Private Gift Acceptance & Refusal Policy. – Rep. Pate, Jr.
- HB 1552: N.C. A&T University Campus Parking. – Rep. Adams.

HB 1552: The PCS was adopted and before the committee for consideration. Rep. Adams was called by the Chair and asked to speak on HB 1552. She gave a comprehensive overview of the provisions of the bill and said that the provisions of the bill extend the regulatory authority for parking on portions of certain named streets in the City of Greensboro to the board of trustees of N.C. A&T.

Rep. Michaux moved for a favorable report as to the committee substitute bill, and an unfavorable report as to the original bill. The motion carried.

HB 92: Rep. Adams was recognized by the Chair to present HB 92: UNC/BOG Student Member Vote which amends GS 116-6.1 to provide that the student member of the UNC Board of Governors have the same right to vote as all other members. The bill deletes the provision that the student member may serve as designee.

Rep. Adams pointed out that this proposed legislation has been before and passed the House on three different occasions, but the process was not continued in the Senate. Mr. Zack Wynn, student representative, spoke in favor of the bill. Rep. Dickson asked Mr. Mark Fleming of the UNC Board of Governors if the BOG has taken a position on this matter. Mr. Fleming said the Board has not spoken to the issue this Session but in previous years had taken a favorable position.

Rep. Rapp offered strong support in favor of the provisions of the bill.

Chair Ray called for a motion.

Representative McAllister moved for a favorable report on HB 92. The motion carried.

HB 1354: Rep. Pate was called on by Chair Ray to explain HB 1354: UNC/Private Gift Acceptance & Refusal Policy. The Bill provides that the Joint Legislative Education Oversight Committee study the policy of each of the constituent institutions of the UNC system regarding the acceptance or refusal of private grants and gifts to the institution. The commission would be required to make an interim report to the 2006 session and a final report to the 2007 session.

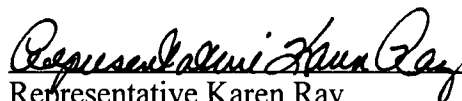
Chair Ray pointed out that Rep. Pate asked that a vote not be taken on this bill at the meeting.


Other members of the Committee and university representatives commented and raised questions on the bill for future clarification and advice.

Rep. Pate asked that no action be taken and that the bill be held until the UNC Board of Governors meets.

No other matters were before the Committee for consideration; Chair Ray called for adjournment.

Respectfully submitted,


Representative Karen Ray
Presiding Chair


Mary Ann Norwood
Sue Buehlmann
Committee Assistants

Attachments

Committee Notice

Agenda

House Bill 92

House Bill 1354

House Bill 1552

Committee Substitute for House Bill 1552

Bill Analysis for House Bill 92

Bill Analysis for House Bill 1354

Bill Analysis for House Bill 1552

Committee Reports

Visitor Registration Sheet

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, May 5, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 92: **UNC/BOG Student Member Vote. – Rep. Adams**

HB 1354: **UNC/Private Gift Acceptance & Refusal Policy. – Rep. Pate, Jr.**

HB 1552: **N.C. A&T University Campus Parking. – Rep. Adams**

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m. on Tuesday, May 3, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Mary Ann Norwood (Committee Assistant)

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES

A G E N D A

Thursday, May 5, 2005

Room 425

11:00 AM

Representative Margaret H. Dickson

Representative Karen Ray

CHAIRS

OPENING REMARKS

Presiding Chair: Rep. Karen Ray

AGENDA ITEMS

HB 92: UNC/BOG Student Member Vote. – Rep. Adams

HB 1354: UNC/Private Gift Acceptance & Refusal Policy. – Rep. Pate, Jr.

HB 1552: N.C. A&T University Campus Parking. – Rep. Adams

ADJOURNMENT

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 92

Short Title: UNC/BOG Student Member Vote.

(Public)

Sponsors: Representatives Adams; Alexander, B. Allen, Farmer-Butterfield, Glazier,
Harrison, Jeffus, Ross, and Weiss.

Referred to: Education.

February 7, 2005

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF
GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SHALL HAVE
THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-6.1 reads as rewritten:

"§ 116-6.1. Student member of the Board of Governors.

(a) Commencing July 1, 1991, and during his continuance as a student in good standing at a constituent institution of The University of North Carolina, the person serving as president of the University of North Carolina Association of Student Governments (UNCASG) ~~or his designee~~ shall serve ex officio as a member of the Board of Governors. This student member shall be in addition to the 32 members elected to the Board of Governors.

(b) The student member shall have all the rights and privileges of ~~membership,~~ membership. ~~except that he shall not have a vote.~~

SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 1354

Short Title: UNC/Private Gift Acceptance & Refusal Policy. (Public)

Sponsors: Representatives Pate; Culp, Daughtry, Folwell, Holmes, Lewis, McMahan, Moore, and Steen.

Referred to: Education.

April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE JOINT LEGISLATIVE EDUCATION
OVERSIGHT COMMITTEE SHALL STUDY THE POLICY OF EACH OF THE
CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH
CAROLINA REGARDING THE ACCEPTANCE OR REFUSAL OF PRIVATE
GRANTS AND GIFTS TO THE INSTITUTION.

The General Assembly of North Carolina enacts:

SECTION 1. The Joint Legislative Education Oversight Committee shall study whether the constituent institutions of The University of North Carolina have policies and criteria regarding private grants and gifts to the institutions. In its study, the Committee shall consider the criteria used by each constituent institution in determining whether to accept or refuse a private grant or gift, the official or governing body responsible for making that determination, and how the criteria are applied. The Committee shall also evaluate whether improvements could be made regarding the policies and criteria. The Committee shall make an interim report to the General Assembly, 2006 Regular Session, and shall make a final report to the 2007 General Assembly.

SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 1552

Short Title: N.C. A&T University Campus Parking.

(Public)

Sponsors: Representatives Adams; and Coleman.

Referred to: Education.

April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE REGULATORY AUTHORITY OVER CAMPUS
PARKING TO THE BOARD OF TRUSTEES OF NORTH CAROLINA A&T
STATE UNIVERSITY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-44.5 is amended by adding the following new
subdivision to read:

"(3c) The Board of Trustees of North Carolina Agriculture and Technical
State University may by ordinance prohibit, regulate, and limit the
parking of motor vehicles on those portions of the following streets in
the City of Greensboro where parking is not prohibited by an
ordinance of the City of Greensboro:

- a. Dudley Street between Market Street and Bluford Street.
- b. Bluford Street between Regan Street and Luther Street.
- c. East Market Street between North Booker Street and Dudley
Street.
- d. Laurel Street between Lindsay Street and East Market Street.
- e. Benbow Road between Sullivan Street and East Market Street.
- f. Sullivan Street between O'Henry Boulevard overpass and
Lindsay Street.
- g. Beech Street between Bluford Street and Lindsay Street.
- h. Obermeyer Street between Bluford Street and Market Street.
- i. Daniel Street between Bluford Street and Market Street.
- j. Nocho Street between Bluford Street and Market Street.

In addition, the Board of Trustees of North Carolina A&T State
University may regulate traffic on the following streets for the portion
of those streets that abut the university: Benbow Road, Dudley Street,
Lindsay Street, and Market Street, provided that the regulation is not
inconsistent with ordinances of the City of Greensboro."

1

SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

D

HOUSE BILL 1552
PROPOSED COMMITTEE SUBSTITUTE H1552-CSRJ-13 [v.1]

5/5/2005 9:27:40 AM

Short Title: N.C. A&T University Campus Parking.

(Public)

Sponsors:

Referred to:

April 21, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO EXTEND THE REGULATORY AUTHORITY OVER CAMPUS
3 PARKING TO THE BOARD OF TRUSTEES OF NORTH CAROLINA A&T
4 STATE UNIVERSITY.

5 The General Assembly of North Carolina enacts:

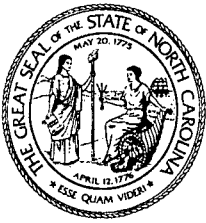
6 SECTION 1. G.S. 116-44.5 is amended by adding the following new
7 subdivision to read:

8 "(3c) The Board of Trustees of North Carolina Agriculture and Technical
9 State University may by ordinance prohibit, regulate, and limit the
10 parking of motor vehicles on those portions of the following streets in
11 the City of Greensboro where parking is not prohibited by an
12 ordinance of the City of Greensboro:

- 13 a. Dudley Street between Market Street and Bluford Street.
14 b. Bluford Street between Regan Street and Luther Street.
15 c. Laurel Street between Lindsay Street and East Market Street.
16 d. Benbow Road between Sullivan Street and East Market Street.
17 e. Sullivan Street between O'Henry Boulevard overpass and
18 Lindsay Street.
19 f. Beech Street between Bluford Street and Lindsay Street.
20 g. Obermeyer Street between Bluford Street and Market Street.
21 h. Daniel Street between Bluford Street and Market Street.
22 i. Nocho Street between Bluford Street and Market Street.

23 In addition, the Board of Trustees of North Carolina A&T State
24 University may regulate traffic on the following streets for the portion
25 of those streets that abut the university: Benbow Road, Dudley Street,
26 Lindsay Street, and Market Street, provided that the regulation is not
27 inconsistent with ordinances of the City of Greensboro."

28 SECTION 2. This act is effective when it becomes law.



HOUSE 92: UNC/BOG Student Member Vote.

BILL ANALYSIS

Committee: House Education
Date: May 4, 2005
Version: First Edition

Introduced by: Rep. Adams
Summary by: Sara Kamprath
Committee Analyst

SUMMARY: *House Bill 92 would give the student member of the UNC Board of Governors the right to vote. The bill is effective when it becomes law.*

CURRENT LAW: The UNC Board of Governors is composed of thirty-two voting members serving staggered four-year terms. Each long session, the General Assembly elects sixteen members to the Board. The Senate and the House of Representatives separately elect eight members to fill the vacancies on the Board.

Former board chairmen, who have served at least one full term, may continue to serve on the Board for an additional four-year term after their regular elected term has expired. Board members who are former North Carolina governors and have served at least one term on the Board may continue to serve. The Board members who are former board chairmen or former North Carolina governors are non-voting members emeriti but have all the other rights and privileges of serving on the Board.

Currently, the student serving as the president of the UNC Association of Student Governments (UNCASG) or his designee is a non-voting ex officio member of the Board. The UNC Association of Student Governments is composed of the student body Presidents of the sixteen constituent institutions. Typically, UNCASG elects a new president each year.

BILL ANALYSIS: House Bill 92 changes the status of the student member of the UNC Board of Governors from non-voting to voting. This change would increase the number of voting members on the Board from thirty-two to thirty-three. The bill also makes clear that the student member on the Board is the current president of the UNC Association of Student Governments and is not the president's designee.

BACKGROUND: There are student members on the State Board of Community Colleges and the individual community college board of trustees, but they do not vote. The student member serving on the board of trustees of a UNC constituent institution is allowed to vote.

H92-SMRJ-001



HOUSE BILL 1354: UNC/Private Gift Acceptance & Refusal Policy

BILL ANALYSIS

Committee:	House Assigned To Education Subcommittee on Universities	Date:	May 4, 2005
Introduced by:	Rep. Pate	Summary by:	Sara Kamprath
Version:	First Edition		Legislative Analyst

SUMMARY: *House Bill 1354 directs the Joint Legislative Education Oversight Committee to study the policy of each UNC constituent institution regarding accepting or refusing private gifts and grants. The Committee shall consider the criteria used by each institution to determine whether or not to accept or refuse private gifts and grants, the body or official responsible for making the determination, and how the criteria are applied when making the determination. The Committee shall also evaluate whether improvements could be made to those policies. The Committee shall make an interim report to the 2006 Session and a final report to the 2007 General Assembly.*

EFFECTIVE DATE: The bill is effective when it becomes law.

BACKGROUND: Private fund raising is a responsibility of each institution. According to information from the UNC Office of the President, each institution complies with the industry standard on reporting and recording gifts known as the CASE Management and Reporting Standards (revised 2004).

H1354e1-SMRJ



HOUSE BILL 1552: N.C. A&T University Campus Parking

BILL ANALYSIS

Committee:	House Assigned To Education Subcommittee on Universities	Date:	May 5, 2005
Introduced by:	Rep. Adams	Summary by:	Sara Kamprath
Version:	PCS to First Edition H1552-CSRJ		Committee Analyst

SUMMARY: *House Bill 1552 gives the board of trustees of North Carolina Agricultural and Technical State University authority to prohibit, regulate, and limit by ordinance the parking of motor vehicles on certain named streets in the City of Greensboro where the City does not prohibit parking. Additionally, the board of trustees may regulate traffic on portions of certain named streets that abut the university.*

The Proposed Committee substitute removed lines 15-16 on page 1.

CURRENT LAW: G.S. 116-44.5 currently has similar provisions for the University of North Carolina at Chapel Hill, Appalachian State University, the University of North Carolina at Charlotte, the University of North Carolina at Wilmington, and the University of North Carolina at Greensboro.

