

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 641
Higher Education Committee Substitute Adopted 5/6/91

Short Title: UNC-CH Name Change.

(Public)

Sponsors:

Referred to:

April 16, 1991

A BILL TO BE ENTITLED

AN ACT TO RETURN THE HISTORIC DESIGNATION - "THE UNIVERSITY OF NORTH CAROLINA"- TO THE UNIVERSITY OF NORTH CAROLINA SYSTEM'S CONSTITUENT INSTITUTION THAT IS LOCATED AT CHAPEL HILL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-343.1 reads as rewritten:

"§ 7A-343.1. Distribution of copies of the appellate division reports.

The Administrative Officer of the Courts shall, at the State's expense distribute such number of copies of the appellate division reports to federal, State departments and agencies, and to educational institutions of instruction, as follows:Governor, Office of the

1		
13	Lieutenant Governor, Office of the	1
14	Secretary of State, Department of the	2
15	Treasurer, Department of the State	1
16	Superintendent of Public Instruction	1
17	Office of the Attorney General	11
18	State Bureau of Investigation	1
19	Agriculture, Department of	1
20	Labor, Department of	1
21	Insurance, Department of	1
22	Budget Bureau, Department of Administration	1
23	Property Control, Department of Administration	1

1	State Planning, Department of Administration				1
2	Board of Environment, Health, and Natural Resources				1
3	Revenue, Department of				1
4	Board of Human Resources				1
5	Commission for the Blind				1
6	Board of Transportation				1
7	Motor Vehicles, Division of				1
8	Utilities Commission				8
9	Industrial Commission				11
10	Office of Administrative Hearings				2
11	Community Colleges, Department of				38
12	Employment Security Commission				1
13	Commission of Correction				1
14	Parole Commission				1
15	Archives and History, Division of				1
16	Crime Control and Public Safety, Department of				2
17	Department of Cultural Resources				3
18	Legislative Building Library				2
19	Justices of the Supreme Court				1 ea.
20	Judges of the Court of Appeals				1 ea.
21	Judges of the Superior Court				1 ea.
22	Clerks of the Superior Court				1 ea.
23	District Attorneys				1 ea.
24	Emergency and Special Judges of the Superior Court				1 ea.
25	Supreme Court Library	AS	MANY	AS	
26	REQUESTED Appellate Division Reporter	1			
27	University of North Carolina, Carolina Chapel Hill				71
28	University of North Carolina, Charlotte				1
29	University of North Carolina, Greensboro.....				1
30	University of North Carolina, Asheville.....				1
31	North Carolina State University, Raleigh.....				1
32	Appalachian State University.....				1
33	East Carolina University				1
34	Fayetteville State University				1
35	North Carolina Central University.....				17
36	Western Carolina University.....				1
37	Duke University				17
38	Davidson College.....				2
39	Wake Forest University.....				25
40	Lenoir Rhyne College				1
41	Elon College.....				1
42	Campbell College.....				25
43	Federal, Out-of-State and Foreign Secretary of State	1			
44	Secretary of Defense				1

1	Secretary of Health, Education and Welfare	1
2	Secretary of Housing and Urban Development	1
3	Secretary of Transportation	1
4	Attorney General	1
5	Department of Justice	1
6	Internal Revenue Service	1
7	Veterans' Administration	1
8	Library of Congress	5
9	Federal Judges resident in North Carolina	1 ea.
10	Marshal of the United States Supreme Court	1
11	Federal District Attorneys resident in North Carolina	1 ea.
12	Federal Clerks of Court resident in North Carolina	1 ea.
13	Supreme Court Library exchange list	1 Each

14 justice of the Supreme Court and judge of the Court of Appeals shall receive for his
15 private use, one complete and up-to-date set of the appellate division reports. The copies
16 of reports furnished each justice or judge as set out in the table above may be retained
17 by him personally to enable him to keep up-to-date his personal set of reports."

18 Sec. 2. G.S. 20-7(i1) reads as rewritten:

19 "(i1) Any person whose driver's license or other privilege to operate a motor
20 vehicle in this State has been suspended, canceled or revoked pursuant to the provisions
21 of this Chapter, other than G.S. 20-17(2), shall pay a restoration fee of twenty-five
22 dollars (\$25.00). A person whose driver's license has been revoked under G.S. 20-17(2)
23 shall pay a restoration fee of fifty dollars (\$50.00) until the end of the fiscal year in
24 which the cumulative total amount of fees deposited under this subsection in the
25 General Fund exceeds five million dollars (\$5,000,000), and shall pay a restoration fee
26 of twenty-five dollars (\$25.00) thereafter. The fee shall be paid to the Division prior to
27 the issuance to such person of a new driver's license or the restoration of such driver's
28 license or privilege; such restoration fee shall be paid to the Division in addition to any
29 and all fees which may be provided by law. This restoration fee shall not be required
30 from any licensee whose license was suspended, canceled, revoked or voluntarily
31 surrendered for medical or health reasons whether or not a medical evaluation was
32 conducted pursuant to this Chapter. The twenty-five dollar (\$25.00) fee, and the first
33 twenty-five dollars (\$25.00) of the fifty-dollar (\$50.00) fee, shall be deposited in the
34 Highway Fund. The remaining twenty-five dollars (\$25.00) of the fifty-dollar (\$50.00)
35 fee shall be deposited in the General Fund of the State. The Office of State Budget and
36 Management shall certify to the Department of Transportation and the General
37 Assembly when the cumulative total amount of fees deposited in the General Fund
38 under this subsection exceeds five million dollars (\$5,000,000), and shall annually
39 report to the General Assembly the amount of fees deposited in the General Fund under
40 this subsection.

41 It is the intent of the General Assembly to annually appropriate the funds deposited
42 in the General Fund under this subsection to the Board of Governors of The
43 Consolidated University of North Carolina to be used for the Center for Alcohol Studies

1 Endowment at ~~The~~ the University of North Carolina at Chapel Hill, ~~Carolina,~~ but not to
2 exceed this cumulative total of five million dollars (\$5,000,000)."

3 Sec. 3. G.S. 36B-8 reads as rewritten:

4 **"§ 36B-8. Conflict with other law.**

5 To the extent that the provisions of this Chapter are inconsistent with the provisions
6 of either Chapter 36A or Chapter 55A, the provisions of this Chapter shall control. The
7 provisions of this Chapter shall not apply to ~~the~~ The Consolidated University of North
8 Carolina."

9 Sec. 4. G.S. 87-7 reads as rewritten:

10 **"§ 87-7. Records of Board; disposition of funds.**

11 The secretary-treasurer shall keep a record of the proceedings of the said Board and
12 shall receive and account for all moneys derived from the operation of this Article. Any
13 funds remaining in the hands of the secretary-treasurer to the credit of the Board after
14 the expenses of the Board for the current year have been paid shall be paid over to ~~the~~
15 Greater-The Consolidated University of North Carolina for the use of the School of
16 Engineering through the North Carolina Engineering Foundation. The Board has the
17 right, however, to retain at least ten percent (10%) of the total expense it incurs for a
18 year's operation to meet any emergency that may arise. As an expense of the Board, said
19 Board is authorized to expend such funds as it deems necessary to provide retirement
20 and disability compensation for its employees."

21 Sec. 5. G.S. 87-45 reads as rewritten:

22 **"§ 87-45. Funds.**

23 The fees collected for examinations and licenses under this Article shall be used for
24 the expenses of the State Board of Examiners of Electrical Contractors in carrying out
25 the provisions of this Article. No expenses of the Board or compensation of any
26 member or employee of the Board shall be payable out of the treasury of the State of
27 North Carolina; and neither the Board nor any member or employee thereof shall have
28 any power or authority to make or incur any expense, debt or other financial obligation
29 binding upon the State of North Carolina. Any funds remaining in the hands of the
30 secretary- treasurer to the credit of the Board after all expenses of the Board for the
31 current fiscal year have been fully provided for shall be paid over to the North Carolina
32 Engineering Foundation, Inc., for the benefit of the electrical engineering department of
33 ~~the Greater~~ The Consolidated University of North Carolina. Provided, however, the
34 Board shall have the right to maintain an amount, the cumulative total of which shall not
35 exceed twenty percent (20%) of gross receipts for the previous fiscal year of its
36 operation as a maximum contingency or emergency fund."

37 Sec. 6. G.S. 87-52 reads as rewritten:

38 **"§ 87-52. State Board of Refrigeration Examiners; appointment; term of office.**

39 For the purpose of carrying out the provisions of this Article, the State Board of
40 Refrigeration Examiners is created, consisting of seven members appointed by the
41 Governor to serve seven-year staggered terms. The Board shall consist of one member
42 who is a wholesaler or a manufacturer of refrigeration equipment; one member from an
43 engineering school of The Greater-Consolidated University of North Carolina, one
44 member from the Division of Public Health of The Greater-Consolidated University of

1 North Carolina, two licensed refrigeration contractors, and two members who have no
2 ties with the construction industry to represent the interest of the public at large. The
3 term of office of one member shall expire each year. Vacancies occurring during a term
4 shall be filled by appointment of the Governor for the unexpired term. Whenever the
5 term 'Board' is used in this Article, it means the State Board of Refrigeration
6 Examiners. No Board member shall serve more than one complete consecutive term."

7 Sec. 7. G.S. 90-9 reads as rewritten:

8 **"§ 90-9. Examination for license; scope; conditions and prerequisites.**

9 It shall be the duty of the Board of Medical Examiners to examine for license to
10 practice medicine or surgery, or any of the branches thereof, every applicant who
11 complies with the following provisions: He shall, before he is admitted to examination,
12 satisfy the Board that he has an academic education equal to the entrance requirements
13 of ~~the~~ The Consolidated University of North Carolina, or furnish a certificate from the
14 superintendent of public instruction of the county that he has passed an examination
15 upon his literary attainments to meet the requirements of entrance in the regular course
16 of the State University. He shall exhibit a diploma or furnish satisfactory proof of
17 graduation from a medical college or an osteopathic college approved by the American
18 Osteopathic Association at the time of his graduation, which time of graduation shall
19 have been on January 1, 1960, or subsequent thereto and which medical and osteopathic
20 schools shall require an attendance of not less than four years or for a lesser period of
21 time approved by the Board, and supply such facilities for clinical and scientific
22 instruction as shall meet the approval of the Board. An applicant shall have graduated
23 from a medical college approved by the Liaison Commission on Medical Education or
24 osteopathic college that has been approved by the American Osteopathic Association;
25 or, if he was graduated from any other medical or osteopathic college, the applicant
26 shall be enrolled in a graduate medical education and training program in North
27 Carolina which has been approved by the Board. An applicant who has graduated from
28 a medical college not approved by the Liaison Commission on Medical Education or
29 osteopathic college that has not been approved by the American Osteopathic
30 Association and who has not enrolled in a graduate medical education and training
31 program in North Carolina which has been approved by the Board shall satisfy the
32 Board that he has successfully completed three years of graduate medical education in a
33 training program approved by the Board. No applicant from a medical or osteopathic
34 college which has been disapproved by the Board shall be eligible to take the
35 examination.

36 The examination shall cover the branches of medical science and subjects which the
37 Board deems necessary to determine competence to practice medicine. The Board may
38 divide the examination into parts or components.

39 If the applicant successfully passes the examination, as determined by the Board,
40 and if the applicant satisfies the Board that he is of good moral character and that either,
41 (1) if the applicant is a graduate of a medical college approved by the Liaison
42 Commission on Medical Education or osteopathic college approved by the American
43 Osteopathic Association, he has successfully completed one year of training in a
44 medical education program approved by the Board after graduation from medical

1 school; or (2) if the applicant is a graduate of a medical college that has not been
2 approved by the Liaison Commission on Medical Education or osteopathic college that
3 has not been approved by the American Osteopathic Association, he has successfully
4 completed three years of training in a medical education program approved by the
5 Board after graduation from medical school, then the Board shall grant the applicant a
6 license authorizing him to practice medicine in any of its branches.

7 Applicants shall be examined by number only; names and other identifying
8 information shall not appear on examination papers."

9 Sec. 8. G.S. 90-113.3 reads as rewritten:

10 **"§ 90-113.3. Education and research.**

11 (a) The North Carolina Department of Public Instruction and the Board of
12 Governors of ~~the~~ The Consolidated University of North Carolina are authorized and
13 directed to carry out educational programs designed to prevent and deter misuse and
14 abuse of controlled substances. In connection with such programs, they are authorized
15 to:

- 16 (1) Promote better recognition of the problems of misuse and abuse of
17 controlled substances within the regulated industry and among
18 interested groups and organizations;
- 19 (2) Assist the regulated industry and interested groups and organizations
20 in contributing to the reduction of misuse and abuse of controlled
21 substances; and
- 22 (3) Disseminate the results of research on misuse and abuse of controlled
23 substances to promote a better public understanding of what problems
24 exist and what can be done to combat them.

25 (b) The North Carolina Department of Public Instruction and the Board of
26 Governors of ~~the~~ The Consolidated University of North Carolina or either of them may
27 enter into contracts for educational activities related to controlled substances.

28 (c) The North Carolina Department of Human Resources is authorized and
29 directed to encourage research on misuse and abuse of controlled substances. In
30 connection with such research and in furtherance of the enforcement of this Article, it is
31 authorized to:

- 32 (1) Establish methods to assess accurately the effects of controlled
33 substances and to identify and characterize controlled substances with
34 potential for abuse;
- 35 (2) Make studies and undertake programs of research to:
 - 36 a. Develop new or improved approaches, techniques, systems,
37 equipment, and devices to strengthen the enforcement of this
38 Article;
 - 39 b. Determine patterns of misuse and abuse of controlled
40 substances and the social effect thereof; and
 - 41 c. Improve methods for preventing, predicting, understanding, and
42 dealing with the misuse and abuse of controlled substances.
- 43 (3) Enter into contracts with other public agencies, any district attorney,
44 institutions of higher education, and private organizations or

1 individuals for the purpose of conducting research, demonstrations, or
2 special projects which bear directly on misuse and abuse of controlled
3 substances.

4 (d) The North Carolina Department of Human Resources may enter into
5 contracts for research activities related to controlled substances, and the North Carolina
6 Department of Public Instruction and the Board of Governors of ~~the~~The Consolidated
7 University of North Carolina or either of them may enter into contracts for educational
8 activities related to controlled substances, without performance bonds.

9 (e) The North Carolina Department of Human Resources may authorize persons
10 engaged in research on the use and effects of controlled substances to withhold the
11 names and other identifying characteristics of persons who are the subjects of such
12 research. Persons who obtain this authorization may not be compelled in any State civil,
13 criminal, administrative, legislative, or other proceeding to identify the subjects of
14 research for which such authorization was obtained.

