

SENATE BILL 2516

By Gresham

AN ACT to amend Tennessee Code Annotated, Section 49-9-201; Section 49-9-202; Section 49-9-203; Section 49-9-204; Section 49-9-205 and Section 49-9-206, relative to the board of trustees of the University of Tennessee system.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-9-202, is amended by deleting the section in its entirety and substituting instead:

(a) The board of trustees of the University of Tennessee shall consist of five (5) ex officio members and nineteen (19) additional members.

(b)

(1) The governor, speaker of the senate, and the speaker of the house of representatives shall each appoint five (5) members to the board of trustees.

The governor and the speakers shall each appoint one (1) member from each grand division of the state who shall represent the grand division from which the member is appointed. The governor and the speakers shall each appoint two (2) additional members who may be from any part of the state.

(2) Two (2) additional members shall be members of the faculty of the University of Tennessee who served as faculty senate president, or the equivalent, at a University of Tennessee institution during the academic year immediately preceding appointment as a trustee. One (1) faculty member shall be a voting member, and one (1) faculty member shall be a nonvoting member, it being the intent of the general assembly that a faculty member serve one (1) year as a nonvoting member before becoming the voting member. It being the

further intent of the general assembly that the voting position rotate among the institutions of the University of Tennessee, the voting and nonvoting faculty members shall be appointed in accordance with the following sequence:

(A) The faculty senate president, or the equivalent, who served in that capacity at the University of Tennessee at Martin during the 2014-2015 academic year and serves as the nonvoting member from June 1, 2015, through May 31, 2016, shall serve as the voting member for a one-year term from June 1, 2016, through May 31, 2017;

(B) The faculty senate president, or the equivalent, who serves in that capacity at the University of Tennessee at Chattanooga during the 2015-2016 academic year shall serve as the nonvoting member for a one-year term from June 1, 2016, through May 31, 2017, and shall serve as the voting member for a one-year term from June 1, 2017, through May 31, 2018;

(C) The faculty senate president, or the equivalent, who serves in that capacity at the University of Tennessee Health Science Center during the 2016-2017 academic year shall serve as the nonvoting member for a one-year term from June 1, 2017, through May 31, 2018, and shall serve as the voting member for a one-year term from June 1, 2018, through May 31, 2019;

(D) The faculty senate president, or the equivalent, who serves in that capacity at the University of Tennessee, Knoxville during the 2017-2018 academic year shall serve as the nonvoting member for a one-year term from June 1, 2018, through May 31, 2019, and shall serve as the voting member for a one-year term from June 1, 2019, through May 31, 2020;

(E) Beginning June 1, 2019, the nonvoting faculty position shall rotate annually to the faculty senate president, or the equivalent, who

served in such capacity during the academic year immediately preceding appointment as a trustee, according to the following sequence: University of Tennessee at Martin, University of Tennessee at Chattanooga, University of Tennessee Health Science Center, and University of Tennessee, Knoxville. The nonvoting faculty member shall serve a one-year term before assuming the voting position. Each term shall begin June 1 and end the following May 31.

(3) Two (2) additional members shall be students at a University of Tennessee institution. One (1) student member shall be a voting member and one (1) student member shall be a nonvoting member, it being the intent of the general assembly that a student member serve one (1) year as a nonvoting member before becoming the voting member. It being the further intent of the general assembly that the voting position rotate among the institutions of the University of Tennessee, the voting and nonvoting student members shall be appointed in accordance with the following sequence:

(A) The student at the University of Tennessee at Martin who, prior to the effective date of this act, was appointed by the governor to serve a one-year term as the nonvoting student member from June 1, 2015, through May 31, 2016, shall serve a one-year term as the voting member from June 1, 2016, through May 31, 2017;

(B) A student at the University of Tennessee at Chattanooga shall be appointed to serve a one-year term as the nonvoting student member from June 1, 2016, through May 31, 2017, and to serve a one-year term as the voting member from June 1, 2017, through May 31, 2018. The nonvoting student member shall be appointed by the governor from a list

of three (3) nominees prepared and submitted by the governing body of the student government association at the University of Tennessee at Chattanooga. Only students who will be enrolled at the University of Tennessee at Chattanooga through the 2017-2018 academic year shall be eligible for appointment to this nonvoting position;

(C) A student at the University of Tennessee Health Science Center shall be appointed to serve a one-year term as the nonvoting member from June 1, 2017, through May 31, 2018, and to serve a one-year term as the voting member from June 1, 2018, through May 31, 2019. The nonvoting student member shall be appointed by the governor from a list of three (3) nominees prepared and submitted by the governing body of the student government association at the University of Tennessee Health Science Center. Only students who will be enrolled at the University of Tennessee Health Science Center through the 2018-2019 academic year shall be eligible for appointment to this nonvoting position;