H1552e1-SMRJ-CSRJ

PROPOSED COMMITTEE SUBSTITUTE H1552-PCS80356-RJ-13

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE REGULATORY AUTHORITY OVER CAMPUS
PARKING TO THE BOARD OF TRUSTEES OF NORTH CAROLINA A&T
STATE UNIVERSITY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-44.5 is amended by adding the following new
subdivision to read:

"(3c) The Board of Trustees of North Carolina Agricultural and Technical
State University may by ordinance prohibit, regulate, and limit the
parking of motor vehicles on those portions of the following streets in
the City of Greensboro where parking is not prohibited by an
ordinance of the City of Greensboro:

- a. Dudley Street between Market Street and Bluford Street.
- b. Bluford Street between Regan Street and Luther Street.
- c. Laurel Street between Lindsay Street and East Market Street.
- d. Benbow Road between Sullivan Street and East Market Street.
- e. Sullivan Street between O'Henry Boulevard overpass and
Lindsay Street.
- f. Beech Street between Bluford Street and Lindsay Street.
- g. Obermeyer Street between Bluford Street and Market Street.
- h. Daniel Street between Bluford Street and Market Street.
- i. Nocho Street between Bluford Street and Market Street.

In addition, the Board of Trustees of North Carolina A&T State
University may regulate traffic on the following streets for the portion
of those streets that abut the university: Benbow Road, Dudley Street,
Lindsay Street, and Market Street, provided that the regulation is not
inconsistent with ordinances of the City of Greensboro."

SECTION 2. This act is effective when it becomes law.

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from standing committee(s) is/are presented:

By Representative(s) Dickson, Ray (Chairs) for the Education Subcommittee on Universities.

☐ Committee Substitute for

HB 92 A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS.

By Representatives Dickson, Ray, Chairs, for the EDUCATION SUBCOMMITTEE ON UNIVERSITIES, with approval of standing committee chairs for report to be made directly to the floor of the House:

s/ Meiwen McLeach

☒ With a favorable report.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on _____.

_____ Pursuant to Rule 36(b), the bill/resolution is placed on the Calendar of _____.

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE

The following report(s) from standing committee(s) is/are presented:

By Representative(s) Dickson, Ray (Chairs) for the Education Subcommittee on Universities.

☐ Committee Substitute for

HB 1552

A BILL TO BE ENTITLED AN ACT TO EXTEND THE REGULATORY
AUTHORITY OVER CAMPUS PARKING TO THE BOARD OF TRUSTEES OF NORTH CAROLINA
A&T STATE UNIVERSITY.

*By Representatives Dickson, Ray, Chairs, for the EDUCATION SUBCOMMITTEE ON
UNIVERSITIES, with approval of standing committee chairs for report to be made directly to the floor of
the House:*

s/ *Marion McLawhorn*

☒ With a favorable report.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on
_____.

_____ Pursuant to Rule 36(b), the bill/resolution is placed on the Calendar of _____.

VISITOR REGISTRATION SHEET

House Education Subcommittee on Education

May 5, 2005

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Sam Watts	NC Center for Public Policy Research
Barbara Hollo	Visitor of Rep Mark Hollo
Jeff Easterling	North Carolina Central SGA
DWESTON HAYWOOD	NORTH CAROLINA CENTRAL UNIVERSITY
Renee N. Clark	North Carolina Central University
Betty Wynne	Raleigh, NC
RICHARD E. WYNNE	5500 KNOLLWOOD RD., RALEIGH, NC 27609
DeVan Balbour, II	Dir. of Governmental Relations N.C. State Univ.
Drexel Heard II	Director, Executive Management NC State University
Patrick Cleary	Senior Class President NCSU
A. Payne	—
Jonathan Ducote	Citizen

VISITOR REGISTRATION SHEET

Education Community College
Name of Committee

5/5/08
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Mark Fleming

University, Sybil

Victor Landry

UART system (FSU)

Ker in Feta Gerd

UNC Chapel Hill

Zack Wynne

UNCASG

House Pages

Name Of Committee: Education- Date: May 05, '05
Community Colleges

1. Name: Christian Leonard

County: Franklin

Sponsor: Jim Crawford

2. Name: Lona Leach

County: Hobbeson

Sponsor: Mr. Pierce Rep

3. Name: _____

County: _____

Sponsor: _____

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

Sgt-At-Arms

1. Name: Dusty Rhodes

2. Name: BILL SULLIVAN

3. Name: _____

4. Name: _____

5. Name: _____

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
THURSDAY, MAY 12, 2005
Representative Dickson, Presiding Chair

The House Education Subcommittee on Universities met on Thursday, May 12, 2005, in Room 425 of the Legislative Office Building at 11:00 A.M. The following members were present: Chairs Margaret Dickson and Karen Ray; Reps. Adams, Daughtridge, Hollo, Insko, McAllister, Michaux, and Rapp.

Chair Dickson called the meeting to order and recognized the Pages, Sergeant at Arms, Staff, and Visitors.

Two bills were on the Agenda for consideration:

- HB 1464: Repeal Sunset on UNC Design Contracts/Report. – Rep. McMahan.
- HB 1515: Med Schools/Crim Background Check. – Reps. LaRoque and England.

Prior to the convening of the Committee meeting, Reps. LaRoque and England requested that their bill not be heard until the next meeting.

HB 1464: Chair Dickson asked Rep. McMahan to explain his bill. He said that HB 1464 would repeal the sunset provision on the delegation of design, construction, and renovation authority for construction projects that have an estimated expenditure of public funds of \$2,000,000 or less. The authority will expire on December 31, 2006.

The bill would also add a reporting requirement from the UNC Board of Governors to the State Building Commission. The UNC Board of Governors would have to submit an annual report with the following information:

- A list of projects that fall under the delegation
- The estimated cost of each project along with the actual cost
- The name of each person awarded a contract when it becomes law.

Several members of the committee including Reps. Michaux, Adams, and Insko were concerned that the inclusion of minority contractors is not addressed directly in the bill.

Rep. McMahan said that his bill will not adversely affect minority businesses and that the extra reporting requirements could identify such a problem if it were to exist.

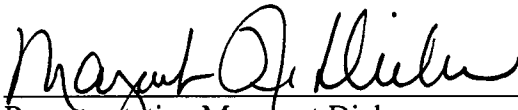
Staff Attorney Drupti Chauhan cited two different statutes that already speak to the issues raised by Rep. Michaux. (GS 143-128.2 and GS 143-128.2(g)).

Rep. Michaux moved to amend the bill by adding a new section. The motion carried.

It was moved and passed that the bill pass with a favorable report as to the committee substitute bill and unfavorable as to the original bill.

There was no further business before the Committee for consideration; Chair Dickson called for adjournment.

Respectfully submitted,



Representative Margaret Dickson
Presiding Chair



Sue Buehlmann
Committee Assistant

Attachments

Committee Notice

Agenda

House Bill 1464

House Bill 1515

Bill Analysis for House Bill 1464

Bill Analysis for House Bill 1515

Committee Report

Visitor Registration sheet

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, May 12, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 1464: **Repeal Sunset on UNC Design Contracts/Report. – Rep. McMahan.**

HB 1515: **Med Schools/Crim Background Check. – Reps. Laroque and England.**

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m. on Tuesday, May 10, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES

A G E N D A

May 12, 2005

Room 425

11:00 AM

Representative Margaret H. Dickson

Representative Karen Ray

CHAIRS

OPENING REMARKS

Presiding Chair: Rep. Margaret H. Dickson

BILLS BEFORE THE COMMITTEE

HB 1464: Repeal Sunset on UNC Design Contracts/Report. – Rep. McMahan.

HB 1515: Med Schools/Crim Background Check. – Reps. Laroque and England.

ADJOURNMENT

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 1464

Short Title: Repeal Sunset on UNC Design Contracts/Report.

(Public)

Sponsors: Representatives McMahan; Culp, Daughtridge, Daughtry, Dockham,
Gulley, Holmes, Lewis, Rayfield, and Vinson.

Referred to: Education.

April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO MAKE PERMANENT THE LAW PROVIDING FOR
CONSTRUCTION AND DESIGN SUPERVISORY AUTHORITY FOR CERTAIN
PROJECTS OF THE UNIVERSITY OF NORTH CAROLINA AND TO REQUIRE
REPORTS ON ACTIONS TAKEN UNDER THAT LAW.

The General Assembly of North Carolina enacts:

SECTION 1. Section 14(a) of S.L. 2001-496 reads as rewritten:

"**SECTION 14.(a)** Sections 8(a) through 8(e) of this act become effective July 1,
2001. Section 11.1 of this act becomes effective March 1, 2002. The remaining
sections of Parts I and II of this act become effective January 1, 2002, and apply to
construction projects for which bids or proposals are solicited on or after that date. The
remainder of this act is effective when it becomes law. ~~Sections 8(a) through 8(e) of this
act expire December 31, 2006.~~"

SECTION 2. G.S. 116-31.11 reads as rewritten:

**"§ 116-31.11. Powers of Board regarding certain fee negotiations, contracts, and
capital improvements.**

(a) Notwithstanding G.S. 143-341(3) and G.S. 143-135.1, the Board shall, with
respect to the design, construction, or renovation of buildings, utilities, and other
property developments of The University of North Carolina requiring the estimated
expenditure of public money of two million dollars (\$2,000,000) or less:

- (1) Conduct the fee negotiations for all design contracts and supervise the
letting of all construction and design contracts.
- (2) Develop procedures governing the responsibilities of The University
of North Carolina and its affiliated and constituent institutions to
perform the duties of the Department of Administration and the
Director or Office of State Construction under G.S. 133-1.1(d) and
G.S. 143-341(3).

(3) Develop procedures and reasonable limitations governing the use of open-end design agreements, subject to G.S. 143-64.34 and the approval of the State Building Commission.

(b) The Board may delegate its authority under subsection (a) of this section to a constituent or affiliated institution if the institution is qualified under guidelines adopted by the Board and approved by the State Building Commission and the Director of the Budget.

(c) The University shall use the standard contracts for design and construction currently in use for State capital improvement projects by the Office of State Construction of the Department of Administration.

(d) A contract may not be divided for the purpose of evading the monetary limit under this section.

(e) Notwithstanding any other provision of this Chapter, the Department of Administration shall not be the awarding authority for contracts awarded pursuant to this section.

(f) The Board of Governors shall annually report to the State Building Commission the following:

(1) A list of projects governed by this section.

(2) The estimated cost of each project along with the actual cost.

(3) The name of each person awarded a contract under this section."

SECTION 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H

D

HOUSE BILL 1464

PROPOSED COMMITTEE SUBSTITUTE H1464-PCS10335-RQ-28

Short Title: Repeal Sunset on UNC Design Contracts/Report.

(Public)

Sponsors:

Referred to:

April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO MAKE PERMANENT THE LAW PROVIDING FOR
CONSTRUCTION AND DESIGN SUPERVISORY AUTHORITY FOR CERTAIN
PROJECTS OF THE UNIVERSITY OF NORTH CAROLINA AND TO REQUIRE
REPORTS ON ACTIONS TAKEN UNDER THAT LAW.

The General Assembly of North Carolina enacts:

SECTION 1. Section 14(a) of S.L. 2001-496 reads as rewritten:

"**SECTION 14.(a)** Sections 8(a) through 8(e) of this act become effective July 1, 2001. Section 11.1 of this act becomes effective March 1, 2002. The remaining sections of Parts I and II of this act become effective January 1, 2002, and apply to construction projects for which bids or proposals are solicited on or after that date. The remainder of this act is effective when it becomes law. ~~Sections 8(a) through 8(e) of this act expire December 31, 2006.~~"

SECTION 2. G.S. 116-31.11 reads as rewritten:

"**§ 116-31.11. Powers of Board regarding certain fee negotiations, contracts, and capital improvements.**

(a) Notwithstanding G.S. 143-341(3) and G.S. 143-135.1, the Board shall, with respect to the design, construction, or renovation of buildings, utilities, and other property developments of The University of North Carolina requiring the estimated expenditure of public money of two million dollars (\$2,000,000) or less:

- (1) Conduct the fee negotiations for all design contracts and supervise the letting of all construction and design contracts.
- (2) Develop procedures governing the responsibilities of The University of North Carolina and its affiliated and constituent institutions to perform the duties of the Department of Administration and the Director or Office of State Construction under G.S. 133-1.1(d) and G.S. 143-341(3).

(3) Develop procedures and reasonable limitations governing the use of open-end design agreements, subject to G.S. 143-64.34 and the approval of the State Building Commission.

(b) The Board may delegate its authority under subsection (a) of this section to a constituent or affiliated institution if the institution is qualified under guidelines adopted by the Board and approved by the State Building Commission and the Director of the Budget.

(c) The University shall use the standard contracts for design and construction currently in use for State capital improvement projects by the Office of State Construction of the Department of Administration.

(d) A contract may not be divided for the purpose of evading the monetary limit under this section.

(e) Notwithstanding any other provision of this Chapter, the Department of Administration shall not be the awarding authority for contracts awarded pursuant to this section.

(f) The Board of Governors shall annually report to the State Building Commission the following:

(1) A list of projects governed by this section.

(2) The estimated cost of each project along with the actual cost.

(3) The name of each person awarded a contract under this section.

(4) Whether the person or business awarded a contract under this section meets the definition of 'minority business' or 'minority person' as defined in G.S. 143-128.2(g)."

SECTION 3. This act is effective when it becomes law.