15 (f) The North Carolina Department of Human Resources may authorize persons
16 engaged in research to possess and distribute controlled substances in accordance with
17 such restrictions as the authorization may impose. Persons who obtain this authorization
18 shall be exempt from State prosecution for possession and distribution of controlled
19 substances to the extent authorized by the North Carolina Department of Human
20 Resources."

21 Sec. 9. G.S. 106-202.14 reads as rewritten:

22 **"§ 106-202.14. Creation of Board; membership; terms; chairman; quorum; board**
23 **actions; compensation.**

24 (a) The North Carolina Plant Conservation Board is created within the
25 Department of Agriculture.

26 (b) The Board shall consist of seven members who are residents of North
27 Carolina, one of whom represents each of the following:

- 28 (1) The North Carolina Botanical Garden of ~~The~~the University of North
29 ~~Carolina at Chapel Hill; Carolina;~~
- 30 (2) The botanical, scientific community in North Carolina;
- 31 (3) The Division of Forest Resources, Department of Environment,
32 Health, and Natural Resources;
- 33 (4) A North Carolina citizens conservation organization;
- 34 (5) The commercial plant production industry in North Carolina;
- 35 (6) The Department of Agriculture;
- 36 (7) The North Carolina public at large.

37 The Governor shall appoint the first four members enumerated above; the
38 Commissioner shall appoint the remaining three members.

39 (c) Initial appointments to the Board shall be made by October 1, 1979. Of the
40 terms of initial appointees, the representatives of the North Carolina Botanical Garden
41 of ~~The~~the University of North ~~Carolina at Chapel Hill; Carolina,~~ the commercial plant
42 production industry in North Carolina, and a North Carolina citizens conservation
43 organization shall serve two-year terms; all other members shall serve four-year terms.
44 All subsequent terms shall be for four-year terms.

1 (d) All members shall hold their offices until their successors are appointed and
2 qualified. Any vacancy occurring in the membership of the Board prior to the expiration
3 of the term shall be filled for the remainder of the unexpired term. The Commissioner
4 may at any time remove any member from the Board for cause. Each appointment to fill
5 a vacancy in the membership of the Board shall be of a person having the proper
6 credentials for that vacancy and appointed by the proper appointing agency.

7 (e) The Board shall select its chairman from its own membership to serve for a
8 term of two years. The chairman shall have a full vote. Any vacancy occurring in the
9 chairmanship shall be filled by the Board for the remainder of the term. The Board may
10 select other officers as it deems necessary.

11 (f) Any action of the Board shall require at least four concurring votes.

12 (g) Members of the Board who are not State employees shall receive per diem,
13 subsistence and travel allowances authorized by G.S. 138-5; members who are State
14 employees shall receive the subsistence and travel allowances authorized by G.S. 138-6;
15 and members who are also members of the General Assembly shall receive subsistence
16 and travel allowances authorized by G.S. 120-3.1."

17 Sec. 10. G.S. 106-202.17 reads as rewritten:

18 "**§ 106-202.17. Creation of committee; membership; terms; chairman; meetings;
19 committee action; quorum; compensation.**

20 (a) The North Carolina Plant Conservation Scientific Committee is created
21 within the Department of Agriculture.

22 (b) The Scientific Committee shall consist of the Directors of ~~The the~~ University
23 of North Carolina at ~~Chapel Hill~~ Herbarium, the North Carolina State University
24 Herbarium, the North Carolina Botanical Garden of ~~The the~~ University of North
25 ~~Carolina at Chapel Hill, Carolina,~~ the North Carolina Museum of Natural History and
26 the North Carolina Natural Heritage Program of the Department of Environment,
27 Health, and Natural Resources or their designees, a representative of the North Carolina
28 Association of Nurserymen, Inc., appointed by the Commissioner, and a representative
29 of the Garden Club of North Carolina, Incorporated, the North Carolina Chapter of the
30 Nature Conservancy or the North Carolina Wild Flower Preservation Society, Inc.,
31 appointed by the Commissioner. Members shall serve for three-year terms and may
32 succeed themselves.

33 (c) The Board shall select a chairman of the Scientific Committee from the
34 Scientific Committee's membership to serve for three years.

35 (d) The Scientific Committee may hold its meetings at the North Carolina
36 Botanical Garden of ~~The the~~ University of North ~~Carolina at Chapel Hill. Carolina.~~

37 (e) Any action of the Scientific Committee shall require at least four concurring
38 votes.

39 (f) Members of the Scientific Committee who are not State employees may
40 receive per diem, subsistence and travel allowances authorized by G.S. 138-5 if they so
41 request; members who are State employees may receive the subsistence and travel
42 allowances authorized by G.S. 138-6 if they so request; and members who are also
43 members of the General Assembly may receive subsistence and travel allowances
44 authorized by G.S. 120-3.1 if they so request."

1 Sec. 11. G.S. 106-769(a)(6) reads as rewritten:

2 "(6) The Dean of the School of Public Health of the University of North
3 Carolina at Chapel Hill or his designee;"

4 Sec. 12. G.S. 113-315.19 reads as rewritten:

5 **"§ 113-315.19. Personnel needs.**

6 To effectively carry out the duties and responsibilities set forth above, the Secretary
7 may employ or contract with the extension services of ~~the~~ The Consolidated University
8 of North Carolina to employ the following persons:

- 9 (1) A person to have responsibility for the successful execution of the
10 program and to coordinate as deemed desirable with other agencies of
11 the State and federal government,
12 (2) A business management specialist,
13 (3) An insurance and finance specialist,
14 (4) A specialist who could understand, interpret, and counsel on
15 regulations and requirements,
16 (5) A specialist in waterways, and water transportation, and
17 (6) Such clerical personnel as necessary to carry out the provisions of this
18 Article."

19 Sec. 13. G.S. 115B-2 reads as rewritten:

20 **"§ 115B-2. Tuition waiver authorized.**

21 State-supported institutions of higher education, community colleges, industrial
22 education centers and technical institutes, shall permit legal residents of North Carolina
23 who have attained the age of 65 to attend classes for credit or noncredit purposes
24 without the required payment of tuition; provided, however, that such persons meet
25 admission and other standards deemed appropriate by the educational institution, and
26 provided further that such persons shall be accepted by the constituent institutions of ~~the~~
27 The Consolidated University of North Carolina only on a spaces-available basis."

28 Sec. 14. G.S. 115B-3 reads as rewritten:

29 **"§ 115B-3. Rules and regulations.**

30 The Board of Governors of ~~the~~ The Consolidated University of North Carolina and
31 the State Board of Education shall each, with respect to the institutions governed by it,
32 promulgate rules and regulations necessary for the implementation of the provisions of
33 this Chapter."

34 Sec. 15. G.S. 115C-105(a) reads as rewritten:

35 "(a) There is hereby established the North Carolina Education Council composed
36 of the members of the education commission of the states representing this State, and
37 not exceeding five other persons appointed by the Governor for terms of three years.
38 Such other persons shall be selected so as to be broadly representative of professional
39 and lay interests within this State having the responsibilities for, knowledge with respect
40 to, and interest in educational matters. The Governor shall serve as chairman of the
41 North Carolina Education Council or any person that the Governor may designate shall
42 serve as chairman. The chairman of the State Board of Education, the Superintendent of
43 Public Instruction, the chairman of the Board of Governors of The Consolidated
44 University of North Carolina, and the President of The Consolidated University of

1 North Carolina shall be ex officio members of the North Carolina Education Council.
2 The council shall meet on the call of its chairman or at the request of a majority of its
3 members, but in any event the Council shall meet not less than three times in each year.
4 The Council may consider any and all matters relating to the recommendations of the
5 education commission of the states and the activities of the members in representing this
6 State thereon."

7 Sec. 16. G.S. 115C-121(b) reads as rewritten:

8 "(b) The Council shall consist of 17 members to be appointed as follows: two
9 members appointed by the Governor; two members of the Senate appointed by the
10 Lieutenant Governor; two members of the House of Representatives appointed by the
11 Speaker of the House; and 11 members appointed by the State Board of Education. Of
12 those members of the Council appointed by the State Board one member shall be
13 selected from each congressional district within the State, and the members so selected
14 shall be composed of at least one person representing each of the following:
15 handicapped individuals, parents or guardians of children with special needs, teachers of
16 children with special needs, and State and local education officials and administrators of
17 programs for children with special needs. The Council shall designate a chairperson
18 from among its members. The designation of the chairperson is subject to the approval
19 of the State Board of Education. The board shall promulgate rules or regulations to
20 carry out this subsection.

21 Ex officio members of the Council shall be the following:

- 22 (1) The Secretary of the Department of Human Resources or the
23 Secretary's designee;
- 24 (2) The Secretary of the Department of Correction or the Secretary's
25 designee;
- 26 (3) A representative from The Consolidated University of North ~~Carolina~~
27 Carolina's Planning Consortium for Children with Special Needs; and
- 28 (4) The Superintendent of Public Instruction or the Superintendent's
29 designee.

30 The term of appointment for all members except those appointed by the State Board
31 of Education shall be for two years. The term for members appointed by the State Board
32 of Education shall be for four years. No person shall serve more than two consecutive
33 four-year terms.

34 Each Council member shall serve without pay, but shall receive travel allowances
35 and per diem in the same amount provided for members of the North Carolina General
36 Assembly."

37 Sec. 17. The title of Article 1 of Chapter 116 of the General Statutes reads as
38 rewritten:

39 **"ARTICLE 1.**

40 **THE CONSOLIDATED UNIVERSITY OF NORTH CAROLINA."**

41 Sec. 18. G.S. 116-1 reads as rewritten:

42 **"§ 116-1. Purpose.**

43 In order to foster the development of a well-planned and coordinated system of
44 higher education, to improve the quality of education, to extend its benefits and to

1 encourage an economical use of the State's resources, ~~the~~The Consolidated University
2 of North Carolina is hereby redefined in accordance with the provisions of this Article."

3 Sec. 19. G.S. 116-2 reads as rewritten:

4 **"§ 116-2. Definitions.**

5 As used in this Article, unless the context clearly indicates a contrary intent:

- 6 (1) 'Board' means the Board of Governors of ~~the~~The Consolidated
7 University of North Carolina.
8 (2) 'Board of trustees' means the board of trustees of a constituent
9 institution.
10 (3) 'Chancellor' means the chancellor of a constituent institution.
11 (4) 'Constituent institution' or 'institution' means one of the 16 public
12 senior institutions, to wit, the University of North Carolina at Chapel
13 Hill, redesignated effective July 1, 1993, as 'the University of North
14 Carolina', North Carolina State University at Raleigh, the University of
15 North Carolina at Greensboro, the University of North Carolina at
16 Charlotte, the University of North Carolina at Asheville, the University
17 of North Carolina at Wilmington, Appalachian State University, East
18 Carolina University, Elizabeth City State University, Fayetteville State
19 University, North Carolina Agricultural and Technical State
20 University, North Carolina Central University, North Carolina School
21 of the Arts, Pembroke State University, Western Carolina University,
22 and Winston-Salem State University.
23 (5) 'President' means the President of ~~the~~The Consolidated University of
24 North Carolina.
25 (6) 'Vending facilities' has the same meaning as it does in G.S. 143-12.1."

26 Sec. 20. G.S. 116-3 reads as rewritten:

27 **"§ 116-3. Incorporation and corporate powers.**

28 ~~The Board of Trustees of the University of North Carolina is hereby redesignated,~~
29 ~~effective July 1, 1972, as the 'Board of Governors of the University of North Carolina.'~~
30 The Board of Trustees of the University of North Carolina, redesignated effective July
31 1, 1972, as the 'Board of Governors of The University of North Carolina', is, effective
32 July 1, 1993, referred to as the 'Board of Governors of The Consolidated University of
33 North Carolina'. The term 'The Consolidated University of North Carolina' refers,
34 effective July 1, 1993, to that part of the public system of higher education designated
35 by Article IX, Sec. 8, of the North Carolina Constitution as 'The University of North
36 Carolina'. The Board of Governors of ~~the~~The Consolidated University of North
37 Carolina shall be known and distinguished by the name of 'the~~The Consolidated~~
38 University of North Carolina, 'Carolina', and shall continue as a body politic and
39 corporate and by that name shall have perpetual succession and a common seal. It shall
40 be able and capable in law to take, demand, receive, and possess all moneys, goods, and
41 chattels that shall be given for the use of ~~the~~The University, and to apply to same
42 according to the will of the donors; and by gift, purchase, or devise to receive, possess,
43 enjoy, and retain forever any and all real and personal estate and funds, of whatsoever
44 kind, nature, or quality the same may be, in special trust and confidence that the same,

1 or the profits thereof, shall be applied to and for the use and purpose of establishing and
2 endowing the University, and shall have power to receive donations from any source
3 whatever, to be exclusively devoted to the purposes of the maintenance of ~~the~~The
4 University, or according to the terms of donation.

5 The corporation shall be able and capable in law to bargain, sell, grant, alien, or
6 dispose of and convey and assure to the purchasers any and all such real and personal
7 estate and funds as it may lawfully acquire when the condition of the grant to it or the
8 will of the devisor does not forbid it; and shall be able and capable in law to sue and be
9 sued in all courts whatsoever; and shall have power to open and receive subscriptions,
10 and in general may do all such things as are usually done by bodies corporate and
11 politic, or such as may be necessary for the promotion of learning and virtue."

12 Sec. 21. G.S. 116-4 reads as rewritten:

13 **"§ 116-4. Constituent institutions of ~~the~~The Consolidated University of North**
14 **Carolina.**

15 On July 1, 1972, the University of North ~~Carolina~~Carolina, referred to, effective
16 July 1, 1993, as The Consolidated University of North Carolina, shall be composed of
17 the following institutions: the University of North Carolina at Chapel Hill, redesignated
18 effective July 1, 1993, as 'the University of North Carolina', North Carolina State
19 University at Raleigh, the University of North Carolina at Greensboro, the University of
20 North Carolina at Charlotte, the University of North Carolina at Asheville, the
21 University of North Carolina at Wilmington, Appalachian State University, East
22 Carolina University, Elizabeth City State University, Fayetteville State University,
23 North Carolina Agricultural and Technical State University, North Carolina Central
24 University, North Carolina School of the Arts, Pembroke State University, Western
25 Carolina University and Winston-Salem State University."