(D) A student at the University of Tennessee, Knoxville shall be appointed to serve a one-year term as the nonvoting student member from June 1, 2018, through May 31, 2019, and to serve a one-year term as the voting member from June 1, 2019, through May 31, 2020. The nonvoting student member shall be appointed by the governor from a list of three (3) nominees prepared and submitted by the governing body of the student government association at the University of Tennessee, Knoxville. Only students who will be enrolled at the University of

Tennessee, Knoxville through the 2019-2020 academic year shall be eligible for appointment to this nonvoting position;

(E) Beginning June 1, 2019, the nonvoting student position shall be appointed annually by the governor from a list of three (3) nominees prepared and submitted by the governing body of the student government association at a University of Tennessee institution according to the following sequence: University of Tennessee at Martin, University of Tennessee at Chattanooga, University of Tennessee Health Science Center, and University of Tennessee, Knoxville. The nonvoting student member shall serve a one-year term before assuming the voting position. Each term shall begin June 1 and end the following May 31. Only students who will be enrolled at the University of Tennessee institution from which they are appointed through the academic year in which they would be serving as the voting member are eligible for appointment to the nonvoting position.

(c)

(1) The entire membership of the board of trustees as comprised on May 31, 2016, shall be vacated on June 1, 2016, and new members shall be appointed in accordance with subsections (a) and (b).

(2) In order to stagger the terms of the newly appointed members of the board of trustees under subdivision (b)(1), initial appointments shall be made as follows:

(A) The governor shall appoint:

(i) Two (2) persons to one-year terms, each of which shall expire on May 31, 2017;

(ii) One (1) person to a two-year term, which shall expire on May 31, 2018;

(iii) One (1) person to a three-year term, which shall expire on May 31, 2019; and

(iv) One (1) person to a four-year term, which shall expire on May 31, 2020;

(B) The speaker of the senate shall appoint:

(i) One (1) person to a one-year term, which shall expire on May 31, 2017;

(ii) Two (2) persons to two-year terms, each of which shall expire on May 31, 2018;

(iii) One (1) person to a three-year term, which shall expire on May 31, 2019; and

(iv) One (1) person to a four-year term, which shall expire on May 31, 2020;

(C) The speaker of the house of representatives shall appoint:

(i) One (1) person to a one-year term, which shall expire on May 31, 2017;

(ii) One (1) person to a two-year term, which shall expire on May 31, 2018;

(iii) Two (2) persons to three-year terms, each of which shall expire on May 31, 2019; and

(iv) One (1) person to a four-year term, which shall expire on May 31, 2020.

(d) At least one third (1/3) of the appointive members under subdivision (b)(1) shall be alumni of the University of Tennessee.

(e) In making appointments to the board of trustees, the appointing authorities shall strive to ensure that the board of trustees is representative of the total population of the citizens of the state.

(f) All appointive members shall be subject to confirmation by joint resolution of the general assembly. Appointees shall have the full power to serve until any vote of nonconfirmation.

(g) Members of the University of Tennessee board of trustees shall serve without compensation, but shall be reimbursed for travel expenses in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 2. Tennessee Code Annotated, Section 49-9-203, is amended by deleting the section in its entirety and substituting instead:

(a) After the initial appointments made pursuant to § 49-9-202, all appointive members of the board of trustees of the University of Tennessee shall be appointed to serve terms of four (4) years beginning June 1 of the year of appointment.

(b) Members appointed under § 49-4-202(b)(1) shall not serve more than two (2) consecutive four-year terms. Initial appointees under § 49-9-202(b)(1) who serve an initial term of less than four (4) years may be subsequently reappointed to two (2) additional consecutive terms of four (4) years.

SECTION 3. Tennessee Code Annotated, Section 49-9-204, is amended by deleting the section in its entirety and substituting instead:

(a) In all cases of vacancies for any cause, the authority who appointed the member vacating the position on the board of trustees shall appoint a successor to fill the unexpired term.

(b) The removal of any member appointed from a grand division that the member represents shall ipso facto vacate the member's position. Failure of a trustee to attend three (3) regular meetings of the board in succession shall be cause for the trustee's removal and shall authorize the board to call on the appointing authority to appoint a successor.

SECTION 4. Tennessee Code Annotated, Section 49-9-205(b), is amended by deleting the subsection in its entirety and substituting instead:

Eleven (11) voting members of the board shall constitute a quorum. The board is empowered to transact any business when a quorum is established.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.