BILL ANALYSIS

HOUSE BILL 1464: Repeal Sunset on UNC Design Contracts/Report

Committee:	House Education Subcommittee on Universities	Date:	May 11, 2005
Introduced by:	Rep. McMahan	Summary by:	Drupti Chauhan
Version:	First Edition		Committee Counsel

SUMMARY: *House Bill 1464 would repeal the sunset provision on the delegation of construction authority to The University of North Carolina and would require an annual report to the State Building Commission.*

CURRENT LAW: The University of North Carolina currently has the authority to manage all university system capital projects requiring an estimated expenditure of \$2,000,000 or less. The UNC Board of Governors may delegate its authority to a constituent institution if the institution is qualified under guidelines adopted by the Board and approved by the State Building Commission and the Director of the Budget.

BILL ANALYSIS: House Bill 1464 would repeal the sunset provision on the delegation of design, construction, and renovation authority for construction projects that have an estimated expenditure of public funds of \$2,000,000 or less. The authority will expire on December 31, 2006.

The bill would also add a reporting requirement from the UNC Board of Governors to the State Building Commission. The UNC Board of Governors would have to submit an annual report with the following information:

- A list of projects that fall under the delegation
- The estimated cost of each project along with the actual cost
- The name of each person awarded a contract under the delegation

EFFECTIVE DATE: The bill would become effective when it becomes law.

BACKGROUND: The Office of State Construction is the primary agency responsible for the management of capital construction, repair and renovation projects for agencies throughout the State. The University of North Carolina, however, has been given authority to manage projects of \$2,000,000 or less on its own.

H1464e1-SMRQ

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 1515

Short Title: Med Schools/Crim Background Check. (Public)

Sponsors: Representatives LaRoque, England (Primary Sponsors); Daughtridge and Setzer.

Referred to: Education.

April 21, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE A CRIMINAL BACKGROUND CHECK OF ALL
3 STUDENTS ADMITTED INTO A SCHOOL OF MEDICINE AT A NORTH
4 CAROLINA INSTITUTION OF HIGHER EDUCATION.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Chapter 116 of the General Statutes is amended by adding a
7 new Article to read:

8 "Article 33.

9 "Criminal Background Checks Required for Medical Students.

10 "§ 116-265. Criminal background check required for medical students.

11 (a) The following definitions apply in this Article:

12 (1) "Institution" includes both constituent institutions and private
13 institutions.

14 (2) "Constituent institution" is as defined in G.S. 116-2.

15 (3) "Private institution" means an institution licensed under G.S. 116-15.

16 (b) Any institution that has a school of medicine shall require as part of its
17 matriculation process a national and State criminal background check of every person
18 who has accepted an offer of admission to the school of medicine at the institution. The
19 criminal background check shall include a check to determine whether the person has
20 any adjudications as a sex offender that would require registration under Article 27A of
21 Chapter 14 of the General Statutes.

22 (c) The Department of Justice may provide a criminal record check to a
23 constituent institution for a person who is accepted for admission to the school of
24 medicine. If the institution is a private institution, then the Department of Justice may
25 provide a criminal record check to the North Carolina Medical Board on behalf of the
26 private institution as provided by G.S. 116-266. The institution shall provide to the
27 Department of Justice, along with the request, the fingerprints of the applicant, any
28 additional information required by the Department of Justice, and a form signed by the

1 applicant consenting to the check of the criminal record and to the use of the
2 fingerprints and other identifying information required by the State or national
3 repositories. The applicant's fingerprints shall be forwarded to the State Bureau of
4 Investigation for a search of the State's criminal history record file, and the State Bureau
5 of Investigation shall forward a set of the fingerprints to the Federal Bureau of
6 Investigation for a national criminal history check. The institution and the North
7 Carolina Medical Board shall keep all information pursuant to this subsection
8 privileged, in accordance with applicable State law and federal guidelines, and the
9 information shall be confidential and shall not be a public record under Chapter 132 of
10 the General Statutes.

11 The Department of Justice may charge each applicant a fee for conducting the
12 checks of criminal history records authorized by this subsection; however, the fee shall
13 not exceed the cost of conducting the criminal background check.

14 Nothing in this Article prohibits an institution from contracting with a private
15 company to conduct the criminal background checks required by this Article.

16 **"§ 116-266. North Carolina Medical Board receive criminal background check**
17 **information on behalf of private medical schools.**

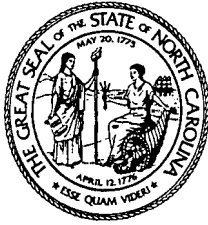
18 If the institution requesting the background check in compliance with G.S. 116-265
19 is a private institution, then the institution may request that the State Bureau of
20 Investigation provide the information received from the background check to the North
21 Carolina Medical Board. Upon request of the private institution, the Medical Board
22 shall receive the information from a student's background check and shall review the
23 information using the same criteria to evaluate the information that is used to evaluate
24 the information received by the Board under G.S. 90-11. If the Medical Board
25 determines any information received from the criminal background check would cause
26 the Medical Board either to refuse to license a student to practice medicine under
27 G.S. 90-11 or to investigate a student further before issuing a license to the student, then
28 the Medical Board shall report that fact to the private institution requesting the
29 background check.

30 The Medical Board may charge the private institution a reasonable fee for providing
31 this service.

32 **"§ 116-267. Evaluation of criminal background information by school of medicine;**
33 **effect on admissions decision.**

34 The information collected as a result of the criminal background check required by
35 this Article shall be considered by the appropriate school of medicine in determining
36 whether or not to complete an applicant's matriculation process. A criminal conviction
37 shall not automatically preclude an applicant from matriculating, and the school of
38 medicine may use its discretion in evaluating the applicant's fitness for the study of
39 medicine. However, an applicant who has been adjudicated as a sex offender shall be
40 precluded from gaining admission to any school of medicine at an institution located in
41 North Carolina."

42 **SECTION 2.** This act is effective when it becomes law and applies to the
43 2006-2007 academic year and each subsequent academic year.



BILL ANALYSIS

HOUSE BILL 1515: Med Schools/Crim Background Check

Committee:	House Education Subcommittee on Universities	Date:	May 18, 2005
Introduced by:	Reps. LaRoque, England	Summary by:	Drupti Chauhan
Version:	PCS to First Edition H1515-CSRQ-32 [v.1]		Committee Counsel

SUMMARY: *House Bill 1515 would require criminal background checks of all students admitted to a school of medicine located in the State. Any applicant who has been convicted or adjudicated as a sex offender which would require registration under Article 27A of Chapter 14 of the General Statutes would be precluded from gaining admission to any school of medicine in the State.*

The PCS makes technical changes.

BILL ANALYSIS: House Bill 1515 would require criminal background checks of all students admitted to a medical school in the State. Every medical school must require, as a part of the matriculation process, a national and State criminal background check of every student that has accepted an offer of admission.

The NC Department of Justice (DOJ) may provide a criminal background check to a UNC constituent institution for a student admitted into a school of medicine. If the institution is private, the Department of Justice may provide a criminal background check to the NC Medical Board for the private institution. Both public and private institutions must provide to the DOJ fingerprints of the applicant, information requested by the DOJ and a consent form signed by the applicant.

The DOJ is required to send the fingerprints to the State Bureau of Investigation for a search of the State criminal records and the State Board of Investigation is required to forward a set of the fingerprints to the Federal Bureau of Investigation for a national criminal history check.

All information obtained must be kept confidential. The DOJ may charge each applicant a fee that does not exceed the cost of conducting the criminal background check.

If institution requesting the criminal check is a private institution, then it may request the information received from the background check go to the NC Medical Board. If the NC Medical Board determines that the information would cause the Medical Board to refuse to issue a license to the student or to further investigate the student, then it shall report that fact to the private institution. This determination shall be made using the same criteria that is used to evaluate the issuance of licenses under G.S. 90-11.

The NC Medical Board may charge the private institution a reasonable fee for providing this service.

The school of medicine must use the information collected from criminal background check in determining whether or not to complete the applicant's matriculation process. An applicant who has been convicted or adjudicated as a sex offender that would require registration under Article 27A of Chapter 14 cannot be admitted to any school of medicine at an institution located in the State.

EFFECTIVE DATE: The bill would become effective when it becomes law and applies to the 2006-2007 academic year and each subsequent academic year.

H1515e1-SMRQ-CSRQ-32 v1

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from standing committee(s) is/are presented:

By Representative(s) Dickson, Ray (Chairs) for the Education Subcommittee on Universities.

☐ Committee Substitute for

HB 1464

A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE LAW PROVIDING FOR CONSTRUCTION AND DESIGN SUPERVISORY AUTHORITY FOR CERTAIN PROJECTS OF THE UNIVERSITY OF NORTH CAROLINA AND TO REQUIRE REPORTS ON ACTIONS TAKEN UNDER THAT LAW.

By Representatives Dickson, Ray, Chairs, for the EDUCATION SUBCOMMITTEE ON UNIVERSITIES, with approval of standing committee chairs for report to be made directly to the floor of the House:

s/ 

☒ With a favorable report as to the committee substitute bill, unfavorable as to the original bill.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on _____.

_____ The (House) committee substitute bill/(joint) resolution (No. _____) is re-referred to the Committee on _____. (The original bill/resolution) (House/Senate Committee Substitute Bill/(Joint) resolution No. _____) is placed on the Unfavorable Calendar.

_____ Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar of _____. The original resolution is placed on the Unfavorable Calendar.

VISITOR REGISTRATION SHEET

House Education Subcommittee on Universities

May 12, 2005

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Mark Fleming

University

John D. White

Intern for Rep. Alma Adams

Kevin Fitzgerald

UNC Chapel Hill

Dave Simpson

Curling Arc

Henry Jones

Attorney General

House Pages

Rm 425

Sub. Committee/Universities

Name Of Committee: Education Date: 5-12-05

1. Name: Jessica Whittle

County: Johnston

Sponsor: Rep. Langdon

2. Name: Danielle Glaser

County: Wake

Sponsor: Rep. Nelson Cole

Sue

3. Name: _____

County: _____

Sponsor: _____

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

Sgt-At-Arms

1. Name: Earl Coker

2. Name: Frank Prevost

3. Name: _____

4. Name: _____

5. Name: _____

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
THURSDAY, MAY 19, 2005
Representative Ray, Presiding Chair

The House Education Subcommittee on Universities met on Thursday, May 19, 2005, in Room 425 of the Legislative Office Building at 11:00 A.M. The following members were present: Chairs Margaret Dickson and Karen Ray; Vice Chair Jim Harrell, Reps. Hollo, Insko, McAllister, and Rapp..

Chair Ray called the meeting to order and recognized the Pages, Sergeant at Arms, Staff, and Visitors.

One bill was on the Agenda for consideration:

- HB 1515: Med Schools/Crim Background Check. – Reps. LaRoque and England.

Chair Dickson moved to consider the PCS.

Rep. LaRoque outlined the provisions of the bill and said the bill would require criminal background checks of all students admitted to a medical school in the State. Every medical school must require, as a part of the matriculation process, a national and State criminal background check of every student that has accepted an offer of admission. Any applicant who has been convicted or adjudicated as a sex offender who would require registration under Article 27A of Chapter 14 of the General Statutes would be precluded from gaining admission to any school of medicine in the State.

Rep. Rapp asked Mr. Thom Mansfield of the North Carolina Medical Board about the current procedure in regard to medical student background checks. Mr. Mansfield said that before a medical student can become board certified in N.C., he or she must pass a background check at the time of licensing.

Rep. Insko questioned the purpose of the bill, and asked what the goal is. She said the word “shall” is inconsistently used and would like it to replace references to the word “may” with the word “shall.”


Other questions that arose involved the meaning of the word *adjudicated*, how many people are included in these background checks, are all N.C. medical schools doing the checks, etc. Mr. Mansfield recapped the N.C. Medical Board’s procedure. Mr. Tim McDowell of the N.C. Independent Colleges said there is no objection from the independent medical schools, as those schools already require entry background checks.


A motion was made that the PCS be given a favorable report with the recommendation that it be sent to the Finance Committee. The motion did not carry for lack of support.

Rep. Insko moved that the motion be held and that the bill be displaced and the bill given further consideration at the next meeting.

There was no further business to come before the Committee for consideration; Chair Ray called for adjournment.

Respectfully submitted,


Representative Karen Ray
Presiding Chair


Sue Buehlmann
Committee Assistant

Attachments

Committee Notice
Agenda
House Bill 1515
Committee Substitute for House Bill 1515
Bill Analysis for House Bill 1515
Committee Report
Visitor's Registration Sheet

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, May 19, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 1515: Med Schools/Crim Background Check. – Reps. Laroque and England.

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m. on Tuesday, May 17, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES

A G E N D A

May 19, 2005

Room 425

11:00 AM

Representative Margaret H. Dickson

Representative Karen Ray

CHAIRS

OPENING REMARKS

Presiding Chair: Rep. Karen Ray

BILLS BEFORE THE COMMITTEE

HB 1515: Med Schools/Crim Background Check. – Reps. Laroque and England.

ADJOURNMENT

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

1

HOUSE BILL 1515

Short Title: Med Schools/Crim Background Check. (Public)

Sponsors: Representatives LaRoque, England (Primary Sponsors); Daughtridge and Setzer.

Referred to: Education.