26 Sec. 22. G.S. 116-12 reads as rewritten:

27 **"§ 116-12. Property and obligations.**

28 All property of whatsoever kind and all rights and privileges held by the Board of
29 Higher Education and by the Boards of Trustees of Appalachian State University, East
30 Carolina University, Elizabeth City State University, Fayetteville State University,
31 North Carolina Agricultural and Technical State University, North Carolina Central
32 University, North Carolina School of the Arts, Pembroke State University, Western
33 Carolina University and Winston-Salem State University, as said property, rights and
34 privileges may exist immediately prior to July 1, 1972, shall be, and hereby are,
35 effective July 1, 1972, transferred to and vested in the Board of Governors of the
36 University of North ~~Carolina~~Carolina, redesignated effective July 1, 1993, as the
37 'Board of Governors of The Consolidated University of North Carolina'. All obligations
38 of whatsoever kind of the Board of Higher Education and of the Boards of Trustees of
39 Appalachian State University, East Carolina University, Elizabeth City State University,
40 Fayetteville State University, North Carolina Agricultural and Technical State
41 University, North Carolina Central University, North Carolina School of the Arts,
42 Pembroke State University, Western Carolina University and Winston-Salem State
43 University, as said obligations may exist immediately prior to July 1, 1972, shall be, and
44 the same hereby are, effective July 1, 1972, transferred to and assumed by the Board of

1 Governors of ~~the~~ The Consolidated University of North Carolina. Any property, real or
2 personal, held immediately prior to July 1, 1972, by a board of trustees of a constituent
3 institution for the benefit of that institution or by ~~the~~ The Consolidated University of
4 North Carolina for the benefit of any one or more of its six institutions, shall from and
5 after July 1, 1972, be kept separate and distinct from other property held by the Board of
6 Governors, shall continue to be held for the benefit of the institution or institutions that
7 were previously the beneficiaries and shall continue to be held subject to the provisions
8 of the respective instruments, grants or other means or process by which any property
9 right was acquired. In case a conflict arises as to which property, rights or privileges
10 were held for the beneficial interest of a particular institution, or as to the extent to
11 which such property, rights or privileges were so held, the Board of Governors shall
12 determine the issue, and the determination of the Board shall constitute final
13 administrative action. Nothing in this Article shall be deemed to increase or diminish
14 the income, other revenue or specific property which is pledged, or otherwise
15 hypothecated, for the security or liquidation of any obligations, it being the intent that
16 the Board of Governors shall assume said obligations without thereby either enlarging
17 or diminishing the rights of the holders thereof."

18 Sec. 23. G.S. 116-14(a) reads as rewritten:

19 "(a) The Board shall elect a President of ~~the~~ The Consolidated University of North
20 Carolina. He shall be the chief administrative officer of ~~the~~ The University."

21 Sec. 24. G.S. 116-18 reads as rewritten:

22 **"§ 116-18. Information Center established.**

23 The Board of Governors of ~~the~~ The Consolidated University of North Carolina, with
24 the cooperation of other concerned organizations, shall establish, as a function of the
25 Board, an Educational Opportunities Information Center to provide information and
26 assistance to prospective college and university students and to the several institutions,
27 both public and private, on matters regarding student admissions, transfers and
28 enrollments. The public institutions shall cooperate with the Center by furnishing such
29 nonconfidential information as may assist the Center in the performance of its duties.
30 Similar cooperation shall be requested of the private institutions in the State.

31 An applicant for admission to an institution who is not offered admission may
32 request that the institution send to the Center appropriate nonconfidential information
33 concerning his application. The Center may, at its discretion and with permission of the
34 applicant, direct the attention of the applicant to other institutions and the attention of
35 other institutions to the applicant. The Center is authorized to conduct such studies and
36 analyses of admissions, transfers and enrollments as may be deemed appropriate."

37 Sec. 25. G.S. 116-19 reads as rewritten:

38 **"§ 116-19. Contracts with private institutions to aid North Carolina students.**

39 In order to encourage and assist private institutions to continue to educate North
40 Carolina students, the Board of Governors of ~~the~~ The Consolidated University of North
41 Carolina is hereby authorized to enter into contracts with the institutions under the terms
42 of which an institution receiving any funds that may be appropriated pursuant to this
43 section would agree that, during any fiscal year in which such funds were received, the
44 institution would provide and administer scholarship funds for needy North Carolina

1 students in an amount at least equal to the amount paid to the institution, pursuant to this
2 section, during the fiscal year. Under the terms of the contracts the Board of Governors
3 of ~~the~~ The Consolidated University of North Carolina would agree to pay to the
4 institutions, subject to the availability of funds, a fixed sum of money for each North
5 Carolina student enrolled at the institutions for the regular academic year, said sum to
6 be determined by appropriations that might be made from time to time by the General
7 Assembly pursuant to this section. Funds appropriated pursuant to this section shall be
8 paid by the Department of Administration to an institution upon recommendation of the
9 Board of Governors of ~~the~~ The Consolidated University of North Carolina and on
10 certification of the institution showing the number of North Carolina students enrolled
11 at the institution as of October 1 of any year for which funds may be appropriated."

12 Sec. 26. G.S. 116-20 reads as rewritten:

13 **"§ 116-20. Scholarship and contract terms; base period.**

14 In order to encourage and assist private institutions to educate additional numbers of
15 North Carolinians, the Board of Governors of ~~the~~ The Consolidated University of North
16 Carolina is hereby authorized to enter into contracts within the institutions under the
17 terms of which an institution receiving any funds that may be appropriated pursuant to
18 this section would agree that, during any fiscal year in which such funds were received,
19 the institution would provide and administer scholarship funds for needy North Carolina
20 students in an amount at least equal to the amount paid to the institution, pursuant to this
21 section, during the fiscal year. Under the terms of the contracts the Board of Governors
22 of ~~the~~ The Consolidated University of North Carolina would agree to pay to the
23 institutions, subject to the availability of funds, a fixed sum of money for each North
24 Carolina student enrolled as of October 1 of any year for which appropriated funds may
25 be available, over and above the number of North Carolina students enrolled in that
26 institution as of October 1, 1970, which shall be the base date for the purpose of this
27 calculation. Funds appropriated pursuant to this section shall be paid by the Department
28 of Administration to an institution upon recommendation of the Board of Governors of
29 ~~the~~ The Consolidated University of North Carolina and on certification of the institution
30 showing the number of North Carolina students enrolled at the institution as of October
31 1 of any year for which funds may be appropriated over the number enrolled on the base
32 date. In the event funds are appropriated for expenditure pursuant to this section and
33 funds are also appropriated, for the same fiscal year, for expenditure pursuant to G.S.
34 116-19, students who are enrolled at an institution in excess of the number enrolled on
35 the base date may be counted under this section for the purpose of calculating the
36 amount to be paid to the institution, but the same students may not also be counted
37 under G.S. 116-19, for the purpose of calculating payment to be made under that
38 section."

39 Sec. 27. G.S. 116-21 reads as rewritten:

40 **"§ 116-21. Contract forms; reports; audits; regulations.**

41 The Board of Governors of ~~the~~ The Consolidated University of North Carolina is
42 authorized to prescribe the form of the contracts to be executed under G.S. 116-19 and
43 116-20, to require of the institutions such reports, statements and audits as the Board
44 may deem necessary or desirable in carrying out the purposes of G.S. 116-19 through

1 116-22 and to make any rules or regulations that will, in the opinion of the Board, help
2 to achieve the purposes of G.S. 116-19 through 116-22."

3 Sec. 28. G.S. 116-31(b) reads as rewritten:

4 "(b) Effective July 1, 1972, a separate board of trustees shall be created for each of
5 the following institutions: North Carolina State University at Raleigh, the University of
6 North Carolina at Asheville, the University of North Carolina at Chapel Hill,
7 redesignated, effective July 1, 1993, as 'the University of North Carolina', the
8 University of North Carolina at Charlotte, the University of North Carolina at
9 Greensboro, and the University of North Carolina at Wilmington. For the period
10 commencing July 1, 1972, and ending June 30, 1973, each such board shall be
11 constituted as follows:

12 (1) Twelve or more persons elected prior to July 1, 1972, by and from the
13 membership of the Board of Trustees of the University of North
14 Carolina, and

15 (2) The president of the student government of the institution, ex officio."

16 Sec. 29. G.S. 116-35 reads as rewritten:

17 **"§ 116-35. Electric power plants, campus school, etc.**

18 Institutions operating electric power plants and distribution systems as of October
19 30, 1971, are authorized to continue such operation and, after furnishing power to the
20 institution, to sell any excess current to the people of the community at a rate or rates
21 approved by the Utilities Commission. Any net profits derived from the operation, or
22 any proceeds derived from the lease or sale, of such power plants and distribution
23 systems shall be paid into the permanent endowment fund held for the institution as
24 provided for in G.S. 116-36. Institutions operating or authorized to operate, as of
25 October 30, 1971, water or sewer distribution systems, may continue to do so. Each of
26 the institutions now operating a campus laboratory or demonstration school may
27 continue to do so under the presently existing plan of operation, consistent with the
28 appropriations made therefor. The provisions of this section shall not apply to the
29 University Enterprises of the University of North ~~Carolina at Chapel Hill, Carolina,~~
30 which shall continue to be governed in all respects as provided in Chapters 634 and 723
31 of the Session Laws of 1971, G.S. 116-41.1 through 116-41.12, and other applicable
32 legislation."

33 Sec. 30. G.S. 116-36 reads as rewritten:

34 **"§ 116-36. Endowment fund.**

35 (a) The board of trustees of each constituent institution shall establish and
36 maintain, pursuant to such terms and conditions, uniformly applicable to all constituent
37 institutions, as the Board of Governors of ~~the~~ The Consolidated University of North
38 Carolina may from time to time prescribe, an endowment fund for the constituent
39 institution.

40 (b) It is not the intent of this section that the proceeds from any endowment fund
41 shall take the place of State appropriations or any part thereof, but it is the intent of this
42 section that those proceeds shall supplement the State appropriations to the end that the
43 institution may improve and increase its functions, may enlarge its areas of service, and
44 may become more useful to a greater number of people.

1 (c) Pursuant to the foregoing subsections and consistent with the powers and
2 duties prescribed in this section, each board of trustees shall appoint an investment
3 board to be known as 'The Board of Trustees of the Endowment Fund of' (here
4 shall be inserted the name of the constituent institution).

5 (d) The trustees of the endowment fund may receive and administer as part of the
6 endowment fund gifts, devises, and bequests and any other property of any kind that
7 may come to them from the Board of Governors of ~~the~~ The Consolidated University of
8 North Carolina or that may come to the trustees of the endowment fund from any other
9 source, excepting always the moneys received from State appropriations and from
10 tuition and fees collected from students and used for the general operation of the
11 institution.

12 (e) The trustees of the endowment fund shall be responsible for the prudent
13 investment of the fund in the exercise of their sound discretion, without regard to any
14 statute or rule of law relating to the investment of funds by fiduciaries but in compliance
15 with any lawful condition placed by the donor upon that part of the endowment fund to
16 be invested.

17 (f) In the process of prudent investment of the fund or to realize the statutory
18 intent of the endowment, the board of trustees of the endowment fund may expend or
19 use interest and principal of gifts, devises, and bequests; provided that, the expense or
20 use would not violate any condition or restriction imposed by the original donor of the
21 property which is to be expended or used. To realize the statutory intent of the
22 endowment fund, the board of trustees of the endowment fund may transfer interest or
23 principal of the endowment fund to the useful possession of the constituent institution;
24 provided that, the transfer would not violate any condition or restriction imposed by the
25 original donor of the property which is the subject of the proposed transfer.

26 (g) The trustees of the endowment fund shall have the power to buy, sell, lend,
27 exchange, lease, transfer, or otherwise dispose of or to acquire (except by pledging their
28 credit or violating a lawful condition of receipt of the corpus into the endowment fund)
29 any property, real or personal, with respect to the fund, in either public or private
30 transaction, and in doing so they shall not be subject to the provisions of Chapters 143
31 and 146 of the General Statutes; provided that, any expense or financial obligation of
32 the State of North Carolina created by any acquisition or disposition, by whatever
33 means, of any real or personal property of the endowment fund shall be borne by the
34 endowment fund unless authorization to satisfy the expense or financial obligation from
35 some other source shall first have been obtained from the Director of the Budget. Prior
36 to taking any action under this subsection, the Director of the Budget may consult with
37 the Advisory Budget Commission.

38 (h) The Board of Governors of ~~the~~ The Consolidated University of North
39 Carolina shall establish and maintain in a manner not inconsistent with the provisions of
40 this section or with regulations established under this section an endowment fund for all
41 endowment funds now held or hereafter acquired by ~~the~~ The Consolidated University of
42 North Carolina for the benefit of ~~the~~ The Consolidated University as a whole, or for the
43 joint benefit of any two or more constituent institutions of ~~the~~ The University.

1 (i) The Board of Governors of ~~the~~ The Consolidated University of North
2 Carolina shall establish and maintain in a manner not inconsistent with the provisions of
3 this section or with regulations established under this section an endowment fund for all
4 endowment funds now held or hereafter acquired for the benefit of the University of
5 North Carolina Press.

6 (il) The Board of Governors of ~~the~~ The Consolidated University of North
7 Carolina shall establish and maintain in a manner not inconsistent with the provisions of
8 this section or with regulations established under this section an endowment fund for all
9 endowment funds now held or hereafter acquired for the benefit of the University of
10 North Carolina Center for Public Television.

11 (j) Any gift, devise, or bequest of real or personal property to a constituent
12 institution of ~~the~~ The Consolidated University of North Carolina or to ~~the~~ The
13 Consolidated University of North Carolina or to the University of North Carolina Press
14 or to the University of North Carolina Center for Public Television shall be presumed,
15 nothing to the contrary appearing, a gift, devise, or bequest, as the case may be, to the
16 endowment fund of the respective institution or agency.

17 (k) Whenever any property of an endowment fund authorized by this section is
18 disposed of or otherwise transferred from the endowment fund, any instrument of
19 transfer shall indicate that the donor, grantor, seller, lessor, lender, or transferor, as the
20 case may be, is the board of trustees of the endowment fund."

