

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1997**

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**HOUSE RESOLUTION 323**

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Sponsors: Committee on UNC Board of Governors; and Rayfield.

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

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February 25, 1997

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, INCLUDING A PROHIBITION ON  
4 NOMINATIONS FROM THE FLOOR, A REQUIREMENT THAT A NOMINEE  
5 RECEIVE THE VOTES OF A MAJORITY OF THE MEMBERS PRESENT AND  
6 VOTING IN THE NOMINEE'S CATEGORY IN ORDER TO BE ELECTED, AND  
7 TO PROVIDE THAT AT LEAST TWO PERSONS ON THE AT-LARGE BALLOT  
8 SHALL BE MEMBERS OF THE MAJORITY POLITICAL PARTY.

9 Be it resolved by the House of Representatives:

10 Section 1. The following procedures for nominating and electing eight  
11 members of the Board of Governors of The University of North Carolina (hereinafter the  
12 "Board of Governors" ) are adopted:

13 **I. COMMITTEE RESPONSIBILITIES.**

14 1. It is the duty of the UNC Board of Governors Committee of the House of  
15 Representatives (hereinafter the "Committee" ) to conduct a process for nominating and  
16 electing persons for each opening in each category of seats on the Board of Governors to  
17 which the House of Representatives is to elect members.

18 2. The Committee shall receive nominations for election to the Board of  
19 Governors through March 6, 1997. Each Representative may nominate up to two  
20 persons. In order for a person to have standing as a nominee, that person must be  
21 formally nominated by a member of the House of Representatives. Only a written  
22 nomination on a form provided by the Chair of the Committee for that purpose and

1 received in the office of the Chair of the Committee by 12:00 noon on March 6, 1997,  
2 shall constitute a nomination. An individual cannot be a nominee or be nominated in  
3 more than one category. An individual is not eligible for nomination if he or she is  
4 nominated to the Board of Governors by the Senate during the 1997 Session.

5 3. A Representative may nominate persons only for the categories available  
6 for election by the House of Representatives. In the 1997 Session, the House of  
7 Representatives will elect:

8 (a) Six at-large members for four-year terms; and

9 (b) Two members of the political party to which the largest minority of  
10 members of the General Assembly belong for four-year terms.

11 4. On or after March 7, 1997, the Committee shall list all nominees by  
12 category. The Committee shall screen the nominees as to their qualifications, experience,  
13 opinions, and statutory suitability. The Committee may screen nominees by  
14 interviewing, or by soliciting written information, or by both means. On completion of  
15 the screening process, the Committee shall conduct a vote to ensure that the slate of  
16 legally qualified candidates lists no more than twice the number of candidates for the  
17 total seats open in each category. No less than two candidates on the ballot shall be  
18 members of the political party to which the majority of members of the General  
19 Assembly belong.

20 5. Each nominee shall confirm his or her willingness to serve if elected. Any  
21 nominee may withdraw without the approval of the sponsor.

## 22 **II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.**

23 1. A ballot shall be prepared under the supervision of the Chair of the  
24 Committee for the use of the House of Representatives. The ballot shall include no more  
25 than twice the number of legally qualified candidates for the total seats open in each  
26 category. No less than two candidates on the ballot shall be members of the political  
27 party to which the majority of members of the General Assembly belong.

28 2. The names of the nominees shall be arranged on the ballot (a) by category  
29 and (b) within each category by alphabetical order.

30 3. The House of Representatives shall hold its election no later than the  
31 beginning of the daily session on March 18, 1997. Before the voting begins, the Speaker  
32 of the House shall explain the voting rules, which are:

33 (a) No nomination shall be received from the floor.

34 (b) In order to be elected, a nominee must receive the votes of a majority of  
35 all members present and voting in the nominee's category.

36 (c) Each member present and voting shall vote for as many nominees as  
37 there are positions to be filled in each category.

38 (d) When fewer than two nominees in the minority party category, or fewer  
39 than six nominees in the at-large category, receive the votes of a  
40 majority of all members present and voting for positions in those  
41 categories, a runoff to fill the open position or positions shall be  
42 conducted among the nominees who were not elected but who received  
43 the highest number of votes cast in each category; and the number of

1 nominees eligible to be voted on in the runoff shall be twice the number  
2 of positions to be filled.

3 (e) If there is a tie for the last position between two nominees who are  
4 eligible for the next runoff, both nominees shall be included in the next  
5 runoff balloting, even though there would be more than two nominees  
6 per available position.

7 (f) When more than two nominees in the minority party category, or more  
8 than six nominees in the at-large category, receive the votes of a  
9 majority of all members present and voting for positions in those  
10 categories, then the two nominees in the minority party category, and  
11 the six nominees in the at-large category receiving the highest number  
12 of votes in the category shall be deemed to have been elected.

13 4. The members of the House of Representatives shall proceed to mark their  
14 ballots for the following:

15 (a) Two persons in the minority political party of the General Assembly  
16 category for four-year terms; and

17 (b) Six persons in the at-large category, for four-year terms.

18 Every ballot shall be signed by the member of the House of Representatives  
19 casting it, and no unsigned ballots shall be counted.

20 5. The Chair of the Committee is responsible for canvassing the vote and  
21 declaring the results and may designate members of the Committee to assist. All ballots  
22 shall be retained by the Principal Clerk as part of the permanent records of the House of  
23 Representatives and shall be open for immediate public inspection.

24 6. When the Chair of the Committee has determined that the House of  
25 Representatives has elected two members from the minority party category, and six  
26 members from the at-large category to the Board of Governors for terms of four years,  
27 the Speaker of the House of Representatives shall declare those eight persons to have  
28 been elected by the House of Representatives to the indicated positions and for the  
29 indicated terms.

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

### 32 **III. NOTIFICATION OF ELECTION RESULTS.**

33 When the election process is complete, the Chair of the Committee shall notify  
34 the Secretary of the Board of Governors of the names of the persons elected by the House  
35 of Representatives and the category and term for which each person was elected.

36 Section 2. This resolution is effective upon adoption.