

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1072*

Short Title: Pembroke State Univ. Name Change.

(Public)

Sponsors: Representatives Cummings, Sutton, Yongue, Grady, Black, McMahan, Owens, Preston, Rogers; Allred, Hill, and Redwine.

Referred to: Education.

May 13, 1996

A BILL TO BE ENTITLED

1 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT
2 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO CHANGE THE
3 NAME OF PEMBROKE STATE UNIVERSITY TO THE UNIVERSITY OF
4 NORTH CAROLINA AT PEMBROKE.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 116-2(4) reads as rewritten:

8 "(4) 'Constituent institution' or 'institution' means one of the 16 public senior
9 institutions, to wit, the University of North Carolina at Chapel Hill,
10 North Carolina State University at Raleigh, the University of North
11 Carolina at Greensboro, the University of North Carolina at Charlotte,
12 the University of North Carolina at Asheville, the University of North
13 Carolina at Wilmington, Appalachian State University, East Carolina
14 University, Elizabeth City State University, Fayetteville State
15 University, North Carolina Agricultural and Technical State University,
16 North Carolina Central University, North Carolina School of the Arts,
17 Pembroke State University, redesignated effective July 1, 1996, as the
18 'University of North Carolina at Pembroke', Western Carolina
19 University, and Winston-Salem State University."

1 Sec. 2. G.S. 116-4 reads as rewritten:

2 **"§ 116-4. Constituent institutions of the University of North Carolina.**

3 On July 1, 1972, the University of North Carolina shall be composed of the following
4 institutions: the University of North Carolina at Chapel Hill, North Carolina State
5 University at Raleigh, the University of North Carolina at Greensboro, the University of
6 North Carolina at Charlotte, the University of North Carolina at Asheville, the University
7 of North Carolina at Wilmington, Appalachian State University, East Carolina
8 University, Elizabeth City State University, Fayetteville State University, North Carolina
9 Agricultural and Technical State University, North Carolina Central University, North
10 Carolina School of the Arts, Pembroke State University, redesignated effective July 1,
11 1996, as the 'University of North Carolina at Pembroke', Western Carolina University and
12 Winston-Salem State University."

13 Sec. 3. G.S. 116-5(a) reads as rewritten:

14 "(a) Commencing July 1, 1972, and continuing for the terms hereinafter stated and
15 until their successors are chosen, the Board of Governors shall consist of the following
16 members:

- 17 (1) Three persons elected prior to January 1, 1972, by and from the
18 membership of the Board of Trustees of East Carolina University and
19 two persons elected prior to January 1, 1972, by and from the
20 membership of the board of trustees of each of the following
21 institutions: Appalachian State University, North Carolina Agricultural
22 and Technical State University, North Carolina Central University, and
23 Western Carolina University.
- 24 (2) One person elected prior to January 1, 1972, by and from the
25 membership of the board of trustees of each of the following
26 institutions: Elizabeth City State University, Fayetteville State
27 University, North Carolina School of the Arts, Pembroke State
28 University, redesignated effective July 1, 1996, as the 'University of
29 North Carolina at Pembroke', and Winston-Salem State University.
- 30 (3) Sixteen persons elected prior to January 1, 1972, by and from the
31 membership of the Board of Trustees of the University of North
32 Carolina.
- 33 (4) Two persons elected prior to January 1, 1972, by the Board of Higher
34 Education from its eight members-at-large. These shall be nonvoting
35 members whose terms shall expire on June 30, 1973."

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

37 **"§ 116-12. Property and obligations.**

38 All property of whatsoever kind and all rights and privileges held by the Board of
39 Higher Education and by the Boards of Trustees of Appalachian State University, East
40 Carolina University, Elizabeth City State University, Fayetteville State University, North
41 Carolina Agricultural and Technical State University, North Carolina Central University,
42 North Carolina School of the Arts, Pembroke State University, redesignated effective
43 July 1, 1996, as the 'University of North Carolina at Pembroke', Western Carolina