April 21, 2005

A BILL TO BE ENTITLED
AN ACT TO REQUIRE A CRIMINAL BACKGROUND CHECK OF ALL
STUDENTS ADMITTED INTO A SCHOOL OF MEDICINE AT A NORTH
CAROLINA INSTITUTION OF HIGHER EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 116 of the General Statutes is amended by adding a new Article to read:

"Article 33.

"Criminal Background Checks Required for Medical Students.

"§ 116-265. Criminal background check required for medical students.

(a) The following definitions apply in this Article:

(1) "Institution" includes both constituent institutions and private institutions.

(2) "Constituent institution" is as defined in G.S. 116-2.

(3) "Private institution" means an institution licensed under G.S. 116-15.

(b) Any institution that has a school of medicine shall require as part of its matriculation process a national and State criminal background check of every person who has accepted an offer of admission to the school of medicine at the institution. The criminal background check shall include a check to determine whether the person has any adjudications as a sex offender that would require registration under Article 27A of Chapter 14 of the General Statutes.

(c) The Department of Justice may provide a criminal record check to a constituent institution for a person who is accepted for admission to the school of medicine. If the institution is a private institution, then the Department of Justice may provide a criminal record check to the North Carolina Medical Board on behalf of the private institution as provided by G.S. 116-266. The institution shall provide to the Department of Justice, along with the request, the fingerprints of the applicant, any additional information required by the Department of Justice, and a form signed by the

1 applicant consenting to the check of the criminal record and to the use of the
2 fingerprints and other identifying information required by the State or national
3 repositories. The applicant's fingerprints shall be forwarded to the State Bureau of
4 Investigation for a search of the State's criminal history record file, and the State Bureau
5 of Investigation shall forward a set of the fingerprints to the Federal Bureau of
6 Investigation for a national criminal history check. The institution and the North
7 Carolina Medical Board shall keep all information pursuant to this subsection
8 privileged, in accordance with applicable State law and federal guidelines, and the
9 information shall be confidential and shall not be a public record under Chapter 132 of
10 the General Statutes.

11 The Department of Justice may charge each applicant a fee for conducting the
12 checks of criminal history records authorized by this subsection; however, the fee shall
13 not exceed the cost of conducting the criminal background check.

14 Nothing in this Article prohibits an institution from contracting with a private
15 company to conduct the criminal background checks required by this Article.

16 **"§ 116-266. North Carolina Medical Board receive criminal background check**
17 **information on behalf of private medical schools.**

18 If the institution requesting the background check in compliance with G.S. 116-265
19 is a private institution, then the institution may request that the State Bureau of
20 Investigation provide the information received from the background check to the North
21 Carolina Medical Board. Upon request of the private institution, the Medical Board
22 shall receive the information from a student's background check and shall review the
23 information using the same criteria to evaluate the information that is used to evaluate
24 the information received by the Board under G.S. 90-11. If the Medical Board
25 determines any information received from the criminal background check would cause
26 the Medical Board either to refuse to license a student to practice medicine under
27 G.S. 90-11 or to investigate a student further before issuing a license to the student, then
28 the Medical Board shall report that fact to the private institution requesting the
29 background check.

30 The Medical Board may charge the private institution a reasonable fee for providing
31 this service.

32 **"§ 116-267. Evaluation of criminal background information by school of medicine;**
33 **effect on admissions decision.**

34 The information collected as a result of the criminal background check required by
35 this Article shall be considered by the appropriate school of medicine in determining
36 whether or not to complete an applicant's matriculation process. A criminal conviction
37 shall not automatically preclude an applicant from matriculating, and the school of
38 medicine may use its discretion in evaluating the applicant's fitness for the study of
39 medicine. However, an applicant who has been adjudicated as a sex offender shall be
40 precluded from gaining admission to any school of medicine at an institution located in
41 North Carolina."

42 **SECTION 2.** This act is effective when it becomes law and applies to the
43 2006-2007 academic year and each subsequent academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

D

HOUSE BILL 1515
PROPOSED COMMITTEE SUBSTITUTE H1515-CSRQ-32 [v.1]

5/18/2005 5:57:22 PM

Short Title: Med Schools/Crim Background Check.

(Public)

Sponsors:

Referred to:

April 21, 2005

A BILL TO BE ENTITLED
AN ACT TO REQUIRE A CRIMINAL BACKGROUND CHECK OF ALL
STUDENTS ADMITTED INTO A SCHOOL OF MEDICINE AT A NORTH
CAROLINA INSTITUTION OF HIGHER EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 116 of the General Statutes is amended by adding a new Article to read:

"Article 33.

"Criminal Background Checks Required for Medical Students.

"§ 116-265. Criminal background check required for medical students.

(a) The following definitions apply in this Article:

(1) "Institution" includes both constituent institutions and private institutions.

(2) "Constituent institution" is as defined in G.S. 116-2.

(3) "Private institution" means an institution licensed under G.S. 116-15 and any other institution in this State that meets all of the requirements and regulations of the accrediting agencies whose approval is normally required for the establishment and operation of a medical school.

(4) "Applicant" means a person who has accepted an offer of admission at a school of medicine at an institution in this State.

(b) Any institution that has a school of medicine shall require as part of its matriculation process a national and State criminal background check of every person who has accepted an offer of admission to the school of medicine at the institution. The criminal background check shall include a check to determine whether the person has any convictions or adjudications as a sex offender that would require registration under Article 27A of Chapter 14 of the General Statutes.

(c) The Department of Justice may provide a criminal record check to a constituent institution for a person who is accepted for admission to the school of

1 medicine. If the institution is a private institution, then the Department of Justice may
2 provide a criminal record check to the North Carolina Medical Board on behalf of the
3 private institution as provided by G.S. 116-266. The institution shall provide to the
4 Department of Justice, along with the request, the fingerprints of the applicant, any
5 additional information required by the Department of Justice, and a form signed by the
6 applicant consenting to the check of the criminal record and to the use of the
7 fingerprints and other identifying information required by the State or national
8 repositories. The applicant's fingerprints shall be forwarded to the State Bureau of
9 Investigation for a search of the State's criminal history record file, and the State Bureau
10 of Investigation shall forward a set of the fingerprints to the Federal Bureau of
11 Investigation for a national criminal history check. The institution and the North
12 Carolina Medical Board shall keep all information pursuant to this subsection
13 privileged, in accordance with applicable State law and federal guidelines, and the
14 information shall be confidential and shall not be a public record under Chapter 132 of
15 the General Statutes.

16 The Department of Justice may charge each applicant a fee for conducting the
17 checks of criminal history records authorized by this subsection; however, the fee shall
18 not exceed the cost of conducting the criminal background check.

19 Nothing in this Article prohibits an institution from contracting with a private
20 company to conduct the criminal background checks required by this Article.

21 **"§ 116-266. North Carolina Medical Board receive criminal background check**
22 **information on behalf of private medical schools.**

23 If the institution requesting the background check in compliance with G.S. 116-265
24 is a private institution, then the institution may request that the State Bureau of
25 Investigation provide the information received from the background check to the North
26 Carolina Medical Board. Upon request of the private institution, the Medical Board
27 shall receive the information from a student's background check and shall review the
28 information using the same criteria to evaluate the information that is used to evaluate
29 the information received by the Board under G.S. 90-11. If the Medical Board
30 determines any information received from the criminal background check would cause
31 the Medical Board either to refuse to license a student to practice medicine under
32 G.S. 90-11 or to investigate a student further before issuing a license to the student, then
33 the Medical Board shall report that fact to the private institution requesting the
34 background check.

35 The Medical Board may charge the private institution a reasonable fee for providing
36 this service.

37 **"§ 116-267. Evaluation of criminal background information by school of medicine;**
38 **effect on admissions decision.**

39 The information collected as a result of the criminal background check required by
40 this Article shall be considered by the appropriate school of medicine in determining
41 whether or not to complete an applicant's matriculation process. A criminal conviction
42 shall not automatically preclude an applicant from matriculating, and the school of
43 medicine may use its discretion in evaluating the applicant's fitness for the study of
44 medicine. However, an applicant who has been adjudicated or convicted as a sex

1 offender that would require registration under Article 27A of Chapter 14 of the General
2 Statutes shall be precluded from gaining admission to any school of medicine at an
3 institution located in North Carolina."

4 **SECTION 2.** This act is effective when it becomes law and applies to the
5 2006-2007 academic year and each subsequent academic year.



HOUSE BILL 1515: Med Schools/Crim Background Check

BILL ANALYSIS

Committee:	House Education Subcommittee on Universities	Date:	May 18, 2005
Introduced by:	Reps. LaRoque, England	Summary by:	Drupti Chauhan
Version:	PCS to First Edition H1515-CSRQ-32 [v.1]		Committee Counsel

SUMMARY: *House Bill 1515 would require criminal background checks of all students admitted to a school of medicine located in the State. Any applicant who has been convicted or adjudicated as a sex offender which would require registration under Article 27A of Chapter 14 of the General Statutes would be precluded from gaining admission to any school of medicine in the State.*

The PCS makes technical changes.

BILL ANALYSIS: House Bill 1515 would require criminal background checks of all students admitted to a medical school in the State. Every medical school must require, as a part of the matriculation process, a national and State criminal background check of every student that has accepted an offer of admission.

The NC Department of Justice (DOJ) may provide a criminal background check to a UNC constituent institution for a student admitted into a school of medicine. If the institution is private, the Department of Justice may provide a criminal background check to the NC Medical Board for the private institution. Both public and private institutions must provide to the DOJ fingerprints of the applicant, information requested by the DOJ and a consent form signed by the applicant.

The DOJ is required to send the fingerprints to the State Bureau of Investigation for a search of the State criminal records and the State Board of Investigation is required to forward a set of the fingerprints to the Federal Bureau of Investigation for a national criminal history check.

All information obtained must be kept confidential. The DOJ may charge each applicant a fee that does not exceed the cost of conducting the criminal background check.

If institution requesting the criminal check is a private institution, then it may request the information received from the background check go to the NC Medical Board. If the NC Medical Board determines that the information would cause the Medical Board to refuse to issue a license to the student or to further investigate the student, then it shall report that fact to the private institution. This determination shall be made using the same criteria that is used to evaluate the issuance of licenses under G.S. 90-11.

The NC Medical Board may charge the private institution a reasonable fee for providing this service.

The school of medicine must use the information collected from criminal background check in determining whether or not to complete the applicant's matriculation process. An applicant who has been convicted or adjudicated as a sex offender that would require registration under Article 27A of Chapter 14 cannot be admitted to any school of medicine at an institution located in the State.

EFFECTIVE DATE: The bill would become effective when it becomes law and applies to the 2006-2007 academic year and each subsequent academic year.

H1515e1-SMRQ-CSRQ-32 v1

VISITOR REGISTRATION SHEET

House Education Subcommittee on Universities

May 19, 2005

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Thom Mansfield

NC Medical Board

W. Lawrence

NC ICU

Victor Landry

UNC ASG

Mark Fleming

University System

Kevin Fitzpatrick

UNC CH

Angie Jo Horne

NCMS

Joe Keene

NC Medical Society

Franklin J.

Citizen

House Pages

EDUCATION -
SUB Comm / UNIVERSITIES

Name Of Committee: _____

Date: _____

5/19/05

1. Name: Charis Craig

County: Catawba

Sponsor: Mark Hilton

2. Name: Kelly Smith

County: Catawba

Sponsor: Mark Hilton

3. Name: _____

County: _____

Sponsor: _____

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

Sgt-At-Arms

1. Name: DUSTY RHODES

2. Name: Jany Calloway

3. Name: _____

4. Name: _____

5. Name: _____

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
THURSDAY, MAY 26, 2005
Representative Dickson, Presiding Chair

The House Education Subcommittee on Universities met on Thursday, May 26, 2005, in Room 425 of the Legislative Office Building at 11:00 A.M. The following members were present: Chairs Margaret Dickson and Karen Ray; Vice Chair, James Harrell; Reps. Adams, Hollo, Insko, McAllister, Rapp, and Stiller

Chair Dickson called the meeting to order and recognized the Pages, Sergeant at Arms, Staff, and Visitors.

Three bills were on the Agenda for consideration:

- HB 1515: Med Schools/Crim Background Check. – Reps LaRoque and England.
- HB 1105: In-State Tuition/Paramedic-to-BSN Program. – Reps. West and Womble.
- HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

Chair Dickson called on Rep. Haire, and he asked that his bill (HB 1285) be removed from the agenda and considered at the next meeting.

HB 1105: Rep. West explained the bill and said that the provisions of the bill would make students who are enrolled in the Paramedic-to-BSN Program offered at Tri-County Community College by Winston-Salem State University and in the Paramedic-to-BSN Program at Winston-Salem State University eligible for in-State tuition without waiting to qualify as a “resident for tuition purposes” as outlined in G.S. 143.1

He pointed out that North Carolina students will have a separate early registration period for acceptance into the program to ensure that no out of state student displaces a North Carolina resident.

He pointed out that both institutions would evaluate the effect of the program on the production, retention, and utilization of registered nurses in the State.

Kristine Leggett of the General Assembly’s Fiscal Research Division explained the Fiscal Note she had prepared for the bill.

There were several questions by other members of the committee. Rep. Stiller inquired about the number of students who would be involved in this program. Rep. Insko asked if there are other programs in the university system that are one-of-a-kind.