21 Sec. 31. G.S. 116-37 reads as rewritten:

22 **"§ 116-37. University of North Carolina Hospitals at Chapel Hill.**

23 (a) Composition. – The Board of Governors of ~~the~~ The Consolidated University
24 of North Carolina is hereby directed to create a board of directors for the University of
25 North Carolina Hospitals at Chapel Hill consisting of 12 members of which nine shall
26 be appointed by the Board of Governors. Three members ex officio of said board shall
27 be the University of North Carolina ~~at Chapel Hill~~ Vice-Chancellor for Health Affairs,
28 University of North Carolina ~~at Chapel Hill~~ Vice-Chancellor for Business and Finance,
29 and the Dean of the University of North Carolina ~~at Chapel Hill~~ Medical School, or
30 successors to these offices under other titles with similar responsibilities. Nine members
31 shall be appointed from the business and professional public-at-large, none of whom
32 shall be Governors of ~~the~~ University, The Consolidated University of North Carolina,
33 and, thereafter, the nine appointive members shall select one of their number to serve as
34 chairman. Members of this board shall include, but not be limited to, persons with
35 special competence in business management, hospital administration, and medical
36 practice not affiliated with University faculty. The Governors may remove any member
37 for cause. Board members, other than ex officio members, shall each receive such per
38 diem and necessary travel and subsistence expenses while engaged in the discharge of
39 their official duties as is provided by law for members of State boards and commissions
40 generally.

41 (a1) Appointment to Board. – Each of the nine persons who, as of June 30, 1989,
42 is serving as an appointed member of the Board shall be reassigned by the Governors,
43 each to a different term, ending June 30, 1989, June 30, 1990, June 30, 1991, June 30,
44 1992, June 30, 1993, June 30, 1994, June 30, 1995, June 30, 1996, or June 30, 1997.

1 After July 1, 1989, the term of office for new appointments shall commence on July 1,
2 and all members shall serve for four-year terms; provided, however, that no person may
3 be appointed to (i) more than three full four-year terms in succession, or (ii) a four-year
4 term if preceded immediately by 12 years of service. Resignation from a term of office
5 shall not constitute a break in service for the purpose of this subsection. Board member
6 vacancies shall be filled by the Governors for the remainder of the unexpired term.

7 (b) Meetings and Powers of Board. – The board of directors shall meet at least
8 every 60 days and may hold special meetings at any time and place within the State at
9 the call of its chairman. The board of directors shall make rules, regulations, and
10 policies governing the management and operation of the University of North Carolina
11 Hospitals at Chapel Hill, consistent with basic State statutes and procedures, to meet the
12 goals of education, research, patient care, and community service. The board's action on
13 matters within its jurisdiction is final, except that appeals may be made, in writing, to
14 the Board of Governors with a copy of the appeal to the University administration. The
15 board of directors shall elect and may remove the executive director of the University of
16 North Carolina Hospitals at Chapel Hill. The board of directors may enter into formal
17 agreements with the University of North Carolina at Chapel Hill, ~~Carolina~~, Division of
18 Health Affairs, with respect to the provision of clinical experience for students and may
19 also enter into formal agreements with the University of North Carolina at Chapel Hill
20 for the provision of maintenance and supporting services.

21 (c) Executive Director. – The chief administrative officer of the University of
22 North Carolina Hospitals at Chapel Hill shall be the executive director, who shall be
23 appointed by the board of directors to serve at its pleasure. The executive director shall
24 administer the affairs of the University of North Carolina Hospitals at Chapel Hill
25 subject to the duly adopted policies, rules, and regulations of the board of directors,
26 including the appointment, promotion, demotion, and discharge of all personnel. The
27 executive director shall report to the board of directors quarterly or more often as
28 required. The executive director will serve as secretary to the board of directors.

29 (d) Personnel. – The University of North Carolina Hospitals at Chapel Hill shall
30 maintain a personnel office for personnel administration.

31 (e) Finances. – The University of North Carolina Hospitals at Chapel Hill shall
32 be subject to the provisions of the Executive Budget Act. There shall be maintained a
33 business and budget office to administer the budget and financial affairs of the
34 University of North Carolina Hospitals at Chapel Hill. The executive director, subject
35 to the board of directors, shall be responsible for all aspects of budget preparation,
36 budget execution, and expenditure reporting. Subject to the approval of the Director of
37 the Budget: All operating funds of the University of North Carolina Hospitals at Chapel
38 Hill may be budgeted and disbursed through a special fund code, all receipts of the
39 University of North Carolina Hospitals at Chapel Hill may be deposited directly to the
40 special fund code; and general fund appropriations for support of the University of
41 North Carolina Hospitals at Chapel Hill may be budgeted in a general fund code under a
42 single purpose, 'Contribution to University of North Carolina Hospitals at Chapel Hill
43 Operations' and be transferable to the special fund operating code as receipts. Prior to

1 taking any action under this subsection, the Director of the Budget may consult with the
2 Advisory Budget Commission.

3 (f) Purchases. – The University of North Carolina Hospitals at Chapel Hill shall
4 be subject to all provisions of Articles 3 and 3A of Chapter 143 of the General Statutes
5 relating to the Department of Administration, Purchase and Contract Division. There
6 shall be maintained a purchasing office to handle all purchasing requirements of the
7 University of North Carolina Hospitals at Chapel Hill. The Purchase and Contract
8 Division may enter into such arrangements with the board of directors as the Division
9 may deem necessary in consideration of the special requirements of the University of
10 North Carolina Hospitals at Chapel Hill for procurement of certain supplies, materials,
11 equipments and services.

12 (g) Property. – The board of directors shall be responsible to the ~~University~~
13 Board of Governors of The Consolidated University of North Carolina for the
14 maintenance, operation, and control of the University of North Carolina Hospitals at
15 Chapel Hill and grounds.

16 (h) Patient Information. – The University of North Carolina Hospitals at Chapel
17 Hill shall, at the earliest possible opportunity, specifically make a verbal and written
18 request to each patient to disclose the patient's Social Security number, if any. If the
19 patient does not disclose that number, the University of North Carolina Hospitals at
20 Chapel Hill shall deny benefits, rights and privileges of the University of North Carolina
21 Hospitals at Chapel Hill to the patient as soon as practical, to the maximum extent
22 permitted by federal law or federal regulations. The University of North Carolina
23 Hospitals at Chapel Hill shall make the disclosure to the patient required by Section 7(b)
24 of P.L. 93-579. This subsection is supplementary to G.S. 105A-3(c)."

25 Sec. 32. G.S. 116-38(a) reads as rewritten:

26 "(a) The Chapel Hill City Board of Education is authorized to enter into long-term
27 agreements and contracts with ~~the~~ The Consolidated University of North Carolina for
28 the purpose of providing for the establishment and operation of a child development
29 research and demonstration center. The Board is additionally authorized to lease or
30 transfer title to real and personal property, including buildings and equipment, with or
31 without compensation, to ~~the~~ The University for this purpose."

32 Sec. 33. G.S. 116-39 reads as rewritten:

33 **"§ 116-39. Agricultural research stations.**

34 The agricultural research stations shall be connected with North Carolina State
35 University at Raleigh and shall be controlled by the Board of Governors of ~~the~~ The
36 Consolidated University of North Carolina."

37 Sec. 34. G.S. 116-41.1 reads as rewritten:

38 **"§ 116-41.1. Definitions.**

39 As used in this Part:

40 (1) 'Board' means the Board of Governors of ~~the~~ The Consolidated
41 University of North Carolina;

42 (2) 'Construction' means acquisition, construction, provision,
43 reconstruction, replacement, extension, improvement or betterment, or
44 any combination thereof;

- 1 (3) 'Cost,' as applied to a project, shall include the cost of construction (as
2 herein defined), the cost of all labor, materials and equipment, the cost
3 of all lands, property, rights and easements acquired, financing
4 charges, interest prior to and during construction and, if deemed
5 advisable by the Board, for one year after completion of construction,
6 cost of plans and specifications, surveys and estimates of cost and/or
7 revenues, cost of engineering and legal services, and all other expenses
8 necessary or incident to such construction, administrative expense and
9 such other expenses, including reasonable provisions for initial
10 operating expenses necessary or incident to the financing herein
11 authorized and a reserve for debt service, and any expense incurred by
12 the Board in the issuance of bonds under the provisions of this Part in
13 connection with any of the foregoing items of cost;
- 14 (4) 'Project' means any undertaking under this Part to acquire, construct or
15 provide service and auxiliary facilities necessary or desirable for the
16 proper and efficient operation of the University Enterprises, either as
17 additions, extensions, improvements or betterments to the University
18 Enterprises or otherwise, including one or more or any combination of
19 any system, facility, plant, works, instrumentality or other property
20 used or useful:
- 21 a. In obtaining, conserving, treating or distributing water for
22 domestic, industrial, sanitation, fire protection or any other
23 public or private use;
 - 24 b. For the collection, treatment, purification or disposal of sewage,
25 refuse or wastes;
 - 26 c. For the production, generation, transmission or distribution of
27 gas, electricity or heat;
 - 28 d. In providing communication facilities including telephone
29 facilities;
 - 30 e. In providing storage, service, repair and duplicating facilities;
 - 31 f. In improving, extending or adding to the University Enterprises
32 as herein defined; and
 - 33 g. In providing other service and auxiliary facilities serving the
34 needs of the students, the staff or the physical plant of the
35 University; and including all plants, works, appurtenances,
36 machinery, equipment and properties, both personal and real,
37 used or useful in connection therewith;
- 38 and in the case of the telephone, electric and water systems comprising a part of the
39 University Enterprises such additions, extensions, improvements or betterments thereof
40 as may be necessary or desirable, in the discretion of the Board, to provide service from
41 such systems, where it may be reasonably made available, within the environs of ~~the~~
42 The University, including, without limitation, areas presently served by the University
43 Enterprises in Orange, Durham and Chatham Counties.

- 1 (5) 'Revenue bonds' or 'bonds' means bonds of ~~the~~ The University issued
 2 by the Board to pay the cost, in whole or in part, of any project
 3 pursuant to this Part and the bond resolution or resolutions of the
 4 Board; provided, however, that bonds, issued as a separate series
 5 which are stated to mature not later than 20 years from their date may
 6 be designated 'revenue notes' or 'notes';
- 7 (6) 'Revenues' means the income and receipts derived by or for the
 8 account of ~~the~~ The University through the charging and collection of
 9 service charges;
- 10 (7) 'Service charges' means rates, fees, rentals or other charges for, or for
 11 the right to, the use, occupancy, services or commodities of or
 12 furnished by any project, or by any other service or auxiliary facility of
 13 the University, including the University Enterprises, any part of the
 14 income of which is pledged to the payment of the bonds or the interest
 15 thereon;
- 16 (8) 'University' means the body politic and corporate known and
 17 distinguished by the corporate name of ~~the~~ 'University—'The
 18 Consolidated University of North Carolina—Carolina' under G.S. 116-3;
- 19 (9) 'University Enterprises' means the following existing facilities,
 20 systems, properties, plants, works and instrumentalities located in or
 21 near the Town of Chapel Hill, North Carolina, presently in the
 22 jurisdiction of and operated by the University; the telephone, electric,
 23 heating and water systems, the laundry, Carolina Inn, service and
 24 repair shops, the duplicating shop, bookstores and student supply
 25 stores, and rental housing properties for faculty members."

26 Sec. 35. G.S. 116-41.5 reads as rewritten:

27 **"§ 116-41.5. Contents of resolution authorizing issuance; powers liberally**
 28 **construed; deposit and use of revenues; rights and remedies of**
 29 **bondholders; service charges; insurance of projects; depositaries.**

30 The Board in the resolution authorizing the issuance of bonds under this Part may
 31 provide for a pledge to the payment of such revenue bonds and the interest thereon of
 32 the revenue derived from the project and also for a pledge of the revenues derived from
 33 any system, facility, plant, works, instrumentalities or properties improved, bettered, or
 34 extended by the project or otherwise within the jurisdiction of or operated by the
 35 University in connection with the University of North ~~Carolina at Chapel Hill, Carolina,~~
 36 ~~North Carolina,~~ the revenues derived from any future improvements, betterments or
 37 extensions of the project, the revenues derived from the University Enterprises, or any
 38 part thereof, or the revenues from the project and any or all of the revenues mentioned
 39 in this sentence, without regard to whether the operations involved are deemed
 40 governmental or proprietary, it being the purpose hereof to vest in the Board broad
 41 powers which shall be liberally construed. So long as any revenues of the University
 42 mentioned in this paragraph are pledged for the payment of the principal of or interest
 43 on any bonds issued hereunder, such revenues shall be deposited in a special fund and

1 shall be applied and used only as provided in the resolution authorizing such bonds,
2 subject, however, to any prior pledge or encumbrance thereof.

3 The resolution authorizing the issuance of the bonds may contain provisions for
4 protecting and enforcing the rights and remedies of the holders of the bonds, including
5 covenants setting forth the duties of the University in relation to the construction of any
6 project to be financed with the proceeds of said bonds, and to the maintenance, repair,
7 operation and insurance of such project or any other project, systems, facilities, plants,
8 works, instrumentalities, properties, the University Enterprises or any part thereof, if the
9 revenues thereof are in any way pledged as security for the bonds; the fixing and
10 revising of service charges and the collection thereof; and the custody, safeguarding and
11 application of all moneys of the University pertaining to the project and the bonds, and
12 all revenues pledged therefor. Notwithstanding the provisions of any other law, the
13 Board may carry insurance on any such project in such amounts and covering such risks
14 as it may deem advisable. It shall be lawful for any bank or trust company incorporated
15 under the laws of the State of North Carolina which may act as depository of the
16 proceeds of bonds or of revenues to furnish such indemnifying bonds or to pledge such
17 securities as may be required by the Board. Such resolution may set forth the rights and
18 remedies of the bondholders and may restrict the individual right of action by
19 bondholders. Such resolution may contain such other provisions in addition to the
20 foregoing as the Board may deem reasonable and proper for the security of the
21 bondholders.

22 The Board may provide for the payment of the proceeds of the bonds and any
23 revenues pledged therefor to such officer, board or depository as it may designate for
24 the custody thereof, and for the method of disbursement thereof, with such safeguards
25 and restrictions as it may determine. All expenses incurred in carrying out the
26 provisions of such resolution may be treated as a part of the cost of operation."

27 Sec. 36. G.S. 116-41.18 reads as rewritten:

28 "**§ 116-41.18. Distinguished Professors Endowment Trust Fund; selection of**
29 **Distinguished Professors.**

30 Each constituent institution that receives, through private gifts and an allocation by
31 the Board of Governors, funds for the purpose shall, under procedures established by
32 rules of the Board of Governors and the board of trustees of the constituent institution,
33 select a holder of the Distinguished Professorship. Once given, that designation shall be
34 retained by the distinguished professor as long as he remains in the full-time service of
35 the institution. When a distinguished professorship becomes vacant, it shall remain
36 assigned to the institution and another distinguished professor shall be selected under
37 procedures established by rules of the Board of Governors and the board of trustees of
38 the constituent institution.

39 (b) The Board of Governors of The Consolidated University of North Carolina
40 shall promulgate rules to implement this section.