1 University and Winston-Salem State University, as said property, rights and privileges
 2 may exist immediately prior to July 1, 1972, shall be, and hereby are, effective July 1,
 3 1972, transferred to and vested in the Board of Governors of the University of North
 4 Carolina. All obligations of whatsoever kind of the Board of Higher Education and of the
 5 Boards of Trustees of Appalachian State University, East Carolina University, Elizabeth
 6 City State University, Fayetteville State University, North Carolina Agricultural and
 7 Technical State University, North Carolina Central University, North Carolina School of
 8 the Arts, Pembroke State University, redesignated effective July 1, 1996, as the
 9 'University of North Carolina at Pembroke', Western Carolina University and Winston-
 10 Salem State University, as said obligations may exist immediately prior to July 1, 1972,
 11 shall be, and the same hereby are, effective July 1, 1972, transferred to and assumed by
 12 the Board of Governors of the University of North Carolina. Any property, real or
 13 personal, held immediately prior to July 1, 1972, by a board of trustees of a constituent
 14 institution for the benefit of that institution or by the University of North Carolina for the
 15 benefit of any one or more of its six institutions, shall from and after July 1, 1972, be kept
 16 separate and distinct from other property held by the Board of Governors, shall continue
 17 to be held for the benefit of the institution or institutions that were previously the
 18 beneficiaries and shall continue to be held subject to the provisions of the respective
 19 instruments, grants or other means or process by which any property right was acquired.
 20 In case a conflict arises as to which property, rights or privileges were held for the
 21 beneficial interest of a particular institution, or as to the extent to which such property,
 22 rights or privileges were so held, the Board of Governors shall determine the issue, and
 23 the determination of the Board shall constitute final administrative action. Nothing in this
 24 Article shall be deemed to increase or diminish the income, other revenue or specific
 25 property which is pledged, or otherwise hypothecated, for the security or liquidation of
 26 any obligations, it being the intent that the Board of Governors shall assume said
 27 obligations without thereby either enlarging or diminishing the rights of the holders
 28 thereof."

29 Sec. 5. G.S. 147-45 reads as rewritten:

30 **"§ 147-45. Distribution of copies of State publications.**

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

<u>Agency or Institution</u>	<u>Laws</u>	<u>Journals</u>	Session	Assembly
Governor, Office of the			3	2
Lieutenant Governor, Office of the			1	1
Secretary of State, Department of the			3	3
Auditor, Department of the State			3	1
Treasurer, Department of the State			3	1
Local Government Commission			2	0

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

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

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

1	J.C. Smith University	1	1
2	Belmont Abbey College	1	1
3	Bennett College	1	1
4	Catawba College	1	1
5	Gardner-Webb College	1	1
6	Greensboro College	1	1
7	High Point College	1	1
8	Livingstone College	1	1
9	Mars Hill College	1	1
10	Meredith College	1	1
11	Methodist College	1	1
12	North Carolina Wesleyan College	1	1
13	Queens College	1	1
14	Sacred Heart College	1	1
15	St. Andrews Presbyterian College	1	1
16	Salem College	1	1
17	Warren Wilson College	1	1
18	County and Local Officials		
19	Clerks of the Superior Court	1 ea.	1 ea.
20	Register of Deeds	1 ea.	1 ea.
21	Federal, Out-of-State and Foreign		
22	Secretary to the President	1	0
23	Secretary of State	1	1
24	Secretary of Defense	1	0
25	Secretary of Agriculture	1	0
26	Secretary of the Interior	1	0
27	Secretary of Labor	1	1
28	Secretary of Commerce	1	1
29	Secretary of the Treasury	1	0
30	Secretary of Health, Education and Welfare	1	0
31	Secretary of Housing and Urban Development	1	0
32	Secretary of Transportation	1	0
33	Attorney General	1	0
34	Postmaster General	1	0
35	Bureau of Census	1	0
36	Bureau of Public Roads	1	0
37	Department of Justice	1	0
38	Department of Internal Revenue	1	0
39	Veterans' Administration	1	0
40	Farm Credit Administration	1	0
41	Securities and Exchange Commission	1	0
42	Social Security Board	1	0
43	Environmental Protection Agency	1	0

1	Library of Congress	8	2
2	Federal Judges resident in North Carolina	1 ea.	0
3	Federal District Attorneys resident in		
4	North Carolina	1 ea.	0
5	Marshal of the United States Supreme Court	1	0
6	Federal Clerks of Court resident in NC	1 ea.	0
7	Supreme Court Library exchange list	1 ea.	0

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9 One copy of the Session Laws shall be furnished the head of any department of State
10 government created in the future.

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

16 Sec. 6. The General Statutes are further amended by substituting the phrase
17 "University of North Carolina at Pembroke" for the phrase "Pembroke State University"
18 wherever that phrase may appear.

19 Sec. 7. (a) All statutory and other legal authority, powers, duties, functions,
20 records, personnel, property, and unexpended balances of appropriations or other funds of
21 Pembroke State University remain those of the University of North Carolina at
22 Pembroke.

23 (b) Nothing in this act requires the immediate replacement of any stationery,
24 other supplies, or any emblems or other symbols used by the University of North
25 Carolina at Pembroke as they existed prior to the enactment of this act.

26 Sec. 8. This act shall be funded by funds currently available to the University
27 of North Carolina at Pembroke. Nothing in this act obligates the General Assembly to
28 appropriate any funds to implement it.

29 Sec. 9. This act becomes effective July 1, 1996.