Rep. McAllister said there is serious shortage of nurses in Western North Carolina.

Mr. Kenneth Briggs, Vice President of Finance, Community College System, said that the Community College System supports the legislation. He answered a question relating to reciprocity by saying that North Carolina does not have reciprocity with states with contiguous borders for this type education program.

Rep. Insko expressed concern that as a first of its kind the scope of the bill was too broad.

Rep. Womble, the bill co-sponsor, said that the bill is a very good bill and a very simple bill that will speak to the nursing shortage, that it is a very narrowly drawn bill that will enable badly needed nurses and will benefit North Carolina as a whole. He said that after a four-year trial period, there will be a review and evaluation of its effectiveness.

Rep. McAllister made a motion that the bill be given a favorable report.

Rep. Stiller asked if the bill had to make "cross-over, " and if so, why since the bill has a fiscal note and will be re-referred to Appropriations.

Staff member Sara Kamprath said that cross-over bills must meet both the House and Senate Rules and under Senate Rules, the bill had to make cross-over.

With Rep. Insko voting no, Rep. Rapp made a motion that the bill be given a favorable as to the original bill with the recommendation that the bill be re-referred to the Committee on appropriations.

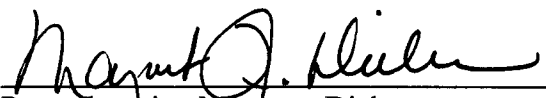
HB 1515: This bill was brought forward from the previous meeting. The PCS was adopted for HB 1515 for discussion.


Rep. Adams offered an amendment that was incorporated in the bill. Staff Attorney prepared the amendment and read it back to the committee. The amendment carried.

Rep. Stiller made a motion that the PCS pass as amended and rolled into a new PCS with a favorable report and re-referred to the Finance Committee, but unfavorable as to the original bill.

There was no further business before the Committee for consideration; Chair Dickson called for adjournment.

Respectfully submitted,


Representative Margaret Dickson
Presiding Chair


Sue Buehlmann
Committee Assistant

Attachments

Committee Notice

Agenda

House Bill 1515

House Bill 1105

House Bill 1285

Bill Analysis for HB 1515

Bill Analysis HB 1105

Bill Analysis HB 1285

Committee Reports for HB 1515 and HB 1105

Visitor Registration Sheet

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Thursday, May 26, 2005**

TIME: **11:00 AM**

LOCATION: **425 LB**

The following bills will be discussed:

HB 1515: Med Schools/Crim Background Check. – Reps. Laroque and England.
HB 1105: In-State Tuition/Paramedic-to-BSN Program. – Reps. West and Womble.
HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
3:00 p.m. on Tuesday, May 24, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES

A G E N D A

May 26, 2005

Room 425

11:00 AM

Representative Margaret H. Dickson

Representative Karen Ray

CHAIRS

OPENING REMARKS

Presiding Chair: Rep. Margaret Dickson

BILLS BEFORE THE COMMITTEE

HB 1515: Med Schools/Crim Background Check. – Reps. Laroque and England.

HB 1105: In-State Tuition/Paramedic-to-BSN Program. – Reps. West and Womble.

HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

ADJOURNMENT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H

1

HOUSE BILL 1105*

Short Title: In-State Tuition/Paramedic-to-BSN Program.

(Public)

Sponsors: Representatives West, Womble (Primary Sponsors); and Jones.

Referred to: Education.

April 4, 2005

A BILL TO BE ENTITLED

AN ACT TO MAKE STUDENTS ENROLLED IN THE PARAMEDIC-TO-BSN PROGRAM OFFERED AT TRI-COUNTY COMMUNITY COLLEGE BY WINSTON-SALEM STATE UNIVERSITY ELIGIBLE FOR IN-STATE COMMUNITY COLLEGE TUITION AND TO MAKE STUDENTS ENROLLED IN THE PARAMEDIC-TO-BSN PROGRAM OFFERED AT WINSTON-SALEM STATE UNIVERSITY ELIGIBLE FOR IN-STATE UNIVERSITY TUITION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-39(a) reads as rewritten:

"§ 115D-39. Student tuition and fees.

(a) The State Board of Community Colleges shall fix and regulate all tuition and fees charged to students for applying to or attending any institution pursuant to this Chapter.

The receipts from all student tuition and fees, other than student activity fees, shall be State funds and shall be deposited as provided by regulations of the State Board of Community Colleges.

The legal resident limitation with respect to tuition, set forth in G.S. 116-143.1 and G.S. 116-143.3, shall apply to students attending institutions operating pursuant to this Chapter; provided, however, that when an employer other than the armed services, as that term is defined in G.S. 116-143.3, pays tuition for an employee to attend an institution operating pursuant to this Chapter and when the employee works at a North Carolina business location, the employer shall be charged the in-State tuition rate; provided further, however, a community college may charge in-State tuition to up to one percent (1%) of its out-of-state students, rounded up to the next whole number, to accommodate the families transferred by business, the families transferred by industry, or the civilian families transferred by the military, consistent with the provisions of G.S. 116-143.3, into the State. Notwithstanding these requirements, a refugee who lawfully entered the United States and who is living in this State shall be deemed to qualify as a domiciliary of this State under G.S. 116-143.1(a)(1) and as a State resident

1 for community college tuition purposes as defined in G.S. 116-143.1(a)(2). Also, a
2 nonresident of the United States who has resided in North Carolina for a 12-month
3 qualifying period and has filed an immigrant petition with the United States
4 Immigration and Naturalization Service shall be considered a State resident for
5 community college tuition purposes. A student who is in the Paramedic-to-BSN
6 Program offered at Tri-County Community College by Winston-Salem State University
7 shall be considered a State resident for community college tuition purposes so long as
8 the student remains in good standing in the Program."

9 **SECTION 2.** Article 14 of Chapter 116 of the General Statutes is amended
10 by adding a new section to read:

11 **"§ 116-143.6. Tuition of certain students in the Paramedic-BSN-Program at**
12 **Winston-Salem State University.**

13 Notwithstanding G.S. 116-143.1, any student who enrolls in the Paramedic-to-BSN
14 Program offered at Winston-Salem State University shall be eligible to be charged the
15 in-State tuition rate for courses relevant to that Program so long as the student remains
16 in good standing in the Program."

17 **SECTION 3.** There shall be a separate early registration period for in-State
18 students for the Paramedic-to-BSN Program offered at Tri-County Community College
19 by Winston-Salem State University to ensure that no out-of-state student displaces an
20 in-State student in the Program.

21 **SECTION 4.** Winston-Salem State University and Tri-County Community
22 College shall thoroughly evaluate the effects of the grant of in-State tuition in this act on
23 the production, retention, and utilization of registered nurses in the State. They shall
24 report their findings and their recommendation on continuing the grant of in-State
25 tuition to the Board of Governors of The University of North Carolina and the State
26 Board of Community Colleges prior to January 1, 2009.

27 **SECTION 5.** This act is effective when it becomes law and expires July 31,
28 2009. Students who enter the Paramedic-to-BSN Program offered at Tri-County
29 Community College by Winston-Salem State University or enter the Program at
30 Winston-Salem State University prior to July 31, 2009, shall continue to receive in-State
31 tuition in the Program until they complete it so long as they remain in good standing in
32 the Program.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H

D

HOUSE BILL 1515
PROPOSED COMMITTEE SUBSTITUTE H1515-CSRQ-32 [v.1]

5/18/2005 5:57:22 PM

Short Title: Med Schools/Crim Background Check.

(Public)

Sponsors:

Referred to:

April 21, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE A CRIMINAL BACKGROUND CHECK OF ALL
3 STUDENTS ADMITTED INTO A SCHOOL OF MEDICINE AT A NORTH
4 CAROLINA INSTITUTION OF HIGHER EDUCATION.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Chapter 116 of the General Statutes is amended by adding a
7 new Article to read:

8 "Article 33.

9 "Criminal Background Checks Required for Medical Students.

10 "**§ 116-265. Criminal background check required for medical students.**

11 (a) The following definitions apply in this Article:

12 (1) "Institution" includes both constituent institutions and private
13 institutions.

14 (2) "Constituent institution" is as defined in G.S. 116-2.

15 (3) "Private institution" means an institution licensed under G.S. 116-15
16 and any other institution in this State that meets all of the requirements
17 and regulations of the accrediting agencies whose approval is normally
18 required for the establishment and operation of a medical school.

19 (4) "Applicant" means a person who has accepted an offer of admission at
20 a school of medicine at an institution in this State.

21 (b) Any institution that has a school of medicine shall require as part of its
22 matriculation process a national and State criminal background check of every person
23 who has accepted an offer of admission to the school of medicine at the institution. The
24 criminal background check shall include a check to determine whether the person has
25 any convictions or adjudications as a sex offender that would require registration under
26 Article 27A of Chapter 14 of the General Statutes.

27 (c) The Department of Justice may provide a criminal record check to a
28 constituent institution for a person who is accepted for admission to the school of

1 medicine. If the institution is a private institution, then the Department of Justice may
2 provide a criminal record check to the North Carolina Medical Board on behalf of the
3 private institution as provided by G.S. 116-266. The institution shall provide to the
4 Department of Justice, along with the request, the fingerprints of the applicant, any
5 additional information required by the Department of Justice, and a form signed by the
6 applicant consenting to the check of the criminal record and to the use of the
7 fingerprints and other identifying information required by the State or national
8 repositories. The applicant's fingerprints shall be forwarded to the State Bureau of
9 Investigation for a search of the State's criminal history record file, and the State Bureau
10 of Investigation shall forward a set of the fingerprints to the Federal Bureau of
11 Investigation for a national criminal history check. The institution and the North
12 Carolina Medical Board shall keep all information pursuant to this subsection
13 privileged, in accordance with applicable State law and federal guidelines, and the
14 information shall be confidential and shall not be a public record under Chapter 132 of
15 the General Statutes.

16 The Department of Justice may charge each applicant a fee for conducting the
17 checks of criminal history records authorized by this subsection; however, the fee shall
18 not exceed the cost of conducting the criminal background check.

19 Nothing in this Article prohibits an institution from contracting with a private
20 company to conduct the criminal background checks required by this Article.

21 **"§ 116-266. North Carolina Medical Board receive criminal background check**
22 **information on behalf of private medical schools.**

23 If the institution requesting the background check in compliance with G.S. 116-265
24 is a private institution, then the institution may request that the State Bureau of
25 Investigation provide the information received from the background check to the North
26 Carolina Medical Board. Upon request of the private institution, the Medical Board
27 shall receive the information from a student's background check and shall review the
28 information using the same criteria to evaluate the information that is used to evaluate
29 the information received by the Board under G.S. 90-11. If the Medical Board
30 determines any information received from the criminal background check would cause
31 the Medical Board either to refuse to license a student to practice medicine under
32 G.S. 90-11 or to investigate a student further before issuing a license to the student, then
33 the Medical Board shall report that fact to the private institution requesting the
34 background check.

35 The Medical Board may charge the private institution a reasonable fee for providing
36 this service.

37 **"§ 116-267. Evaluation of criminal background information by school of medicine;**
38 **effect on admissions decision.**

39 The information collected as a result of the criminal background check required by
40 this Article shall be considered by the appropriate school of medicine in determining
41 whether or not to complete an applicant's matriculation process. A criminal conviction
42 shall not automatically preclude an applicant from matriculating, and the school of
43 medicine may use its discretion in evaluating the applicant's fitness for the study of
44 medicine. However, an applicant who has been adjudicated or convicted as a sex

1 offender that would require registration under Article 27A of Chapter 14 of the General
2 Statutes shall be precluded from gaining admission to any school of medicine at an
3 institution located in North Carolina."

4 **SECTION 2.** This act is effective when it becomes law and applies to the
5 2006-2007 academic year and each subsequent academic year.



BILL ANALYSIS

HOUSE BILL 1515: Med Schools/Crim Background Check

Committee:	House Education Subcommittee on Universities	Date:	May 18, 2005
Introduced by:	Reps. LaRoque, England	Summary by:	Drupti Chauhan
Version:	PCS to First Edition H1515-CSRQ-32 [v.1]		Committee Counsel

SUMMARY: *House Bill 1515 would require criminal background checks of all students admitted to a school of medicine located in the State. Any applicant who has been convicted or adjudicated as a sex offender which would require registration under Article 27A of Chapter 14 of the General Statutes would be precluded from gaining admission to any school of medicine in the State.*

The PCS makes technical changes.

BILL ANALYSIS: House Bill 1515 would require criminal background checks of all students admitted to a medical school in the State. Every medical school must require, as a part of the matriculation process, a national and State criminal background check of every student that has accepted an offer of admission.

The NC Department of Justice (DOJ) may provide a criminal background check to a UNC constituent institution for a student admitted into a school of medicine. If the institution is private, the Department of Justice may provide a criminal background check to the NC Medical Board for the private institution. Both public and private institutions must provide to the DOJ fingerprints of the applicant, information requested by the DOJ and a consent form signed by the applicant.

The DOJ is required to send the fingerprints to the State Bureau of Investigation for a search of the State criminal records and the State Board of Investigation is required to forward a set of the fingerprints to the Federal Bureau of Investigation for a national criminal history check.