41 (c) There is appropriated from the General Fund to the Board of Governors of
42 The Consolidated University of North Carolina the sum of two million dollars
43 (\$2,000,000) for fiscal year 1985-86, and the sum of two million dollars (\$2,000,000)
44 for fiscal year 1986-87, to implement this section."

1 Sec. 37. G.S. 116-41.19 reads as rewritten:

2 **"§ 116-41.19. Distinguished Professors Endowment Trust Fund; promulgation of**
3 **rules.**

4 The Board of Governors of The Consolidated University of North Carolina shall
5 promulgate rules to implement this Part."

6 Sec. 38. G.S. 116-43.1 reads as rewritten:

7 **"§ 116-43.1. Institute for Transportation Research and Education.**

8 The Board of Governors of ~~the~~ The Consolidated University of North Carolina is
9 authorized to establish an Institute for Transportation Research and Education to
10 facilitate the development of a broad program of transportation research and education
11 involving other organizations and institutions which have related programs. The
12 immediate purpose of the Institute shall be to create a management structure to
13 coordinate and eventually merge the Highway Safety Programs of the National Driving
14 Center and the North Carolina Highway Safety Research Center. The Board of
15 Governors of ~~the~~ The Consolidated University of North Carolina is further authorized to
16 establish a Council for Transportation Research and Education to represent all interests
17 in transportation research and education, including but not limited to transportation
18 safety."

19 Sec. 39. G.S. 116-44.3 reads as rewritten:

20 **"§ 116-44.3. Definitions.**

21 Unless the context clearly requires another meaning, the following words and
22 phrases have the meanings indicated when used in this Part:

- 23 (1) 'Board of trustees' and 'constituent institution' have the meanings
24 assigned in G.S. 116-2.
25 (2) 'Campus' means that University property, without regard to location,
26 which is used wholly or partly for the purposes of a particular
27 constituent institution of ~~the~~ The Consolidated University of North
28 Carolina.
29 (3) 'University' means a constituent institution as defined in G.S. 116-2.
30 (4) 'University property' means property that is owned or leased in whole
31 or in part by the State of North Carolina and which is subject to the
32 general management and control of the Board of Governors of ~~the~~ The
33 Consolidated University of North Carolina."

34 Sec. 40. G.S. 116-44.4 reads as rewritten:

35 **"§ 116-44.4. Regulation of traffic and parking and registration of motor vehicles.**

36 (a) Except as otherwise provided in this Part, all of the provisions of Chapter 20
37 of the General Statutes relating to the use of highways of the State and the operation of
38 motor vehicles thereon are applicable to all streets, alleys, driveways, parking lots, and
39 parking structures on University property. Nothing in this section modifies any rights of
40 ownership or control of University property, now or hereafter vested in the Board of
41 Governors of ~~the~~ The Consolidated University of North Carolina or the State of North
42 Carolina.

43 (b) Each board of trustees may by ordinance prohibit, regulate, divert, control,
44 and limit pedestrian or vehicular traffic and the parking of motor vehicles and other

1 modes of conveyance on the campus. In fixing speed limits, the board of trustees is not
2 subject to G.S. 20-141(f1) or (g2), but may fix any speed limit reasonable and safe
3 under the circumstances as conclusively determined by the board of trustees. The board
4 of trustees may not regulate traffic on streets open to the public as of right, except as
5 specifically provided in this Part.

6 (c) Each board of trustees may by ordinance provide for the registration of motor
7 vehicles maintained or operated on the campus by any student, faculty member, or
8 employee of the University, and may fix fees for such registration. The ordinance may
9 make it unlawful for any person to operate an unregistered motor vehicle on the campus
10 when the vehicle is required by the ordinance to be registered.

11 (d) Each board of trustees may by ordinance set aside parking lots and other
12 parking facilities on the campus for use by students, faculty, and employees of the
13 University and members of the general public attending schools, conferences, or
14 meetings at the University, visiting or making use of any University facilities, or
15 attending to official business with the University. The board of trustees may issue
16 permits to park in these lots and garages and may charge a fee therefor. The board of
17 trustees may also by ordinance make it unlawful for any person to park a motor vehicle
18 in any lot or other parking facility without procuring the requisite permit and displaying
19 it on the vehicle.

20 (e) Each board of trustees may by ordinance set aside spaces in designated
21 parking areas or facilities in which motor vehicles may be parked for specified periods
22 of time. To regulate parking in such spaces, the board of trustees may install a system of
23 parking meters and make it unlawful for any person to park a motor vehicle in a metered
24 space without activating the meter for the entire time that the vehicle is parked, up to the
25 maximum length of time allowed for that space. The meters may be activated by coins
26 of the United States. The board of trustees may also install automatic gates, employ
27 attendants, and use any other device or procedure to control access to and collect the
28 fees for using its parking areas and facilities.

29 (f) The board of trustees may by ordinance provide for the issuance of stickers,
30 decals, permits, or other indicia representing the registration status of vehicles or the
31 eligibility of vehicles to park on the campus and may by ordinance prohibit the forgery,
32 counterfeiting, unauthorized transfer, or unauthorized use of them.

33 (g) Violation of an ordinance adopted under any portion of this Part is an
34 infraction as defined in G.S. 14-3.1 and is punishable by a penalty of not more than fifty
35 dollars (\$50.00). An ordinance may provide that certain prohibited acts shall not be
36 infractions and in such cases the provisions of subsection (h) may be used to enforce the
37 ordinance.

38 (h) An ordinance adopted under any portion of this Part may provide that
39 violation subjects the offender to a civil penalty. Penalties may be graduated according
40 to the seriousness of the offense or the number of prior offenses by the person charged.
41 Each board of trustees may establish procedures for the collection of these penalties and
42 they may be enforced by civil action in the nature of debt. The board of trustees may
43 also provide for appropriate administrative sanctions if an offender does not pay a
44 validly due penalty or upon repeated offenses. Appropriate administrative sanctions

1 include, but are not limited to, revocation of parking permits, termination of vehicle
2 registration, and termination or suspension of enrollment in or employment by the
3 University.

4 (i) An ordinance adopted under any portion of this Part may provide that any
5 vehicle illegally parked may be removed to a storage area. Regardless of whether a
6 constituent institution does its own removal and disposal of motor vehicles or contracts
7 with another person to do so, the institution shall provide a hearing procedure for the
8 owner. For purposes of this subsection, the definitions in G.S. 20-219.9 apply.

9 (1) If the institution operates in such a way that the person who tows the
10 vehicle is responsible for collecting towing fees, all provisions of
11 Article 7A, Chapter 20, apply.

12 (2) If the institution operates in such a way that it is responsible for
13 collecting towing fees, it shall:

14 a. Provide by contract or ordinance for a schedule of reasonable
15 towing fees,

16 b. Provide a procedure for a prompt fair hearing to contest the
17 towing,

18 c. Provide for an appeal to district court from that hearing,

19 d. Authorize release of the vehicle at any time after towing by the
20 posting of a bond or paying of the fees due, and

21 e. If the institution chooses to enforce its authority by sale of the
22 vehicle, provide a sale procedure similar to that provided in
23 G.S. 44A-4, 44A-5, and 44A-6, except that no hearing in
24 addition to the probable cause hearing is required. If no one
25 purchases the vehicle at the sale and if the value of the vehicle
26 is less than the amount of the lien, the institution may destroy it.

27 (j) Evidence that a motor vehicle was found parked or unattended in violation of
28 an ordinance of the board of trustees is prima facie evidence that the vehicle was parked
29 by:

30 (1) The person holding a University parking permit for the vehicle, or

31 (2) If no University parking permit has been issued for the vehicle, the
32 person in whose name the vehicle is registered with the University
33 pursuant to subsection (c), or

34 (3) If no University parking permit has been issued for the vehicle and the
35 vehicle is not registered with the University, the person in whose name
36 it is registered with the North Carolina Division of Motor Vehicles or
37 the corresponding agency of another state or nation.

38 The rule of evidence established by this subsection applies only in civil, criminal, or
39 administrative actions or proceedings concerning violations of ordinances of the board
40 of trustees. G.S. 20-162.1 does not apply to such actions or proceedings.

41 (k) Each board of trustees shall cause to be posted appropriate notice to the
42 public of applicable traffic and parking restrictions.

43 (l) All ordinances adopted under this Part shall be recorded in the minutes of the
44 board of trustees and copies thereof shall be filed in the offices of the President of the

1 The Consolidated University of North Carolina and the Secretary of State. Each board
2 of trustees shall provide for printing and distributing copies of its traffic and parking
3 ordinances.

4 (m) All moneys received pursuant to this Part shall be placed in a trust account in
5 each constituent institution and may be used for any of the following purposes:

- 6 (1) To defray the cost of administering and enforcing ordinances adopted
7 under this Part;
- 8 (2) To develop, maintain, and supervise parking areas and facilities;
- 9 (3) To provide bus service or other transportation systems and facilities,
10 including payments to any public or private transportation system
11 serving University students, faculty, or employees;
- 12 (4) As a pledge to secure revenue bonds for parking facilities issued under
13 Article 21 of this Chapter;
- 14 (5) Other purposes related to parking, traffic, and transportation on the
15 campus."

16 Sec. 41. The catch line of G.S. 116-44.5 reads as rewritten:

17 "**§ 116-44.5. Special provisions applicable to identified constituent institutions of**
18 **the The Consolidated University of North Carolina."**

19 Sec. 42. G.S. 116-44.5(1) reads as rewritten:

20 "(1) The Board of Trustees of the University of North Carolina ~~at Chapel~~
21 ~~Hill~~ may by ordinance prohibit, regulate, and limit the parking of
22 motor vehicles on those portions of the following public streets in the
23 Town of Chapel Hill where parking is not prohibited by an ordinance
24 of the Town of Chapel Hill:

- 25 a. Battle Lane;
- 26 b. Country Club Road, between Raleigh Street and South Road;
- 27 c. Manning Drive;
- 28 d. McCauley Street, between Columbia Street and Pittsboro
29 Street;
- 30 e. Pittsboro Street, between South Columbia Street and Cameron
31 Avenue;
- 32 f. Boundary Street, between Country Club Road and East Franklin
33 Street;
- 34 g. Park Place, between Boundary Street and East Franklin Street;
- 35 h. South Columbia Street, between Franklin Street and Manning
36 Drive;
- 37 i. Cameron Avenue, between South Columbia Street and Raleigh
38 Street;
- 39 j. Raleigh Street;
- 40 k. Ridge Road;
- 41 l. South Road, between Columbia Street and Country Club Road.

42 In addition, the Board of Trustees of the University of North Carolina
43 ~~at Chapel Hill~~ may regulate traffic on Cameron Avenue, between
44 Raleigh Street and South Columbia Street, and on Raleigh Street, in

1 any manner not inconsistent with ordinances of the Town of Chapel
2 Hill."

3 Sec. 43. G.S. 116-49 reads as rewritten:

4 **"§ 116-49. Definitions.**

5 As used herein:

6 (1) The term 'community college' is defined to be an educational
7 institution

8 a. Dedicated primarily to the particular needs of a community or
9 an area,

10 b. Offering the freshman and sophomore courses of a college of
11 arts and sciences and/or the first- and second-year courses of a
12 two-year technical institute of college grade, and

13 c. Organized and operating under the provisions of this Article.

14 In addition to the courses above referred to, such college may also
15 offer a variety of occupational, vocational, avocational and
16 recreational training programs. Such college may consist of one or
17 more units operating within the boundaries of one county.

18 (2) The term 'Board of Governors' refers to the Board of Governors of ~~the~~
19 The Consolidated University of North Carolina."

20 Sec. 44. G.S. 116-65 reads as rewritten:

21 **"§ 116-65. To be part of The Consolidated University of North Carolina;**
22 **membership of Board of Trustees.**

23 The North Carolina School of Arts is a part of ~~the~~The Consolidated University of
24 North Carolina and subject to the provisions of Article 1, Chapter 116, of the General
25 Statutes; provided, however, that notwithstanding the provisions of G.S. 116-31, the
26 Board of Trustees of said school shall consist of 15 persons, 13 of whom are selected in
27 accordance with provisions of G.S. 116-31, and the conductor of the North Carolina
28 Symphony and the Secretary of the Department of Cultural Resources, both serving ex
29 officio and nonvoting."

30 Sec. 45. G.S. 116-66 reads as rewritten:

31 **"§ 116-66. Powers of various boards.**

32 The Board of Governors of ~~the~~The Consolidated University of North Carolina and
33 the Board of Trustees of the school shall be advised and assisted by the State Board of
34 Education. Entrance requirements shall be prescribed so that the professional training
35 offered shall be available only to those students who possess exceptional talent in the
36 performing arts. In developing curricula the school shall utilize, pursuant to agreement
37 with institutions of higher education or with any local administrative school unit,
38 existing facilities and such academic nonarts courses and programs of instruction as
39 may be needed by the students of the school, and, in the discretion of the Board of
40 Governors, personnel may be employed jointly with any such institution or unit on a
41 cooperative, cost-sharing basis. Curricula below the collegiate level shall be developed
42 with the advice and approval of the State Board of Education. The school shall confer
43 and cooperate with the Southern Regional Education Board and with other regional and
44 national organizations to obtain wide support and to establish the school as the center in

1 the South for the professional training and performance of artists. The chancellor of the
2 school shall preferably be a noted composer or dramatist."

3 Sec. 46. G.S. 116-73 reads as rewritten:

4 **"§ 116-73. Joint committee for administration of fund; rules and regulations.**

5 'The Scholarship Loan Fund for Prospective College Teachers' shall be the
6 responsibility of the Board of Governors of ~~the~~ The Consolidated University of North
7 Carolina and the State Board of Education and will be administered by them through a
8 joint committee, 'The College Scholarship Loan Committee.' This Committee will
9 operate under the following rules and regulations and under such further rules and
10 regulations as the Board of Governors of ~~the~~ The Consolidated University of North
11 Carolina and the State Board of Education shall jointly promulgate.

