

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE RESOLUTION 107

Sponsors: Representatives Warner; Bowman and Gottovi.

Referred to: Education.

February 19, 1991

1 A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING
2 AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE
3 UNIVERSITY OF NORTH CAROLINA.

4 Be it resolved by the House of Representatives:

5 Section 1. The following procedures for nominating and electing members of
6 the Board of Governors of The University of North Carolina are adopted:

7 **I. COMMITTEE RESPONSIBILITIES.**

8 1. It is the duty of the Education Committee of the House of Representatives,
9 in conjunction with the Subcommittee on University Education and Affairs, (hereinafter
10 the "Subcommittee") to select nominees for each opening in each category of seats on
11 the Board of Governors of The University of North Carolina to which the House of
12 Representatives is to elect members.

13 2. The Subcommittee shall receive suggestions of proposed candidates for
14 nomination for election to the University Board of Governors through 11:00 a.m.
15 February 26, 1991. Any person proposed in writing by any member of the House of
16 Representatives to the Chairman of the Subcommittee shall be considered as a candidate
17 for nomination. Representatives may propose up to eight persons as candidates for
18 nomination and shall ascertain that the candidates they propose for nomination are
19 qualified to serve as members of the Board of Governors of The University of North
20 Carolina pursuant to G.S.116-7(b), and are willing to serve if elected. A Representative
21 may propose candidates for nomination only for the categories available for election by
22 the House of Representatives. A candidate may not be proposed for nomination in more
23 than one category.

24 3. The House of Representatives is to elect persons to fill eight seats on the
25 Board of Governors. The categories of those seats (and the number of seats in each
26 category) for election by the House of Representatives are as follows:

- 1 -Women members for four-year terms (2)
- 2 -Minority race members for four-year terms (2)
- 3 -At-large members for four-year terms (4).

4 4. After the February 26, 1991, deadline, the Subcommittee shall list all the
5 proposed candidates for nomination by category. The Subcommittee shall screen the
6 proposed candidates as to their qualifications and background and may interview each
7 one to make sure that suitable persons are nominated for each category. Subcommittee
8 interviews shall commence on March 5, at 11:00 a.m. There will be a break for session
9 and the interview process will resume 15 minutes after session adjourns for the day.
10 Representatives proposing candidates for nomination are responsible for notifying their
11 candidates of the deadline for nominations and the interview date and times. During the
12 interviews, the Subcommittee shall confirm that each candidate for nomination is
13 willing and able to serve and has no statutory disability.

14 5. After the interview process is complete, the Subcommittee shall vote to
15 determine whether each person proposed shall be recommended to the Education
16 Committee for placement on the House ballot. In those instances where more than one
17 person has been proposed as a candidate for a vacancy, the Subcommittee shall
18 recommend at least two candidates for that vacancy to the Education Committee for
19 placement on the ballot. When the Subcommittee recommends more than one candidate
20 for any vacancy, the Subcommittee shall vote to recommend to the Education
21 Committee whether each person proposed shall be placed on the House ballot as a
22 "Recommended Nominee" or a "Nominee". A majority vote of the members of the
23 Subcommittee who are present and voting shall constitute one a "Recommended
24 Nominee" or a "Nominee", as the Subcommittee shall determine.

25 6. The recommendations of the Subcommittee shall be placed before the
26 Education Committee. In those instances where more than one person was proposed to
27 the Subcommittee as a candidate for a vacancy, the Education Committee shall place at
28 least two nominees for the vacancy on the House ballot. The procedures and rules for
29 voting for a slate of nominees and the designation of a nominee as a "Recommended
30 Nominee" or "Nominee" for the House ballot are as set out for the Subcommittee in
31 paragraph 5.

32 7. The Chairman of the Subcommittee shall contact the members of the
33 General Assembly who proposed the candidates nominated for election by the House of
34 Representatives and ascertain whether they would serve if elected. Any nominee may
35 withdraw his name without the approval of the person who proposed his name.