All information obtained must be kept confidential. The DOJ may charge each applicant a fee that does not exceed the cost of conducting the criminal background check.

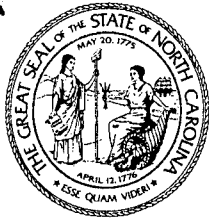
If institution requesting the criminal check is a private institution, then it may request the information received from the background check go to the NC Medical Board. If the NC Medical Board determines that the information would cause the Medical Board to refuse to issue a license to the student or to further investigate the student, then it shall report that fact to the private institution. This determination shall be made using the same criteria that is used to evaluate the issuance of licenses under G.S. 90-11.

The NC Medical Board may charge the private institution a reasonable fee for providing this service.

The school of medicine must use the information collected from criminal background check in determining whether or not to complete the applicant's matriculation process. An applicant who has been convicted or adjudicated as a sex offender that would require registration under Article 27A of Chapter 14 cannot be admitted to any school of medicine at an institution located in the State.

EFFECTIVE DATE: The bill would become effective when it becomes law and applies to the 2006-2007 academic year and each subsequent academic year.

H1515e1-SMRQ-CSRQ-32 v1



BILL ANALYSIS

HOUSE BILL 1105: In-State Tuition/Paramedic-to-BSN Program

Committee:	House Assigned To Education Subcommittee on Universities	Date:	May 25, 2005
Introduced by:	Reps. West, Womble	Summary by:	Sara Kamprath
Version:	First Edition		Committee Analyst

BILL ANALYSIS: House Bill 1105 would make students who are enrolled in the Paramedic-to-BSN Program offered at Tri-County Community College by Winston-Salem State University and in the Paramedic-to-BSN Program at Winston-Salem State University eligible for in-State tuition without waiting to qualify as a "resident for tuition purposes" as outlined in G.S. 143.1.

North Carolina students will have a separate early registration period for acceptance into the program to ensure that no out-of-student displaces a North Carolina resident.

Both institutions shall evaluate the effects of the program on the production, retention, and utilization of registered nurses in the State. Winston-Salem State University and Tri-County Community College shall report their recommendations on continuing the program to the UNC Board of Governors and the State Board of Community Colleges before January 1, 2009.

EFFECTIVE DATE: The bill is effective when it becomes law and expires on July 31, 2009. Students who enter the program before July 31, 2009 shall continue to receive in-State tuition until they complete the program as long as they remain in good standing in the program.

CURRENT LAW: See attached G.S. 116-143.1 Provisions for determining resident status for tuition purposes.

H1105e1-SMRJ

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2005

Legislative Fiscal Note

BILL NUMBER: House Bill 1105 (First Edition)

SHORT TITLE: In-State Tuition/Paramedic-to-BSN Program.

SPONSOR(S): Representatives Womble and West

FISCAL IMPACT

	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2005-06</u>	<u>FY 2006-07</u>	<u>FY 2007-08</u>	<u>FY 2008-09</u>	<u>FY 2009-10</u>
RECEIPTS: WSSU	(\$216,000)	(\$432,000)	(\$432,000)	(\$432,000)	(\$432,000)

EXPENDITURES:

POSITIONS (cumulative):

PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:
Winston-Salem State University

EFFECTIVE DATE: The bill is effective when it becomes law.

BILL SUMMARY:

H.B. 1105 allows out-of-state students enrolling in the Paramedic to Bachelor of Science in Nursing programs offered concurrently by Tri-County Community College (TCCC) and Winston-Salem State University (WSSU) to receive the in-state tuition rate at TCCC and WSSU as long as they remain in good standing in the program.

ASSUMPTIONS AND METHODOLOGY:

The Paramedic to BSN program offered by Winston-Salem State University (WSSU) at Tri County Community College (TCCC) in Cherokee County allows paramedics located in the western part of the State to obtain a BSN from WSSU on the TCCC Campus. Courses are taught either via distance education or by resident WSSU faculty. The following assumptions and methodology were used to determine the cost of granting residency status for tuition purposes to out-of-state students:

1. Paramedics enrolling in the program will have completed all of their lower level courses and will matriculate directly into upper level (i.e. university) courses. Therefore, all of the students enrolled in the program will be paying university tuition.

2. The bill will result in a loss of receipts to the enrolling institution. Therefore, the cost shown in the table above represents the difference between in-state and out-of-state tuition. In-state tuition at Winston-Salem State University is \$1,451 per year; out-of-state tuition is \$10,091. The difference is \$11,542. Therefore, for each out-of-state student enrolled in the program, Winston-Salem State University would realize \$11,542 less if the out-of-state student pays in-state tuition.

3. University tuition is estimated to increase by approximately \$200 per year for in-state and out-of-state students.

4. Students will take two years to complete the program.

5. There are currently 23 students enrolled in the Paramedic to BSN program. All of those students are North Carolina residents. Tri-County Community College estimates that enrollment in FY05-06 will be 25 to 50 full-time equivalent (FTE) students. Of those, approximately 50% will be from out-of-state if the bill becomes law. (TCCC does not believe out-of-state enrollment will be as significant if tuition is not reduced for those out-of-state students.) The estimate shown in the table above assumes a maximum out-of-state enrollment of 25 students in the first year. In the second year, 25 new students will begin the program, while the original 25 students complete it, for a total of 50 FTE in the second year.

SOURCES OF DATA:

Tri-County Community College
Winston-Salem State University
UNC-General Administration

TECHNICAL CONSIDERATIONS: None.

FISCAL RESEARCH DIVISION: (919) 733-4910

PREPARED BY: Kristine Leggett

APPROVED BY: James D. Johnson, Director
Fiscal Research Division

Official
Fiscal Research Division
Publication

DATE: May 25, 2005

Signed Copy Located in the NCGA Principal Clerk's Offices



HOUSE BILL 1285: Modify Bd. of Governors Terms

BILL ANALYSIS

Committee:	House Education Subcommittee on Universities	Date:	May 24, 2005
Introduced by:	Rep. Haire	Summary by:	Drupti Chauhan
Version:	First Edition		Committee Counsel

SUMMARY: *House Bill 1285 would increase the length of the terms of the members of the UNC Board of Governors to six years; decrease the numbers members to 30; and eliminate the position of member emeritus.*

CURRENT LAW: G.S. 116-6 provides for 32 members of the UNC Board of Governors (Board), each serving four-year terms. Sixteen members are elected every 2 years, with 8 members elected by the NC House of Representatives (House) and 8 members elected by the NC Senate (Senate). A person **cannot** be elected to:

- More than 3 full four-year terms in succession
- A four-year term if preceded immediately by election to full eight-year terms in succession
- A four-year term if preceded immediately by election to an eight-year term and four-year term in succession

Resignation from a term does not constitute a break in service. Any person who has served at least one full term as chairman of the Board is a member emeritus of the Board for one four-year term. Any person who has served at least one term as a member of the Board after having served as Governor of North Carolina is a member emeritus of the Board as well. Members emeriti have all of the rights and privileges of membership but they do not have the right to vote.

BILL ANALYSIS: House Bill 1285 would reduce the number of the members of the Board to 30 and provide for one student member. At each session of the General Assembly held in an odd-numbered year, the Senate and the House shall elect one-half of the number of persons necessary to fill the vacancies on the Board.

In 2007, the Senate would elect 7 members to the Board in the following manner:

- 5 members who would serve terms that expired June 30, 2011 (4-year terms)
- 2 members who would serve terms that expired June 30, 2013 (6-year terms)

In 2009, the Senate would elect 8 members to the Board in the following manner:

- 3 members who would serve terms that expired June 30, 2013 (4-year terms)
- 5 members who would serve terms that expired June 30, 2015 (6-year terms)

In 2011 and each subsequent session in an odd-numbered year, the Senate would elect 5 members who would each serve 6-year terms.

In 2007, the House would elect 7 members to the Board in the following manner:

- 5 members who would serve terms that expired June 30, 2011 (4-year terms)
- 2 members who would serve terms that expired June 30, 2013 (6-year terms)

House Bill 1285

Page 2

In 2009, the House would elect 8 members to the Board in the following manner:

- 3 members who would serve terms that expired June 30, 2013 (4-year terms)
- 5 members who would serve terms that expired June 30, 2015 (6-year terms)

In 2011 and each subsequent session in an odd-numbered year, the House would elect 5 members who would each serve 6-year terms.

A person **could NOT** be elected to the following:

- More than 2 full six year terms in succession
- A six year term if preceded immediately by election to 3 consecutive four-year terms

Resignation from a term of office would not constitute a break in service. Service on the Board prior to July 1, 2007 would be included in calculating term limitations.

Any vacancy that occurred on or after July 1, 2005 would be filled in this new manner.

EFFECTIVE DATE: The bill becomes effective July 1, 2005 and applies to terms commencing on or after that date.

H1285e1-SMRQ

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from standing committee(s) is/are presented:

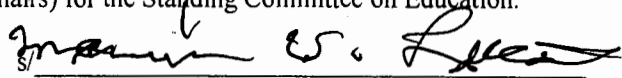
By Representative(s) Dickson, Ray (Chairs) for the Education Subcommittee on Universities.

☐ Committee Substitute for

HB 1515 A BILL TO BE ENTITLED AN ACT TO REQUIRE A CRIMINAL
BACKGROUND CHECK OF ALL STUDENTS ADMITTED INTO A SCHOOL OF MEDICINE AT A
NORTH CAROLINA INSTITUTION OF HIGHER EDUCATION.

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representative Bell, Lucas, McLawhorn (Chairs) for the Standing Committee on Education.



☒ With a favorable report as to the committee substitute bill, unfavorable as to the original bill, and
recommendation that the committee substitute bill be re-referred to the Committee on FINANCE.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on
_____.

_____ Pursuant to Rule 36(b), the (House) committee substitute bill/(joint) resolution
(No. _____) is placed on the Calendar of _____. (The original bill resolution No. _____) is placed
on the Unfavorable Calendar.

_____ The (House) committee substitute bill/(joint) resolution (No. _____) is re-referred to
the Committee on _____. (The original bill/resolution) (House/Senate Committee Substitute
Bill/(Joint) resolution No. _____) is placed on the Unfavorable Calendar.

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from permanent sub committee(s) is/are presented:

By Representatives Dickson and Ray (Chairs) for the EDUCATION Subcommittee on Universities.

☐ Committee Substitute for

H.B. 1105

A BILL TO BE ENTITLED AN ACT TO MAKE STUDENTS ENROLLED IN THE PARAMEDIC-TO-BSN PROGRAM OFFERED AT TRI-COUNTY COMMUNITY COLLEGE BY WINSTON-SALEM STATE UNIVERSITY ELIGIBLE FOR IN-STATE COMMUNITY COLLEGE TUITION AND TO MAKE STUDENTS ENROLLED IN THE PARAMEDIC-TO-BSN PROGRAM OFFERED AT WINSTON-SALEM STATE UNIVERSITY ELIGIBLE FOR IN-STATE UNIVERSITY TUITION.

REPORTED TO THE STANDING COMMITTEE ON

RECOMMENDED ACTION:

- ☐ With a favorable recommendation.
- ☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on
- ☐ With a favorable recommendation, as amended.
- ☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on
- ☐ With an unfavorable recommendation.
- ☐ With a favorable recommendation as to proposed committee substitute bill, ☐ which changes the title, unfavorable as to original bill.
- ☐ With a favorable recommendation as to proposed House committee substitute bill, ☐ which changes the title, unfavorable as to Senate committee substitute bill.
- ☐ Without prejudice.
- ☐ Other recommended action: _____

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representative ~~McLawhorn~~ *Lucas* for the Standing Committee on EDUCATION.

s/ Martin W. Lucas

- ☐ With a favorable report.
- ☐ With a favorable report, as amended.
- ☒ With a favorable report as to the original bill and recommendation that the bill be re-referred to the Committee on APPROPRIATIONS.

03/26/03

VISITOR REGISTRATION SHEET

House Education Subcommittee on Universities

May 26, 2005

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

William Howell	NCICU
ANN Cobb	ANIS
Thom Mansfield	NC Medical Board
SAM WATTS	NC Center for Public Policy Research
Hal Miller	NCACCT
Kenn Boye	WCCCS
Mark Fung	University
JB ROR	Gov's Office

House Pages

Name Of Committee: EDUCATION Date: 5-26-05

1. Name: Lee Mann

County: Carteret

Sponsor: Saunders

2. Name: Catherine Stover

County: Glaston

Sponsor: Rep Dr Bill Current

3. Name: _____

County: _____

Sponsor: _____

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

free

Sgt-At-Arms

1. Name: JAMES WORTH

2. Name: FRANK PREVO

3. Name: _____

4. Name: _____

5. Name: _____

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
TUESDAY, MAY 31, 2005
Representative Ray, Presiding Chair

The House Education Subcommittee on Universities met on Tuesday, May 31, 2005, in Room 425 of the Legislative Office Building at 12 Noon. The following members were present: Chairs Margaret Dickson and Karen Ray; Reps. Adams, McAllister, Michaux, and Rapp.

Chair Ray called the meeting to order and recognized the Pages, Sergeant at Arms, Staff, and Visitors.

One bill was on the Agenda for consideration:

- HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire

Chair Ray called on Rep. Haire to explain the bill.