- 12 (1) The nomination of applicants and recommendations of renewals shall
13 be the responsibility of the College Scholarship Loan Committee.
- 14 (2) Loans should be made for a single academic year (nine months) with
15 renewal possible for two successive years for students successfully
16 pursuing masters or doctoral programs. Loans shall not exceed two
17 thousand dollars (\$2,000) for single students and three thousand
18 dollars (\$3,000) for married students.
- 19 (3) All scholarship loans shall be evidenced by notes, with sufficient
20 sureties, made payable to the State Board of Education, and shall bear
21 interest at the rate of four percent (4%) per annum from and after
22 September 1 following the awarding of the candidate's degree.
- 23 (4) Recipients of loans may have them repaid by teaching in a college or
24 other educational institution beyond the high school level in North
25 Carolina upon completion of their masters or doctorate degree
26 program, at the rate of one hundred dollars (\$100.00) per month for
27 each month of such teaching. If a student supported by a loan in this
28 program should fail to so teach in a North Carolina institution, the loan
29 would become repayable to the State, with interest, for that part of the
30 teaching commitment not met, said note to be repaid according to the
31 terms thereof.
- 32 (5) Loans for 12 weeks of summer study, carrying stipends not to exceed
33 five hundred dollars (\$500.00) for single and married students, should
34 be available to students who do not plan to attend postgraduate school
35 as full-time students during the regular academic year. Recipients
36 should be eligible for up to three renewals over a four-year period. The
37 obligation to teach in a North Carolina college or other educational
38 institution, or failing that, to repay the State, shall apply proportionally
39 as indicated above."

40 Sec. 47. G.S. 116-74.6 reads as rewritten:

41 **"§ 116-74.6. North Carolina Center for the Advancement of Teaching established;
42 powers and duties of trustees.**

43 The sums of five hundred thousand dollars (\$500,000) in fiscal year 1985-86 and
44 two million dollars (\$2,000,000) in fiscal year 1986-87 that are appropriated to the

1 Board of Governors of The Consolidated University of North Carolina in Section 2 of
2 the 1985-87 Current Operations Appropriations Act shall be used to establish the North
3 Carolina Center for the Advancement of Teaching at Western Carolina University in
4 Jackson County. The Center shall operate under the general auspices of The
5 Consolidated University of North Carolina Board of Governors. It shall be the function
6 of the North Carolina Center for the Advancement of Teaching (hereinafter called
7 'NCCAT'), through itself or agencies with which it may contract, to provide career
8 teachers with opportunities to study advanced topics in the sciences, arts, and
9 humanities and to engage in informed discourse, assisted by able mentors and
10 outstanding leaders from all walks of life; and otherwise to offer opportunity for
11 teachers to engage in scholarly pursuits, through a center dedicated exclusively to the
12 advancement of teaching as an art and as a profession.

13 The Board of Governors of The Consolidated University of North Carolina shall
14 establish the North Carolina Center for the Advancement of Teaching Board of Trustees
15 and shall delegate to the Board of Trustees all the powers and duties the Board of
16 Governors considers necessary or appropriate for the effective discharge of the
17 functions of NCCAT."

18 Sec. 48. G.S. 116-74.7 reads as rewritten:

19 **"§ 116-74.7. Composition of board of trustees; terms; officers.**

20 (a) The NCCAT Board of Trustees shall be composed of the following
21 membership:

- 22 (1) Three ex officio members: the President of The Consolidated
23 University of North Carolina, the State Superintendent of Public
24 Instruction, and the Chancellor of Western Carolina University;
- 25 (2) Two members appointed by the General Assembly upon the
26 recommendation of the President of the Senate;
- 27 (3) Two members appointed by the General Assembly upon the
28 recommendation of the Speaker of the House of Representatives; and
- 29 (4) Eight members appointed by the Board of Governors, one from each
30 of the eight educational regions.

31 The appointing authorities shall give consideration to assuring, through Board
32 membership, the statewide mission of NCCAT.

33 (b) Members of the NCCAT Board of Trustees shall serve four- year terms.
34 Members may serve two consecutive four-year terms. The Board shall elect a new
35 chairman every two years from its membership. The Chairman may serve two
36 consecutive two-year terms as chairman.

37 The chief administrative officer of NCCAT shall be a director, who shall be
38 appointed by the NCCAT Board of Trustees."

39 Sec. 49. G.S. 116-143 reads as rewritten:

40 **"§ 116-143. State-supported institutions of higher education required to charge
41 tuition and fees.**

42 The Board of Governors of ~~the~~ The Consolidated University of North Carolina shall
43 fix the tuition and fees, not inconsistent with actions of the General Assembly, at the
44 institutions enumerated in G.S. 116-4 in such amount or amounts as it may deem best,

1 taking into consideration the nature of each institution and program of study and the
2 cost of equipment and maintenance; and each institution shall charge and collect from
3 each student, at the beginning of each semester or quarter, tuition, fees, and an amount
4 sufficient to pay other expenses for the term.

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

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

17 Notwithstanding the above provision relating to the abolition of free tuition, the
18 Board of Governors of ~~the~~ The Consolidated University of North Carolina may, in its
19 discretion, provide regulations under which a full-time faculty member of the rank of
20 full-time instructor or above, and any full-time staff member of ~~the~~ The Consolidated
21 University of North Carolina may during the period of normal employment enroll for
22 not more than one course per semester in ~~the~~ The Consolidated University of North
23 Carolina free of charge for tuition, provided such enrollment does not interfere with
24 normal employment obligations and further provided that such enrollments are not
25 counted for the purpose of receiving general fund appropriations."

26 Sec. 50. G.S. 116-175 reads as rewritten:

27 **"§ 116-175. Definitions.**

28 As used in this Article, the following words and terms shall have the following
29 meanings, unless the context shall indicate another or different meaning or intent.

30 (1) The word 'Board' shall mean the Board of Governors of ~~the~~ The
31 Consolidated University of North Carolina.

32 (2) The word 'cost' as applied to a project shall include the cost of
33 acquisition or construction, the cost of all labor, materials and
34 equipment, the cost of all lands, property, rights and easements
35 acquired, financing charges, interest prior to and during construction
36 and, if deemed advisable by the Board, for one year after completion
37 of construction, cost of plans and specifications, surveys and estimates
38 of cost and/or revenues, cost of engineering and legal services, and all
39 other expenses necessary or incident to such acquisition or
40 construction, administrative expense and such other expenses,
41 including reasonable provision for initial operating expenses, as may
42 be necessary or incident to the financing herein authorized. Any
43 obligation or expense incurred by the Board prior to the issuance of

1 bonds under the provisions of this Article in connection with any of
2 the foregoing items of cost may be regarded as a part of such cost.

3 (3) The word 'institution' shall mean each of the institutions enumerated in
4 G.S. 116-2.

5 (4) The word 'project' shall mean and shall include any one or more
6 buildings for student housing of any size or type approved by the
7 Board of Governors of ~~the~~ The Consolidated University of North
8 Carolina, and the Director of the Budget, and any enlargements or
9 improvements thereof or additions thereto, so approved for the housing
10 of students at either institution, together with the necessary land and
11 equipment. The approval of a project by the Board of Governors of ~~the~~
12 The Consolidated University of North Carolina and the Director of the
13 Budget shall specify a time within which construction contracts shall
14 be awarded."

15 Sec. 51. G.S. 116-209.21 reads as rewritten:

16 "**§ 116-209.21. Cooperation of the Board of Governors of ~~the~~ The Consolidated**
17 **University of North Carolina.**

18 The Board of Governors of ~~the~~ The Consolidated University of North Carolina shall
19 provide the secretariat for the Authority. The Executive Director of the Authority, who
20 shall be its principal executive officer, shall be elected by the Board of Directors of the
21 Authority on nomination of the President of ~~the~~ The Consolidated University of North
22 Carolina."

23 Sec. 52. G.S. 116-223 reads as rewritten:

24 "**§ 116-223. Further action.**

25 The Board of Governors of ~~the~~ The Consolidated University of North Carolina is
26 hereby authorized to take all action necessary to effectuate the purposes and provisions
27 of this Article."

28 Sec. 53. G.S. 116-230 reads as rewritten:

29 "**§ 116-230. North Carolina-Israel Visiting Scholar Program.**

30 (a) There is created the North Carolina-Israel Visiting Scholar Program for the
31 purpose of granting funds to members of the faculties of the constituent institutions of
32 The Consolidated University of North Carolina and institutions of higher education in
33 Israel to assist in their travel and living expenses while participating in the program.

34 (b) The President of The Consolidated University of North Carolina shall appoint
35 a North Carolina Committee to work with a committee from Israel to prepare proper
36 guidelines for the administration of the program and to establish criteria for the
37 designation of participating scholars.

38 (c) Funds for the support of this program shall come from private sources, and
39 grants shall be made for as many suitable recipients as can be found within budget
40 limitations."

41 Sec. 54. G.S. 116-231 reads as rewritten:

42 "**§ 116-231. Reestablishment of the North Carolina School of Science and**
43 **Mathematics as an Affiliated School of The Consolidated University of**
44 **North Carolina.**

1 The North Carolina School of Science and Mathematics is hereby reestablished, as
2 an affiliated school of The Consolidated University of North Carolina, and shall be
3 governed by a Board of Trustees as prescribed in this Article."

4 Sec. 55. G.S. 116-233 reads as rewritten:

5 **"§ 116-233. Board of Trustees; appointment; terms of office.**

6 (a) There shall be a Board of Trustees of the School, which shall consist of 25
7 members:

8 (1) Eleven members who shall be appointed by the Board of Governors of
9 The Consolidated University of North Carolina, one from each
10 congressional district;

11 (2) Four members without regard to residency who shall be appointed by
12 the Board of Governors of The Consolidated University of North
13 Carolina;

14 (3) Three members, ex officio, who shall be the chief academic officers,
15 respectively, of constituent institutions. The Board of Governors shall
16 in 1985 and quadrennially thereafter designate the three constituent
17 institutions whose chief academic officers shall so serve, such
18 designations to expire on June 30, 1989, and quadrennially thereafter;

19 (4) The chief academic officer of a college or university in North Carolina
20 other than a constituent institution, ex officio. The Board of Governors
21 shall designate in 1985 and quadrennially thereafter which college or
22 university whose chief academic officer shall so serve, such
23 designation to expire on June 30, 1989, and quadrennially thereafter;

24 (5) Two members appointed by the General Assembly upon the
25 recommendation of the President of the Senate in accordance with
26 G.S. 120-121;

27 (6) Two members appointed by the General Assembly upon the
28 recommendation of the Speaker of the House of Representatives in
29 accordance with G.S. 120-121; and

30 (7) Two members appointed by the Governor.

31 (b) Appointed members of the Board of Trustees shall be selected for their
32 interest in and commitment to public education and to the purposes of the School, and
33 they shall be charged with the responsibility of serving the interests of the whole State.
34 In appointing members, the objective shall be to obtain the services of the best qualified
35 persons, taking into consideration the desirability of diversity of membership, including
36 men and women, representatives of different races, and members of different political
37 parties.

38 (c) No member of the General Assembly or officer or employee of the State or of
39 the School or of any constituent institution of The Consolidated University of North
40 Carolina, or the spouse of any such member, officer or employee, shall be eligible to be
41 appointed to the Board of Trustees; and any appointed trustee who is elected or
42 appointed to the General Assembly or who becomes an officer or employee of the State,
43 of the School, or of a constituent institution of The Consolidated University of North
44 Carolina, or whose spouse is elected or appointed to the General Assembly or becomes

1 such an officer or employee, shall be deemed thereupon to resign from his or her
2 membership on the Board of Trustees. This subsection does not apply to ex officio
3 members.

4 (d) Seven of the initial class of members of the Board of Trustees appointed
5 under ~~G.S. 116-233(a)(1)~~ G.S. 116-233(a)(1) and (2) shall be chosen for a term of two
6 years to expire June 30, 1987, and eight shall be chosen for a term of four years to
7 expire June 30, 1989; thereafter, all such members shall be elected to four-year terms.
8 No person other than an ex officio member shall be eligible to serve more than two
9 successive terms. Any vacancy in the membership of the Board of Trustees appointed
10 under ~~G.S. 116-233(a)(1)~~ G.S. 116-233(a)(1) or (2) shall be reported promptly by the
11 Secretary of the Board of Trustees to the Board of Governors of The Consolidated
12 University of North Carolina, which shall fill any such vacancy by appointment of a
13 replacement member to serve for the balance of the unexpired term. Any vacancy in
14 members appointed under ~~G.S. 116-233(a)(5)~~ G.S. 116-233(a)(5) or (6) shall be filled
15 in accordance with G.S. 120-122. Any vacancy in members appointed under ~~G.S. 116-~~
16 ~~233(a)(7)~~ G.S. 116-233(a)(7) shall be filled by the Governor for the remainder of the
17 unexpired term.

18 (e) Of the initial members appointed under ~~G.S. 116-233(a)(5)~~, G.S. 116-
19 233(a)(5), one member shall serve a term to expire June 30, 1987, and one member shall
20 serve a term to expire June 30, 1989. Subsequent appointments shall be for four-year
21 terms. The initial members appointed under ~~G.S. 116-233(a)(6)~~, G.S. 116-233(a)(6)
22 shall be appointed for terms to expire June 30, 1987. Subsequent appointments shall be
23 for two-year terms. The initial members appointed under ~~G.S. 116-233(a)(7)~~ G.S. 116-
24 233(a)(7) shall be appointed for terms to expire January 15, 1989. Successors shall be
25 appointed for four-year terms.

26 (f) Whenever an appointed member of the Board of Trustees shall fail, for any
27 reason other than ill health or service in the interest of the State or nation, to be present
28 at three successive regular meetings of the Board, his or her place as a member of the
29 Board shall be deemed vacant."

30 Sec. 56. G.S. 116-235(h) reads as rewritten:

31 "(h) The Board of Trustees shall keep the Board of Governors fully and promptly
32 informed, through the President of The Consolidated University of North Carolina,
33 concerning activities of the Board of Trustees, including notices of meetings and copies
34 of the minutes of all such meetings."

35 Sec. 57. G.S. 116-238(d) reads as rewritten:

36 "(d) The trustees of the endowment fund may receive and administer as part of the
37 endowment fund gifts, devises, and bequests and any other property of any kind that
38 may come to them from the Board of Governors of The Consolidated University of
39 North Carolina or that may come to the trustees of the endowment fund from any other
40 source, excepting always the moneys received from State appropriations and from
41 tuition and fees, if any, collected from students and used for the general operation of the
42 institution."

43 Sec. 58. G.S. 116-242 reads as rewritten:

44 "**§ 116-242. Administration of Arboretum; acceptance of gifts and grants.**

1 The Arboretum shall be administered by The Consolidated University of North
2 Carolina through the Board of Directors established in G.S. 116-243. State funds for the
3 administration of the Arboretum shall be appropriated to The Consolidated University
4 of North Carolina for the University of North Carolina at Asheville. The Consolidated
5 University of North Carolina may receive gifts and grants to be used for development or
6 operation of the Arboretum."