36 **II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.**

37 1. A list of nominees shall be prepared under the supervision of the
38 Chairman of the Subcommittee for the information of the House of Representatives.

39 2. The list shall be composed of nominees proposed by the Education
40 Committee who have consented to run and for whom the House is entitled to vote.
41 Their names shall be arranged (a) by category and (b) within each category,
42 alphabetically by surname. Where more than one nominee is listed for any vacancy, the
43 list shall contain the designation "Recommended Nominee" or "Nominee" as the
44 Education Committee shall have determined.

1 3. The House of Representatives shall hold its election after being notified by
2 Special Messenger that the Senate has completed its election. Before the voting begins,
3 the Speaker of the House of Representatives shall explain the voting rules, which are:

- 4 (i) No nomination shall be received from the floor.
5 (ii) In order to be chosen, a nominee must receive the votes of a
6 majority of all members present and voting for his category.
7 (iii) Each member present and voting shall vote for as many nominees
8 as there are positions to be filled in each category.
9 (iv) When a member for a category containing a single position is to be
10 chosen and no nominee receives a majority of the votes cast for all
11 the nominees in that category, a runoff shall be conducted between
12 the person receiving the highest and the person receiving the
13 second highest number of votes cast.
14 (v) When fewer than two nominees in the women members category,
15 two nominees in the minority race category, or four nominees in
16 the at-large category receive the votes of a majority of all members
17 present and voting for positions in that category, a runoff to fill the
18 open position or positions shall be conducted among the nominees
19 receiving the highest number of votes cast, and the number of
20 nominees eligible to be voted on in the runoff shall be twice the
21 number of positions to be filled.

22 (For the purpose of illustration, if when the first ballot is taken, no
23 nominee in the at-large category receives a majority, then the top eight
24 vote getters in the at-large category will be in the runoff because there
25 must be twice the number of persons in the runoff that there are
26 positions to be filled and the House has four such positions to fill. If
27 one person receives the votes of a majority of all members present and
28 voting for that category, then he is elected and a runoff will be held
29 among the six next highest vote getters. This is so because there are
30 three positions remaining to be filled and there must be twice the
31 number of nominees in the runoff that there are positions available,
32 therefore four.)

- 33 (vi) If there is a tie for the last position between two nominees who are
34 eligible for the next runoff, both nominees shall be included in the
35 next runoff, even though there would thereby be more than two
36 nominees per available position on the Board of Governors.
37 (vii) When more than two nominees in the women's category, two
38 nominees in the minority race category, or four nominees in the at-
39 large category receive the votes of a majority of all members
40 present and voting for positions in that category, then the nominees
41 receiving the highest number of votes in that category shall be
42 deemed to have been chosen.

43 4. The members of the House of Representatives shall proceed to vote by roll
44 call for the following:

1 Two persons in the minority race category for four-year terms; and
2 Two women for four-year terms; and
3 Four persons in the at-large category for four-year terms.

4 5. The Chairman of the Subcommittee shall be responsible for canvassing the
5 vote and declaring the results thereof.

6 6. When the Chairman of the Subcommittee has determined that the House
7 of Representatives has chosen one member of the Board of Governors from the minority
8 party category for a term of four years and three members of the Board of Governors
9 from the at-large category for a term of four years, the Speaker of the House shall
10 declare those four persons to have been elected by the House of Representatives to the
11 indicated positions and for the indicated terms.

12 7. The results of the election in the House of Representatives shall then be
13 sent by Special Messenger to the Senate.

14 **III. NOTIFICATION OF ELECTION RESULTS.**

15 When the election process is complete, the Chairman of the Subcommittee
16 shall notify the Secretary of the Board of Governors of The University of North
17 Carolina of the names of the persons elected by the House of Representatives and the
18 category for which and term for which each of them was elected.

19 Sec. 2. This resolution is effective upon adoption.