Rep. Haire gave a comprehensive overview of the bill and said that the provisions of the bill would increase the length of the terms of the members of the UNC Board of Governors to six years and decrease the number of members to 30. The bill would also eliminate the position of member emeritus.

Questions from Reps. McAllister and Michaux expressed concerns regarding the make-up and whether or not minority representation would be affected.

Rep. Michaux also questioned the elimination of the emeritus members and whether or not useful experience may be lost. He emphasized the need for diversity.


Several members expressed concern on term lengths and other pertinent proposed changes to the overall makeup of the Board of Governors.

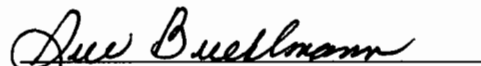
Rep. Adams proposed an amendment to the bill, and Staff Attorney Drupti Chauhan explained the complexity of working out the terms and that she would need additional time to effect the provisions of the amendment into a PCS.

Rep. McAllister made a motion that the amendment be incorporated in a PCS.

The committee agreed to meet on the PCS around Rep. Dickson's Chamber Desk 5 minutes prior to session today (2:55 p.m.).

Respectfully submitted,


Representative Karen Ray
Presiding Chair


Sue Buehlmann
Committee Assistant

Attachments

Committee Notice

Agenda

House Bill 1285

Bill Analysis for House Bill 1285

Visitor's Registration Sheet

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Tuesday, May 31, 2005**

TIME: **12:00 Noon**

LOCATION: **425 LOB**

The following bills will be discussed:

HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
10:00 a.m. on Friday, May 27, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

NOTICE OF CONTINUATION OF MEETING

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: Tuesday, May 31, 2005

TIME: 2:55 P.M.

LOCATION: AROUND REP. DICKSON'S DESK IN CHAMBERS
SEAT #42

The following bills will be discussed:

HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
1:00 p.m. on Tuesday, May 31, 2005.

____Principal Clerk

____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES

A G E N D A

May 31, 2005

Room 425

12:00 Noon

Representative Margaret H. Dickson

Representative Karen Ray

CHAIRS

OPENING REMARKS

Presiding Chair: Rep. Karen Ray

BILLS BEFORE THE COMMITTEE

HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

ADJOURNMENT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H

1

HOUSE BILL 1285

Short Title: Modify Bd. of Governors Terms.

(Public)

Sponsors: Representative Haire.

Referred to: Rules, Calendar, and Operations of the House.

April 19, 2005

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE ELECTION AND TERMS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA BY INCREASING THE TERM LENGTH OF A MEMBER FROM FOUR YEARS TO SIX YEARS, DECREASING THE NUMBER OF MEMBERS FROM THIRTY-TWO MEMBERS TO THIRTY MEMBERS, AND ELIMINATING THE POSITION OF MEMBER EMERITUS.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 116 of the General Statutes is amended by adding a new section to read:

"§ 116-6.01. Election and terms of members of Board of Governors after July 1, 2005.

(a) As the terms of members of the Board of Governors elected before July 1, 2005, under G.S. 116-6 expire, their successors shall be elected by the Senate and House of Representatives under this section. In electing members to the Board of Governors, the Senate and the House of Representatives shall consider whether the Board of Governors appropriately reflects the genders, diversity, and geographical areas of the State.

(b) Beginning July 1, 2007, the Board of Governors shall consist of 30 members elected by the General Assembly and one student member as provided in G.S. 116-6.1. At each session of the General Assembly held in an odd-numbered year, the Senate and the House of Representatives shall each elect one-half of the number of persons necessary to fill the vacancies on the Board of Governors.

(1) In 2007, the Senate shall elect seven members to the Board of Governors, five of whom shall serve a term expiring June 30, 2011, and two of whom shall serve a term expiring June 30, 2013. In 2009, the Senate shall elect eight members to the Board of Governors, three of whom shall serve a term expiring June 30, 2013, and five of whom shall serve a term expiring June 30, 2015. In 2011 and in each

subsequent regular session, the Senate shall elect five members to the Board of Governors, each of whom shall serve for a six-year term.

(2) In 2007, the House of Representatives shall elect seven members to the Board of Governors, five of whom shall serve a term expiring June 30, 2011, and two of whom shall serve a term expiring June 30, 2013. In 2009, the House of Representatives shall elect eight members to the Board of Governors, three of whom shall serve a term expiring June 30, 2013, and five of whom shall serve a term expiring June 30, 2015. In 2011 and in each subsequent regular session, the House of Representatives shall elect five members to the Board of Governors, each of whom shall serve for a six-year term.

(c) In electing members to the Board of Governors, the Senate and the House of Representatives shall select from a slate of candidates made in each house. The slate shall be prepared as provided by resolution of each house. If a sufficient number of nominees who are legally qualified are submitted, then the slate of candidates shall list at least twice the number of candidates for the total seats open. In 2007, and biennially thereafter, each house shall hold their elections within 30 legislative days after appointments to their education committees are complete.

(d) All terms shall commence on July 1 of odd-numbered years and, except as provided in subdivisions (b)(1) and (b)(2) of this section, all members shall serve for six-year overlapping terms.

(e) No person may be elected to:

(1) More than two full six-year terms in succession; or

(2) A six-year term if preceded immediately by election to three consecutive four-year terms.

Resignation from a term of office does not constitute a break in service for the purpose of this subsection. Service on the Board of Governors before July 1, 2007, shall be included in the limitations of this subsection."

SECTION 2. G.S. 116-6(f) is repealed.

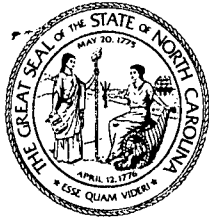
SECTION 3. G.S. 116-6(g) is repealed.

SECTION 4. G.S. 116-7(c) reads as rewritten:

"(c) Whenever any vacancy shall occur in the elected membership of the Board of Governors, it shall be the duty of the Board to inform the Speaker of the House of Representatives and the President of the Senate of the vacancy. The chamber that originally elected the vacating member shall elect a person to fill the vacancy. Any vacancy occurring on or after July 1, 2005, shall be filled under G.S. 116-6.01 for the unexpired term. The vacancy shall remain unfilled until the appropriate chamber of the General Assembly elects a person to fill the vacancy.

The vacancy shall be filled not later than the adjournment sine die of the next regular session of the General Assembly. The election shall be for the remainder of the unexpired term. Whenever a member shall fail, for any reason other than ill health or service in the interest of the State or nation, to be present for four successive regular meetings of the Board, his place as a member shall be deemed vacant."

1 **SECTION 5.** This act becomes effective July 1, 2005, and applies to terms
2 of office commencing on or after that date.



HOUSE BILL 1285: Modify Bd. of Governors Terms

BILL ANALYSIS

Committee:	House Education Subcommittee on Universities	Date:	May 24, 2005
Introduced by:	Rep. Haire	Summary by:	Drupti Chauhan
Version:	First Edition		Committee Counsel

SUMMARY: *House Bill 1285 would increase the length of the terms of the members of the UNC Board of Governors to six years; decrease the numbers members to 30; and eliminate the position of member emeritus.*

CURRENT LAW: G.S. 116-6 provides for 32 members of the UNC Board of Governors (Board), each serving four-year terms. Sixteen members are elected every 2 years, with 8 members elected by the NC House of Representatives (House) and 8 members elected by the NC Senate (Senate). A person **cannot** be elected to:

- More than 3 full four-year terms in succession
- A four-year term if preceded immediately by election to full eight-year terms in succession
- A four-year term if preceded immediately by election to an eight-year term and four-year term in succession

Resignation from a term does not constitute a break in service. Any person who has served at least one full term as chairman of the Board is a member emeritus of the Board for one four-year term. Any person who has served at least one term as a member of the Board after having served as Governor of North Carolina is a member emeritus of the Board as well. Members emeriti have all of the rights and privileges of membership but they do not have the right to vote.

BILL ANALYSIS: House Bill 1285 would reduce the number of the members of the Board to 30 and provide for one student member. At each session of the General Assembly held in an odd-numbered year, the Senate and the House shall elect one-half of the number of persons necessary to fill the vacancies on the Board.

In 2007, the Senate would elect 7 members to the Board in the following manner:

- 5 members who would serve terms that expired June 30, 2011 (4-year terms)
- 2 members who would serve terms that expired June 30, 2013 (6-year terms)

In 2009, the Senate would elect 8 members to the Board in the following manner:

- 3 members who would serve terms that expired June 30, 2013 (4-year terms)
- 5 members who would serve terms that expired June 30, 2015 (6-year terms)

In 2011 and each subsequent session in an odd-numbered year, the Senate would elect 5 members who would each serve 6-year terms.

In 2007, the House would elect 7 members to the Board in the following manner:

- 5 members who would serve terms that expired June 30, 2011 (4-year terms)
- 2 members who would serve terms that expired June 30, 2013 (6-year terms)

House Bill 1285

Page 2

In 2009, the House would elect 8 members to the Board in the following manner:

- 3 members who would serve terms that expired June 30, 2013 (4-year terms)
- 5 members who would serve terms that expired June 30, 2015 (6-year terms)

In 2011 and each subsequent session in an odd-numbered year, the House would elect 5 members who would each serve 6-year terms.

A person **could NOT** be elected to the following:

- More than 2 full six year terms in succession
- A six year term if preceded immediately by election to 3 consecutive four-year terms

Resignation from a term of office would not constitute a break in service. Service on the Board prior to July 1, 2007 would be included in calculating term limitations.

Any vacancy that occurred on or after July 1, 2005 would be filled in this new manner.

EFFECTIVE DATE: The bill becomes effective July 1, 2005 and applies to terms commencing on or after that date.

H1285e1-SMRQ

VISITOR REGISTRATION SHEET

House Education Subcommittee on Universities

Name of Committee

May 31, 2005

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Kavita Pillai

News + Record

Whitney Eisenhower

The Daily Tar Heel

Sam Watts

N.C. Center for Public Policy Research

Mark Fleming

University, System

DAVID DUNN

UNC CHARLOTTE

House Pages

Name Of Committee: Education
Sub/Committee
Universities Dat : 5/31/05

1. Name: _____

County: _____

Sponsor: _____

2. Name: _____

County: _____

Sponsor: _____

3. Name: _____

County: _____

Sponsor: _____

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

Sgt-At-Arms

1. Name: Earl Coker

2. Name: Martha Sadison

3. Name: _____

4. Name: _____

5. Name: _____

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES
WEDNESDAY, JUNE 1, 2005
Representative Dickson, Presiding Chair

The House Education Subcommittee on Universities met on Wednesday, June 1, 2005, in Room 425 of the Legislative Office Building at 12 Noon. The following members were present: Chairs Margaret Dickson and Karen Ray; Vice Chair, James Harrell; Reps. Adams, Daughtridge, Hollo, Insko, and Rapp.

Chair Dickson called the meeting to order and recognized the Pages, Sergeant at Arms, Staff, and Visitors.

This meeting followed a continuation meeting in the House Chamber the day before, at which time, the bill was not considered because the bill sponsor was not available.

One bill was on the Agenda for consideration:

- HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

The PCS was adopted for consideration.

Rep. Haire explained the changes made in the original bill and how the amendments voted on and passed May 31, 2005 had been incorporated into the PCS. He called on Mr. George Givens, General Assembly Research Attorney, to explain the process for determining staggered terms on boards and commissions. Mr. Givens said that he is the General Assembly expert on terms.

Rep. Haire said that staggered terms are necessary to assure continuity on the board.

Rep. Daughtridge asked if the Board of Governors Study Commission has made a report.

Rep. Haire said that he has not seen a report of the study commission and hoped for a favorable report for this bill.


Rep. Adams commended Rep. Haire on the PCS. Rep. Insko asked about the term limits provision in the bill.

Vice Chair Harrell left the meeting before the vote.


Rep. Adams moved that the PCS for HB 1285 receive a favorable report and that the original bill receive an unfavorable report.

There was no further business before the Committee for consideration; Chair Dickson called for adjournment.

Respectfully submitted,



Representative Margaret Dickson
Presiding Chair



Sue Buehlmann
Committee Assistant

Attachments

Committee Notice

Agenda

House Bill 1285

PCS for House Bill 1285

Bill Analysis HB 1285

Committee Reports for HB 1285

Visitor Registration Sheet

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2005-2006 SESSION**

You are hereby notified that the Committee on **EDUCATION SUBCOMMITTEE ON UNIVERSITIES** will meet as follows:

DAY & DATE: **Wednesday, June 1, 2005**

TIME: **12:00 Noon**

LOCATION: **425 LOB**

The following bills will be discussed:

HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

Respectfully,

**Representatives Dickson and Ray
Chairs**

I hereby certify this notice was filed by the committee assistant at the following offices at
4:30 p.m. on Tuesday, May 31, 2005

____Principal Clerk
____Reading Clerk - House Chamber

Sue Buehlmann (Committee Assistant)

HOUSE EDUCATION SUBCOMMITTEE ON UNIVERSITIES

A G E N D A

June 1, 2005

Room 425

12:00 Noon

Representative Margaret H. Dickson

Representative Karen Ray

CHAIRS

OPENING REMARKS

Presiding Chair: Rep. Margaret Dickson

BILLS BEFORE THE COMMITTEE

HB 1285: Modify Bd. Of Governors Terms. – Rep. Haire.