7 Sec. 59. G.S. 116-243 reads as rewritten:

8 **"§ 116-243. Board of directors established; appointments.**

9 A board of directors to govern the operation of the Arboretum is established, to be
10 appointed as follows:

- 11 (1) Two by the Governor, initially, one for a two-year term, and one for a
12 four-year term. Successors shall be appointed for four-year terms;
- 13 (2) Two by the General Assembly, in accordance with G.S. 120-121, upon
14 the recommendation of the President of the Senate, initially, one for a
15 two-year term, and one for a four-year term. Successors shall be
16 appointed for four-year terms;
- 17 (3) Two by the General Assembly, in accordance with G.S. 120-121, upon
18 the recommendation of the Speaker of the House of Representatives,
19 initially, one for a two-year term, and one for a four-year term.
20 Successors shall be appointed for four-year terms;
- 21 (4) The President of The Consolidated University of North Carolina or his
22 designee to serve ex officio;
- 23 (5) The chancellors, chief executive officers, or their designees of the
24 following institutions of higher education: North Carolina State
25 University, Western Carolina University, The University of North
26 Carolina at Asheville, Mars Hill College, and Warren Wilson College,
27 to serve ex officio;
- 28 (6) The President of Western North Carolina Arboretum, Inc., to serve ex
29 officio;
- 30 (7) Six by the Board of Governors of The Consolidated University of
31 North Carolina, initially, three for one-year terms, and three for three-
32 year terms. Successors shall be appointed for four-year terms. One
33 shall be an active grower of nursery stock, and one other shall
34 represent the State's garden clubs;
- 35 (8) The executive director of the Arboretum and the Executive Vice
36 President of Western North Carolina Development Association shall
37 serve ex officio as nonvoting members of the board of directors.

38 All appointed members may serve two full four-year terms following the initial
39 appointment and then may not be reappointed until they have been absent for at least
40 four years. Members serve until their successors have been appointed. Appointees to fill
41 vacancies serve for the remainder of the unexpired term. Vacancies in appointments
42 made by the General Assembly shall be filled in accordance with G.S. 120-122. Initial
43 terms begin July 1, 1986.

1 The chairman of the board of directors shall be elected biennially by majority vote of
2 the directors.

3 The executive director of the Arboretum shall report to the board of directors."

4 Sec. 60. G.S. 122C-431(b) reads as rewritten:

5 "(b) The board shall elect one of its members as chairman and one as vice-
6 chairman. The director of the Center for Alcohol Studies of ~~The~~the University of North
7 Carolina at ~~Chapel Hill~~ shall serve ex officio as executive secretary to the Authority.
8 Board members shall receive the same per diem, subsistence, and travel allowances as
9 members of similar State boards and commissions, provided funds are available in the
10 'Alcoholism Research Fund' for this purpose."

11 Sec. 61. G.S. 130A-379 reads as rewritten:

12 **"§ 130A-379. Duties of the Chief Medical Examiner.**

13 The Chief Medical Examiner shall perform postmortem medicolegal examinations
14 as provided in this Part. The Chief Medical Examiner may, upon request, provide
15 instruction in health science, legal medicine and other subjects related to his duties at
16 The Consolidated University of North Carolina, the North Carolina Justice Academy
17 and other institutions of higher learning."

18 Sec. 62. G.S. 131E-8.1 (b) reads as rewritten:

19 "(b) The municipality or hospital authority shall give specific notice of intent to
20 sell or lease and of any public hearing to the Director of the local AHEC program and
21 the Director of the AHEC Program at the University of North Carolina School of
22 ~~Medicine at Chapel Hill.~~ Medicine."

23 Sec. 63. G.S. 137-31.3 reads as rewritten:

24 **"§ 137-31.3. Members of board of directors; terms of office; per diem and
25 expenses.**

26 The governing body of the North Carolina Rural Rehabilitation Corporation shall be
27 a board of directors consisting of nine members, of whom the Commissioner of
28 Agriculture, the Director of the Cooperative Agricultural Extension Service of the North
29 Carolina State College of Agriculture and Engineering of ~~the~~The Consolidated
30 University of North Carolina, the Secretary of Human Resources, and the North
31 Carolina State Director of the Farmers Home Administration of the United States
32 Department of Agriculture, or in the event of a change of name of any of said offices,
33 the persons performing the principal duties of said offices, by whatever name called,
34 shall be ex officio members, and the remaining five members shall be named by the
35 Governor of North Carolina. Of the five directors first named by the Governor, one shall
36 be appointed for a term of one year, two shall be appointed for terms of two years each
37 and two for terms of three years each, and subsequent appointments shall be made for
38 terms of three years each. The members of the board appointed by the Governor shall be
39 entitled to receive from the funds of the corporation, while attending meetings of the
40 board and of committees appointed or authorized by the board and while performing
41 other services for the Corporation, a per diem of ten dollars (\$10.00) and reimbursement
42 for such actual necessary expenses as may be incurred in travel and subsistence, not in
43 excess of that allowed by the General Assembly for other State agencies, but while a
44 member is serving as an officer of the Corporation he may be paid such reasonable

1 salary as the majority of the members of the board shall from time to time determine in
2 lieu of such per diem. The ex officio members of the board shall serve without
3 compensation and shall be reimbursed for actual costs of travel and subsistence by the
4 agency which they represent."

5 Sec. 64. G.S. 143-170.3(c) reads as rewritten:

6 "(c) The State Librarian and the University Librarian of the University of North
7 Carolina at ~~Chapel Hill~~ shall identify the types of publications for which the use of acid-
8 free paper is desirable and, with the assistance of the Department of Administration,
9 shall study the availability of acid-free paper and the costs associated with purchasing
10 and using acid-free paper. The State Librarian and the University Librarian of the
11 University of North Carolina at ~~Chapel Hill~~ shall report to the Joint Legislative
12 Commission on Governmental Operations no later than November 1, 1990 the
13 information required by this subsection."

14 Sec. 65. G.S. 143-271 reads as rewritten:

15 "**§ 143-271. Claims certified to State Treasurer; payment; escheat of balance to**
16 **The Consolidated University of North Carolina.**

17 The Secretary of Administration shall certify to the State Treasurer a schedule of all
18 claims approved or disapproved, and after one year from the time at which the board or
19 agency became inoperative under the law, the State Treasurer shall, out of the funds in
20 his hands for the account of such board or agency, pay all approved claims in full, or if
21 such funds are insufficient for full payment, then he shall equally prorate said claims
22 and make partial payment insofar as funds are available. Should any balance remain in
23 the hands of the Treasurer after the payment of all approved claims, such balance shall
24 escheat and be paid over to ~~the~~ The Consolidated University of North Carolina, to be
25 held in accordance with the statutes governing escheats."

26 Sec. 66. G.S. 143B-181.9A(d)(2) reads as rewritten:

27 "(2) One member each appointed by the Secretary of the Department of
28 Human Resources from the North Carolina Institute of Medicine, the
29 North Carolina Health Care Facilities Association, the Center for
30 Aging Research and Educational Services at ~~The~~ the University of
31 ~~North Carolina at Chapel Hill, Carolina,~~ the Long-Term Care
32 Resources Program at Duke University, the North Carolina
33 Association of Long-Term Care Facilities, the North Carolina
34 Association for Home Care, the Center for Creative Retirement,
35 University of North Carolina at Asheville."

36 Sec. 67. G.S. 143B-426.9 reads as rewritten:

37 "**§ 143B-426.9. North Carolina Agency for Public Telecommunications – creation;**
38 **membership; appointments, terms and vacancies; officers; meetings and**
39 **quorum; compensation.**

40 The North Carolina Agency for Public Telecommunications is created. It is
41 governed by the Board of Public Telecommunications Commissioners, composed of 27
42 members as follows:

43 (1) A Chairman appointed by, and serving at the pleasure of, the
44 Governor;

- 1 (2) Ten at-large members, appointed by the Governor from the general
2 public;
- 3 (3) Two members appointed by the General Assembly upon the
4 recommendation of the Speaker of the House of Representatives in
5 accordance with G.S. 120-121;
- 6 (4) Two members appointed by the General Assembly upon the
7 recommendation of the President of the Senate in accordance with
8 G.S. 120-121;
- 9 (5) The Secretary of Administration, ex officio;
- 10 (6) The Chairman of the Board of Trustees of The University of North
11 Carolina Center for Public Television (if and when established), ex
12 officio;
- 13 (7) The Chairman of the State Board of Education, ex officio;
- 14 (8) The Chairman of the OPEN/net Committee, ex officio, so long as such
15 person is not a State employee;
- 16 (9) The Chairman of the North Carolina Utilities Commission, ex officio;
- 17 (10) The Director of the Public Staff of the North Carolina Utilities
18 Commission, ex officio;
- 19 (11) The Chairman of the Public Radio Advisory Committee of the North
20 Carolina Agency for Public Telecommunications, ex officio;
- 21 (12) The Superintendent of Public Instruction, ex officio;
- 22 (13) The President of ~~the~~ The Consolidated University of North Carolina,
23 ex officio;
- 24 (14) The President of the Department of Community Colleges, ex officio;
25 and
- 26 (15) Two members ex officio who shall rotate from among the remaining
27 heads of departments enumerated in G.S. 143A-11 or G.S. 143B-6,
28 appointed by the Governor.

29 The 10 at-large members shall serve for terms staggered as follows: four terms shall
30 expire on June 30, 1980; and three terms shall expire on June 30, 1982; and three terms
31 shall expire on June 30, 1984. Thereafter, the members at large shall be appointed for
32 full four-year terms and until their successors are appointed and qualified. In making
33 appointments of members at large, the Governor shall seek to appoint persons from the
34 various geographic areas of the State including both urban and rural areas; persons from
35 various classifications as to sex, race, age, and handicapped persons; and persons who
36 are representatives of the public broadcast, commercial broadcast, nonbroadcast
37 distributive systems and private education communities of the State.

38 The terms of the ex officio members are coterminous with their respective terms of
39 office. In the event that any of the offices represented on the Board ceases to exist, the
40 successor officer to the designated member shall become an ex officio member of the
41 Board; if there shall be no successor, then the position on the Board shall be filled by a
42 member to be appointed by the Governor from the general public. The ex officio
43 members shall have the right to vote.

1 The initial members appointed to the Board by the General Assembly shall serve for
2 terms expiring June 30, 1983. Thereafter, their successors shall serve for two-year terms
3 beginning July 1 of odd-numbered years.

4 The terms of the rotating ex officio members shall be of one-year duration, and the
5 schedule of rotation is determined by the Governor.

6 Each State official who serves on the Board may designate a representative of his
7 department, agency or institution to sit in his place on the Board and to exercise fully
8 the official's privileges of membership.

9 The Secretary of Administration or his designee serves as secretary of the Board.

10 Vacancies in appointments made by the General Assembly shall be filled in
11 accordance with G.S. 120-122. Other vacancies shall be filled in the same manner as the
12 original appointment.

13 The Governor may remove any member of the Board from office in accordance with
14 the provisions of G.S. 143B-16.

15 The Board meets quarterly and at other times at the call of the chairman or upon
16 written request of at least six members.

17 A majority of the Board members shall constitute a quorum for the transaction of
18 business."

19 Sec. 68. G.S. 143B-426.10(1) reads as rewritten:

20 "(1) To advise the Governor, the Council of State, the principal State
21 departments, ~~the~~ The Consolidated University of North Carolina, the
22 General Assembly and all other State agencies and institutions on all
23 matters of telecommunications policy as may affect the State of North
24 Carolina and its citizens;"

25 Sec. 69. G.S. 143B-426.31 reads as rewritten:

26 "**§ 143B-426.31. North Carolina Board of Science and Technology; membership;**
27 **organization; compensation; staff services.**

28 The North Carolina Board of Science and Technology consists of the Governor, the
29 Science Advisor to the Governor, and 13 members appointed as follows: the Governor
30 shall appoint one member from the University of North Carolina ~~at Chapel Hill,~~
31 Carolina, one member from North Carolina State University at Raleigh, and two
32 members from other components of ~~the~~ The Consolidated University of North Carolina,
33 all nominated by the President of ~~the~~ The Consolidated University of North Carolina;
34 one member from Duke University, nominated by the President of Duke University; one
35 member from a private college or university, other than Duke University, in North
36 Carolina, nominated by the President of the Association of Private Colleges and
37 Universities; one member from the Research Triangle Institute, nominated by the
38 executive committee of the board of that institute; two members from private industry in
39 North Carolina; and two members from public agencies in North Carolina. Two
40 members shall be appointed by the General Assembly, one shall be appointed upon the
41 recommendation of the President of the Senate, and one shall be appointed upon the
42 recommendation of the Speaker of the House of Representatives in accordance with
43 G.S. 120-121. The nominating authority for any vacancy on the Board among members

1 appointed by the Governor shall submit to the Governor two nominations for each
2 position to be filled, and the persons so nominated shall represent different disciplines.

3 The initial members appointed to the Board by the General Assembly shall serve for
4 terms expiring June 30, 1983; thereafter, their successors shall serve for two-year terms
5 beginning July 1 of odd-numbered years. Vacancies in appointments made by the
6 General Assembly shall be filled in accordance with G.S. 120-122. The members from
7 public agencies shall serve for terms expiring at the end of the term of the Governor
8 appointing them. Of the remaining nine appointments by the Governor, five shall serve
9 for four years expiring June 30, 1983, and four shall serve for two years expiring June
10 30, 1981; thereafter terms of all nine of these remaining members appointed by the
11 Governor shall be for four years and until their successors are appointed and qualified.
12 Any appointment to fill a vacancy on the Board created by the resignation, dismissal,
13 death or disability of a member shall be for the balance of the unexpired term.

14 The Governor shall serve as chairman of the Board. The vice chairman of the Board
15 shall be designated by the Governor from among the members of the Board. The
16 Science Advisor to the Governor shall serve as executive director of the Board. The
17 Secretary of Administration or his designee shall serve as secretary to the Board.

18 The Governor may remove any member of the Board from office in accordance with
19 the provisions of G.S. 143B-16.

20 Members of the Board who are employees of State agencies or institutions shall
21 receive subsistence and travel allowances authorized by G.S. 138-6. Legislative
22 members of the Board shall receive subsistence and travel allowances authorized by
23 G.S. 120-3.1.

24 A majority of the Board constitutes a quorum for the transaction of business.

25 The Secretary of Economic and Community Development shall provide all clerical
26 and other services required by the Board."