ADJOURNMENT

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

D

HOUSE BILL 1285
PROPOSED COMMITTEE SUBSTITUTE H1285-PCS70503-RT-30

Short Title: Modify Bd. of Governors Terms.

(Public)

Sponsors:

Referred to:

April 19, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE ELECTION AND TERMS OF THE BOARD OF
3 GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA BY
4 INCREASING THE TERM LENGTH OF A MEMBER FROM FOUR YEARS TO
5 SIX YEARS.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. G.S. 116-6 reads as rewritten:

8 "§ 116-6. Election and terms of members of Board of Governors.

9 (a) ~~As the terms of members of the Board of Governors provided for in~~
10 ~~G.S. 116-5 expire, their successors shall be elected by the Senate and House of~~
11 ~~Representatives. Sixteen members shall be elected at the regular legislative session in~~
12 ~~1993 and every two years thereafter. The Senate and the House of Representatives shall~~
13 ~~each elect one-half of the persons necessary to fill the vacancies on the Board of~~
14 ~~Governors. The Board of Governors shall consist of 32 members, 16 of whom are~~
15 ~~elected by the Senate and 16 of whom are elected by the House of Representatives as~~
16 ~~provided in this section and according to the following schedule:~~

17 (1) The Senate and the House of Representatives shall each elect six
18 members to terms that begin on 1 July of years that precede by three
19 years those years that are evenly divisible by six.

20 (2) The Senate and the House of Representatives shall each elect five
21 members to terms that begin on 1 July of years that precede by one
22 year those years that are evenly divisible by six.

23 (3) The Senate and the House of Representatives shall each elect five
24 members to terms that begin on 1 July of years that follow by one year
25 those years that are evenly divisible by six.

26 (b) Repealed by Session Laws 2001-503, s. 1.

27 (c) In electing members to the Board of Governors, the Senate and the House of
28 Representatives shall select from a slate of candidates made in each house. The slate

1 shall be prepared as provided by resolution of each house. If a sufficient number of
2 nominees who are legally qualified are submitted, then the slate of candidates shall list
3 at least twice the number of candidates for the total seats open. All qualified candidates
4 shall compete against all other qualified candidates. ~~In 1993 and biennially thereafter,~~
5 ~~each~~ Each house shall hold their elections within 30 legislative days after appointments
6 to their education committees are complete. In electing members to the Board of
7 Governors, the Senate and the House of Representatives shall consider whether the
8 Board of Governors appropriately reflects the genders, diversity, and geographical areas
9 of the State.

10 (d) All terms shall commence on July 1 of odd-numbered years and all members
11 shall serve for ~~four-year overlapping staggered~~ six-year terms.

12 (e) No person may be elected to:

13 (1) ~~More than three full four-year terms~~ two full six-year terms in
14 succession;

15 (2) ~~A four-year six-year term if preceded immediately by election to two~~
16 ~~full eight-year terms in succession;~~ three consecutive four-year terms;
17 or

18 (3) ~~A four-year term if preceded immediately by election to an eight-year~~
19 ~~term and a four-year term in succession.~~ Any combination of
20 consecutive terms that totals more than 14 years.

21 (e1) Resignation from a term of office does not constitute a break in service for
22 the purpose of this subsection. Service on the Board prior to the beginning of those
23 terms in 1989-1 July 2007 shall be included in the limitations.

24 (f) Any person who has served at least one full term as chairman of the Board of
25 Governors shall be a member emeritus of the Board of Governors for one four-year term
26 beginning at the expiration of that member's regular elected term. Any person already
27 serving as an emeritus member may serve an additional four-year ~~term beginning July 1,~~
28 ~~1991.~~ term. Members emeriti have all the rights and privileges of membership except
29 they do not have a vote.

30 (g) ~~Effective July 1, 1991, and thereafter, any~~ Any person who has served at least
31 one term as a member of the Board of Governors after having served as Governor of
32 North Carolina shall be a member emeritus of the Board of Governors, with all the
33 rights and privileges of membership as in G.S. 116-6(f)."

34 **SECTION 2.** G.S. 116-5 is repealed.

35 **SECTION 3.** G.S. 116-7 reads as rewritten:

36 **"§ 116-7. General provisions concerning members of the Board of Governors.**

37 (a) All members of the Board of Governors shall be selected for their interest in,
38 and their ability to contribute to the fulfillment of, the purposes of the Board of
39 Governors, and all members shall be deemed members-at-large, charged with the
40 responsibility of serving the best interests of the whole State. In electing members, the
41 objective shall be to obtain the services of the citizens of the State who are qualified by
42 training and experience to administer the affairs of The University of North Carolina.
43 Members shall be selected based upon their ability to further the educational mission of
44 The University through their knowledge and understanding of the educational needs and

1 desires of all the State's citizens, and their economic, geographic, political, racial,
2 gender, and ethnic diversity.

3 (b) ~~From and after July 1, 1973, no~~ No member of the General Assembly or
4 officer or employee of the State or of any constituent institution or spouse of any such
5 member, officer or employee may be a member of the Board of Governors. Any
6 member of the Board of Governors who is elected or appointed to the General
7 Assembly or who becomes an officer or employee of the State or of any constituent
8 institution or whose spouse is elected or appointed to the General Assembly or becomes
9 such officer or employee shall be deemed thereupon to resign from his membership on
10 the Board of Governors.

11 (c) Whenever any vacancy shall occur in the elected membership of the Board of
12 Governors, it shall be the duty of the Board to inform the Speaker of the House of
13 Representatives and the President of the Senate of the vacancy. The chamber that
14 originally elected the vacating member shall elect a person to fill the vacancy. A
15 vacancy shall be filled for the unexpired balance of the term. The vacancy shall remain
16 unfilled until the appropriate chamber of the General Assembly elects a person to fill the
17 vacancy.

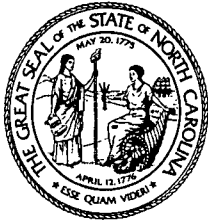
18 (d) The vacancy shall be filled not later than the adjournment sine die of the next
19 regular session of the General Assembly. The election shall be for the remainder of the
20 unexpired term. Whenever a member shall fail, for any reason other than ill health or
21 service in the interest of the State or nation, to be present for four successive regular
22 meetings of the Board, his place as a member shall be deemed vacant."

23 **SECTION 4.** In order to provide for an orderly transition in membership of
24 the Board of Governors of The University of North Carolina to the six-year terms
25 specified in G.S. 116-6(d) and notwithstanding G.S. 116-6(a), as amended by Section 1
26 of this act, the following provisions shall apply:

- 27 (1) The 16 members of the Board of Governors who were elected to
28 four-year terms that began 1 July 2003 shall serve until 1 July 2007.
- 29 (2) The 16 members of the Board of Governors who were elected to
30 four-year terms that began 1 July 2005 shall serve until 1 July 2009.
- 31 (3) In addition to the six members of the Board of Governors who are to
32 be elected by the Senate during the 2007 Regular Session to six-year
33 terms that begin 1 July 2007, the Senate shall elect two members to
34 four-year terms that begin 1 July 2007.
- 35 (4) In addition to the six members of the Board of Governors who are to
36 be elected by the House of Representatives during the 2007 Regular
37 Session to six-year terms that begin 1 July 2007, the House shall elect
38 two members to four-year terms that begin 1 July 2007.
- 39 (5) In addition to the five members of the Board of Governors who are to
40 be elected by the Senate during the 2009 Regular Session to six-year
41 terms that begin 1 July 2009, the Senate shall elect three members to
42 two-year terms that begin 1 July 2009.
- 43 (6) In addition to the five members of the Board of Governors who are to
44 be elected by the House of Representatives during the 2009 Regular

1 Session to six-year terms that begin 1 July 2009, the House shall elect
2 three members to two-year terms that begin 1 July 2009.

3 **SECTION 5.** This act is effective when it becomes law and, except as
4 provided in Section 4 of this act, applies to elections of members of the Board of
5 Governors to terms that begin 1 July 2007 and thereafter.



HOUSE BILL 1285: Modify Bd. of Governors Terms

BILL ANALYSIS

Committee:	House Education Subcommittee on Universities	Date:	May 24, 2005
Introduced by:	Rep. Haire	Summary by:	Drupti Chauhan
Version:	First Edition		Committee Counsel

SUMMARY: *House Bill 1285 would increase the length of the terms of the members of the UNC Board of Governors to six years; decrease the numbers members to 30; and eliminate the position of member emeritus.*

CURRENT LAW: G.S. 116-6 provides for 32 members of the UNC Board of Governors (Board), each serving four-year terms. Sixteen members are elected every 2 years, with 8 members elected by the NC House of Representatives (House) and 8 members elected by the NC Senate (Senate). A person **cannot** be elected to:

- More than 3 full four-year terms in succession
- A four-year term if preceded immediately by election to full eight-year terms in succession
- A four-year term if preceded immediately by election to an eight-year term and four-year term in succession

Resignation from a term does not constitute a break in service. Any person who has served at least one full term as chairman of the Board is a member emeritus of the Board for one four-year term. Any person who has served at least one term as a member of the Board after having served as Governor of North Carolina is a member emeritus of the Board as well. Members emeriti have all of the rights and privileges of membership but they do not have the right to vote.

BILL ANALYSIS: House Bill 1285 would reduce the number of the members of the Board to 30 and provide for one student member. At each session of the General Assembly held in an odd-numbered year, the Senate and the House shall elect one-half of the number of persons necessary to fill the vacancies on the Board.

In 2007, the Senate would elect 7 members to the Board in the following manner:

- 5 members who would serve terms that expired June 30, 2011 (4-year terms)
- 2 members who would serve terms that expired June 30, 2013 (6-year terms)

In 2009, the Senate would elect 8 members to the Board in the following manner:

- 3 members who would serve terms that expired June 30, 2013 (4-year terms)
- 5 members who would serve terms that expired June 30, 2015 (6-year terms)

In 2011 and each subsequent session in an odd-numbered year, the Senate would elect 5 members who would each serve 6-year terms.

In 2007, the House would elect 7 members to the Board in the following manner:

- 5 members who would serve terms that expired June 30, 2011 (4-year terms)
- 2 members who would serve terms that expired June 30, 2013 (6-year terms)

House Bill 1285

Page 2

In 2009, the House would elect 8 members to the Board in the following manner:

- 3 members who would serve terms that expired June 30, 2013 (4-year terms)
- 5 members who would serve terms that expired June 30, 2015 (6-year terms)

In 2011 and each subsequent session in an odd-numbered year, the House would elect 5 members who would each serve 6-year terms.

A person **could NOT** be elected to the following:

- More than 2 full six year terms in succession
- A six year term if preceded immediately by election to 3 consecutive four-year terms

Resignation from a term of office would not constitute a break in service. Service on the Board prior to July 1, 2007 would be included in calculating term limitations.

Any vacancy that occurred on or after July 1, 2005 would be filled in this new manner.

EFFECTIVE DATE: The bill becomes effective July 1, 2005 and applies to terms commencing on or after that date.

H1285e1-SMRQ

**2005 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE

The following report(s) from standing committee(s) is/are presented:

By Representative(s) Dickson, Ray (Chairs) for the Education Subcommittee on Universities.

☐ Committee Substitute for

HB 1285

A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELECTION AND TERMS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA BY INCREASING THE TERM LENGTH OF A MEMBER FROM FOUR YEARS TO SIX YEARS, DECREASING THE NUMBER OF MEMBERS FROM THIRTY-TWO MEMBERS TO THIRTY MEMBERS, AND ELIMINATING THE POSITION OF MEMBER EMERITUS.

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representative Bell, Lucas, McLawhorn (Chairs) for the Standing Committee on Education.

s/

Marion McLawhorn

☒ With a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

(FOR JOURNAL USE ONLY)

_____ Pursuant to Rule 32(a), the bill/resolution is re-referred to the Committee on _____.

_____ Pursuant to Rule 36(b), the (House) committee substitute bill/(joint) resolution (No. _____) is placed on the Calendar of _____. (The original bill resolution No. _____) is placed on the Unfavorable Calendar.

_____ The (House) committee substitute bill/(joint) resolution (No. _____) is re-referred to the Committee on _____. (The original bill/resolution) (House/Senate Committee Substitute Bill/(Joint) resolution No. _____) is placed on the Unfavorable Calendar.

VISITOR REGISTRATION SHEET

House Education Subcommittee on Universities

June 1, 2005

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

SAM WATTS

N.C. Center for Public Policy Research

KATHERINE DUNN

NC CENTER FOR PRESSURE

John Umstead

Gen Assembly Intern

Mark Fleming

University

CAMERON KAALS

PAGE

William Cobbett

Page _____

House Pages

Name Of Committee Education Date: 6-1-05
Sub-Commission

1. Name: Marycobb Randall

County: Pitt

Sponsor: Robert Grady

2. Name: Kirkland Morgan

County: Guilford

Sponsor: Robert Grady

3. Name: TREY GREEN

County: STANLY

Sponsor: RICHARD MORGAN

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

Sgt-At-Arms

1. Name: EARL COKEP

2. Name: WALTER SPELL

3. Name: _____

4. Name: _____

5. Name: _____

Guest Pages-
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WILLIAM CORBETT
Rep. Ray
FREDERICK