27 Sec. 70. G.S. 147-45 reads as rewritten:

28 "**§ 147-45. Distribution of copies of State publications.**

29 The Secretary of State shall, at the State's expense, as soon as possible after
30 publication, provide such number of copies of the Session Laws and Senate and House
31 Journals to federal, State, and local governmental officials, departments and agencies,
32 and to educational institutions of instruction and exchange use, as is set out in the table
33 below:

	Laws Journals	Session	Assembly
34	Agency or Institution		
35	Governor, Office of the	3	2
36	Lieutenant Governor, Office of the	1	1
37	Secretary of State, Department of the	3	3
38	Auditor, Department of the State	3	1
39	Treasurer, Department of the State	3	1
40	Local Government Commission	2	0
41	Public Education, Department of	1	0
42	Superintendent of Public Instruction	3	1
43	Controller	1	0
44			

1	Division of Community Colleges	3	1
2	Regional Service Centers	1 ea.	0
3	Justice, Department of		
4	Office of the Attorney General	25	3
5	Budget Bureau (Administration)	1	0
6	Property Control (Administration)	1	1
7	State Bureau of Investigation	1	0
8	Agriculture, Department of	3	1
9	Labor, Department of	5	1
10	Insurance, Department of	5	1
11	Administration, Department of	1	1
12	Budget Bureau	2	1
13	Controller	1	0
14	Property Control	1	0
15	Purchase and Contract	2	0
16	Policy and Development	1	0
17	Veterans Affairs Commission	1	0
18	Environment, Health, and Natural		
19	Resources, Department of	1	0
20	Division of Environmental Management	2	0
21	Board of Environment, Health, and		
22	Natural Resources	1	0
23	Soil and Water Conservation Commission	1	0
24	Wildlife Resources Commission	2	0
25	Revenue, Department of	5	1
26	Human Resources, Department of	3	0
27	Board of Human Resources	1	0
28	Health Services, Division of	3	0
29	Mental Health, Mental Retardation		
30	[Developmental Disabilities], and		
31	Substance Abuse Services,		
32	Division of	1	0
33	Social Services, Division of	3	0
34	Facilities Services, Division of	1	0
35	Youth Services, Division of	1	0
36	Hospitals and Institutions	1 ea.	0
37	Transportation, Department of	1	0
38	Board of Transportation	3	0
39	Motor Vehicles, Division of	1	0
40	Economic and Community Development,		
41	Department of	1	0
42	Economic Development, Division of	2	0
43	State Ports Authority	1	0
44	Alcoholic Beverage Control Commission, North Carolina 2	0	

1	Banking Commission	2	0
2	Utilities Commission	8	1
3	Industrial Commission	7	0
4	Labor Force Development Council	1	0
5	Milk Commission	5	0
6	Employment Security Commission	1	1
7	Correction, Department of	1	0
8	Department of Correction	2	0
9	Parole Commission	2	0
10	State Prison	1	0
11	Correctional Institutions	1 ea.	0
12	Cultural Resources, Department of	1	0
13	Archives and History, Division of	5	1
14	State Library	5	5
15	Publications Division	1	1
16	Crime Control and Public Safety, Department of	2	1
17	North Carolina Crime Commission	1	0
18	Adjutant General	2	0
19	Elections, State Board of	2	0
20	Office of Administrative Hearings	2	0
21	Legislative Branch		
22	State Senators	1 ea.	1 ea.
23	State Representatives	1 ea.	1 ea.
24	Principal Clerk – Senate	1	1
25	Principal Clerk – House	1	1
26	Reading Clerk – Senate	1	1
27	Reading Clerk – House	1	1
28	Sergeant at Arms – House	1	1
29	Sergeant at Arms – Senate	1	1
30	Enrolling Clerk	1	0
31	Engrossing Clerk	1	0
32	Indexer of the Laws	1	0
33	Legislative Building Library	35	15
34	Judicial System		
35	Justices of the Supreme Court	1 ea.	1 ea.
36	Judges of the Court of Appeals	1 ea.	1 ea.
37	Judges of the Superior Court	1 ea.	0
38	Emergency and Special Judges of the Superior Court	1 ea.	0
39	District Court Judges	1 ea.	0
40	District Attorneys	1 ea.	0
41	Clerk of the Supreme Court	1	1
42	Clerk of the Court of Appeals	1	1
43	Administrative Office of the Courts	4	1

1	Supreme Court Library			AS	MANY	AS
2	REQUESTED					
3	Colleges and Universities					
4	The <u>Consolidated</u> University of North Carolina System					
5	Administrative Offices	3	0			
6	University of North Carolina, Chapel Hill <u>Carolina</u>	65	25			
7	University of North Carolina, Charlotte	3	1			
8	University of North Carolina, Greensboro	3	1			
9	University of North Carolina, Asheville	2	1			
10	University of North Carolina, Wilmington	2	1			
11	North Carolina State University, Raleigh	5	3			
12	Appalachian State University	2	1			
13	East Carolina University	3	2			
14	Elizabeth City State University	2	1			
15	Fayetteville State University	2	1			
16	North Carolina Agricultural and					
17	Technical University	2	1			
18	North Carolina Central University	5	5			
19	Western Carolina University	2	1			
20	Pembroke State University	2	1			
21	Winston-Salem State University	2	1			
22	North Carolina School of the Arts	1	1			
23	Private Institutions					
24	Duke University	6	6			
25	Davidson College	3	2			
26	Wake Forest University	5	5			
27	Lenoir Rhyne College	1	1			
28	Elon College	1	1			
29	Guilford College	1	1			
30	Campbell College	5	5			
31	Wingate College	1	1			
32	Pfeiffer College	1	1			
33	Barber Scotia College	1	1			
34	Atlantic Christian College	1	1			
35	Shaw University	1	1			
36	St. Augustine's College	1	1			
37	J.C. Smith University	1	1			
38	Belmont Abbey College	1	1			
39	Bennett College	1	1			
40	Catawba College	1	1			
41	Gardner-Webb College	1	1			
42	Greensboro College	1	1			
43	High Point College	1	1			
44	Livingstone College	1	1			

1	Mars Hill College	1	1	
2	Meredith College	1	1	
3	Methodist College	1	1	
4	North Carolina Wesleyan College	1	1	
5	Queens College	1	1	
6	Sacred Heart College	1	1	
7	St. Andrews Presbyterian College	1	1	
8	Salem College	1	1	
9	Warren Wilson College	1	1	
10	County and Local Officials			
11	Clerks of the Superior Court		1 ea.	1 ea.
12	Register of Deeds		1 ea.	1 ea.
13	Federal, Out-of-State and Foreign			
14	Secretary to the President		1	0
15	Secretary of State		1	1
16	Secretary of Defense		1	0
17	Secretary of Agriculture		1	0
18	Secretary of the Interior		1	0
19	Secretary of Labor		1	1
20	Secretary of Commerce		1	1
21	Secretary of the Treasury		1	0
22	Secretary of Health, Education and Welfare		1	0
23	Secretary of Housing and Urban Development		1	0
24	Secretary of Transportation		1	0
25	Attorney General		1	0
26	Postmaster General		1	0
27	Bureau of Census		1	0
28	Bureau of Public Roads		1	0
29	Department of Justice		1	0
30	Department of Internal Revenue		1	0
31	Veterans' Administration		1	0
32	Farm Credit Administration		1	0
33	Securities and Exchange Commission		1	0
34	Social Security Board		1	0
35	Environmental Protection Agency		1	0
36	Library of Congress		8	2
37	Federal Judges resident in North Carolina		1 ea.	0
38	Federal District Attorneys resident in			
39	North Carolina		1 ea.	0
40	Marshal of the United States Supreme Court		1	0
41	Federal Clerks of Court resident in North Carolina		1 ea.	0
42	Supreme Court Library exchange list		1 ea.	0
43	One copy of the Session Laws shall be furnished the head of any department of State			
44	government created in the future.			

1 State agencies, institutions, etc., not found in or covered by this list may, upon
2 written request from their respective department head to the Secretary of State, and
3 upon the discretion of the Secretary of State as to need, be issued copies of the Session
4 Laws on a permanent loan basis with the understanding that should said copies be
5 needed they will be recalled."

6 Sec. 71. G.S. 147-50 reads as rewritten:

7 **"§ 147-50. Publications of State officials and department heads furnished to certain**
8 **institutions, agencies, etc.**

9 Every State official and every head of a State department, institution or agency
10 issuing any printed report, bulletin, map, or other publication shall, on request, furnish
11 copies of such reports, bulletins, maps or other publications to the following institutions
12 in the number set out below:

- 13 University of North Carolina at Chapel Hill 25 copies;
- 14 University of North Carolina at Charlotte 2 copies;
- 15 University of North Carolina at Greensboro 2 copies;
- 16 North Carolina State University at Raleigh 2 copies;
- 17 East Carolina University at Greenville 2 copies;
- 18 Duke University 25 copies;
- 19 Wake Forest College 2 copies;
- 20 Davidson College 2 copies;
- 21 North Carolina Supreme Court Library 2 copies;
- 22 North Carolina Central University 5 copies;
- 23 Western Carolina University 2 copies;
- 24 Appalachian State University 2 copies;
- 25 University of North Carolina at Wilmington 2 copies;
- 26 North Carolina Agricultural and Technical
27 State University 2 copies;
- 28 Legislative Library 2 copies;

29 and to governmental officials, agencies and departments and to other educational
30 institutions, in the discretion of the issuing official and subject to the supply available,
31 such number as may be requested: Provided that five sets of all such reports, bulletins
32 and publications heretofore issued, insofar as the same are available and without
33 necessitating reprinting, shall be furnished to the North Carolina Central University.
34 The provisions in this section shall not be interpreted to include any of the appellate
35 division reports or advance sheets distributed by the Administrative Office of the
36 Courts. Except for reports, bulletins, and other publications issued for free distribution,
37 this section shall not apply to the Museum of Natural History."

38 Sec. 72. G.S. 147-54 reads as rewritten:

39 **"§ 147-54. Printing, distribution and sale of the North Carolina Manual.**

40 The Secretary of State shall have printed biennially for distribution and sale, five
41 thousand (5,000) copies of the North Carolina Manual, and shall make distribution to
42 the State agencies, individuals, institutions and others as herein set forth."

43 NORTH CAROLINA STATE GOVERNMENT:

- 44 Members of the General Assembly 2 ea.

1	Officers of the General Assembly	1 ea.
2	Offices of the Clerk of each House	
3	of the General Assembly	1 ea.
4	Legislative Services Officer	1
5	Legislative Library.....	6
6	Members of the Council of State	2 ea.
7	Appointed Secretaries of Executive Departments	2 ea.
8	Personnel of the Department of the Secretary of State.....	1 ea.
9	State Board of Elections	2
10	Divisions of Archives and History, Director	1
11	Search Room.....	3
12	Publications Section.....	2
13	State Library	10
14	Libraries within State Agencies.....	1 ea.
15	Justices of the North Carolina Supreme Court	1 ea.
16	Judges of the North Carolina Court of Appeals	1 ea.
17	Judges of the North Carolina Superior Court	1 ea.
18	Supreme Court Library	12
19	Court of Appeals Library.....	2
20	Clerk of the Supreme Court.....	1
21	Clerk of the Court of Appeals.....	1
22	Reporter of the Supreme Court and Court of Appeals	1
23	Administrative Office of the Courts	5
24	NORTH CAROLINA EDUCATIONAL INSTITUTIONS:	
25	<u>Consolidated University of North Carolina System</u>	
26	General Administration Offices.....	12
27	Chancellors of the Constituent Institutions	1 ea.
28	University of North Carolina—Chapel Hill	
29	Carolina Library.....	15
30	North Carolina State University Library	5
31	East Carolina University Library.....	5
32	North Carolina Central University Library	5
33	Appalachian State University Library	4
34	University of North Carolina – Charlotte Library	4
35	University of North Carolina – Greensboro Library	4
36	Western Carolina University Library	4
37	Other Constituent Institutions Libraries	3 ea.
38	North Carolina School of the Arts	2
39	Institute of Government.....	2
40	Community Colleges and Technical Institutes.....	2 ea.
41	Private Colleges and Universities	
42	Duke University Library	6
43	Wake Forest University	6
44	Campbell College Library	5

1 Davidson College Library 4
 2 All other Libraries of Senior and Junior Colleges..... 2 ea.
 3 Public and Private Schools containing grades 8-12 1 ea.
 4 COUNTY GOVERNMENT:
 5 Clerks of Court 1 ea.
 6 Registers of Deeds 1 ea.
 7 Public Libraries of North Carolina 1 ea.
 8 FEDERAL GOVERNMENT:
 9 President of the United States..... 1
 10 North Carolina Members of the Presidential Cabinet 1 ea.
 11 North Carolina Members of the United States Congress 2 ea.
 12 Library of Congress 3
 13 Resident Judges of the Federal Judiciary
 14 and United States Attorneys in North Carolina 1 ea.
 15 Secretaries of State of the United States
 16 and Territories..... 1 ea.

17 After making the above distribution, the remainder shall be sold at the cost of
 18 publication plus tax and postage and the proceeds from such sales deposited with the
 19 State Treasurer for use by the Publications Division of the Secretary of State's Office to
 20 defray the expense of publishing the North Carolina Manual. Libraries and educational
 21 institutions not covered in the above distribution shall be entitled to a twenty percent
 22 (20%) discount on the cost of any purchase(s)."

23 Sec. 73. (a) The General Statutes are further amended by substituting the
 24 phrase "the University of North Carolina" for the phrases "the University of North
 25 Carolina at Chapel Hill", "the University of North Carolina, Chapel Hill", and "the
 26 University of North Carolina - Chapel Hill", wherever they appear.

27 (b) The General Statutes are further amended by substituting the phrase "The
 28 Consolidated University of North Carolina" for the phrases "the University of North
 29 Carolina", and "The University of North Carolina" if they refer to the system of
 30 constituent institutions making up The University of North Carolina as it was
 31 reconstituted effective July 1, 1972, wherever they appear, unless the context clearly
 32 requires otherwise.

33 Sec. 74. (a) All statutory and other legal authority, powers, duties, functions,
 34 records, personnel, property, and unexpended balances of appropriations or other funds
 35 of the University of North Carolina at Chapel Hill remain those of the University of
 36 North Carolina. Rules adopted by the Board of Governors of The University of North
 37 Carolina, referred to, effective July 1, 1993, as the Board of Governors of The
 38 Consolidated University of North Carolina pursuant to this act, for the University of
 39 North Carolina at Chapel Hill shall remain in effect for the University of North Carolina
 40 until specifically overruled by the Board.

41 (b) Nothing in this act requires the immediate replacement of any stationery,
 42 other supplies, or any emblems or other symbols used by the University of North
 43 Carolina at Chapel Hill or The University of North Carolina, as they existed prior to the
 44 enactment of this act.

1 Sec. 75. This act shall be funded by funds currently available to the Board of
2 Governors of The Consolidated University of North Carolina. Nothing in this act
3 obligates the General Assembly to appropriate any funds to implement it.

4 Sec. 76. This act becomes effective July 1, 1993.