

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE RESOLUTION 166

Sponsors: Representative Oldham.

Referred to: University Board of Governors Nominating.

March 1, 1999

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 nine
6 members of the Board of Governors of The University of North Carolina (hereinafter the
7 "Board of Governors") are adopted:

8 **I. COMMITTEE RESPONSIBILITIES.**

9 1. It is the duty of the University Board of Governors Nominating Committee
10 of the House of Representatives (hereinafter the "Committee") to conduct a process for
11 nominating and electing persons for each opening in each category of seats on the Board
12 of Governors to which the House of Representatives is to elect members.

13 2. The Committee shall receive nominations for election to the Board of
14 Governors through March 15, 1999. Each Representative may nominate up to two
15 persons. In order for a person to have standing as a nominee, that person must be
16 formally nominated by a member of the House of Representatives. Only a written
17 nomination that includes all the requested information, which is submitted on a form
18 provided by the Chair of the Committee for that purpose, and that is received in the
19 Office of the House Principal Clerk no later than 7:00 p.m. on March 15, 1999, shall
20 constitute a formal nomination. Delivery by facsimile transmission shall constitute valid
21 receipt if the communication or submission is in fact received. An individual cannot be a
22 nominee or be nominated in more than one category. An individual is not eligible for

1 nomination if he or she was nominated and not elected to the Board of Governors by the
2 Senate during the 1999 Session.

3 3. A Representative may nominate persons only for the categories available
4 for election by the House of Representatives. In the 1999 Session, the House of
5 Representatives will elect:

6 (a) Four persons in the at-large category, for four-year terms;

7 (b) Two persons in the minority race category, for four-year terms;

8 (c) Two persons in the woman category, for four-year terms; and

9 (d) Due to a vacancy, one person in the at-large category, for the remainder
10 of the unexpired term that ends on June 30, 2001.

11 4. On or after March 18, 1999, 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.

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

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

21 1. A ballot shall be prepared under the supervision of the Chair of the
22 Committee for the use of the House of Representatives. The ballot shall include no more
23 than twice the number of legally qualified candidates for the total seats open in each
24 category.

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

27 3. The House of Representatives shall hold its election no later than the
28 beginning of the daily session on March 23, 1999. Before the voting begins, the Speaker
29 of the House shall explain the voting rules, which are:

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

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

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

35 (d) If there is a tie between the two nominees for the at-large category to fill
36 the vacancy that expires on June 30, 2001, there shall be another
37 election until one of the nominees receives the votes of a majority of the
38 members present and voting in that category.

39 (e) When fewer than two nominees in the minority race or the woman
40 categories, or fewer than four nominees in the at-large category, receive
41 the votes of a majority of all members present and voting for positions
42 in those categories, a runoff to fill the open position or positions shall be
43 conducted among the nominees who were not elected but who received

1 the highest number of votes cast in each category; and the number of
2 nominees eligible to be voted on in the runoff shall be twice the number
3 of positions to be filled.

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

8 (g) When more than two nominees in the minority race or woman category,
9 or more than four nominees in the four-year term at-large category,
10 receive the votes of a majority of all members present and voting for
11 positions in those categories, then the two nominees in the minority race
12 category, the two nominees in the woman category, and the four
13 nominees in the four-year term at-large category receiving the highest
14 number of votes in the category shall be deemed to have been elected.

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

17 (a) Four persons in the at-large category, for four-year terms;

18 (b) Two persons in the minority race category, for four-year terms;

19 (c) Two persons in the woman category, for four-year terms; and

20 (d) One person in the at-large category, for the remainder of the unexpired
21 term that ends on June 30, 2001.

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

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

28 6. When the Chair of the Committee has determined that the House of
29 Representatives has elected two members from the minority race category, two members
30 from the woman category, four members from the at-large category to the Board of
31 Governors for terms of four years, and one member from the at-large category to the
32 Board of Governors for the remainder of the unexpired term, the Speaker of the House of
33 Representatives shall declare those nine persons to have been elected by the House of
34 Representatives to the indicated positions and for the indicated terms.

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

37 **III. NOTIFICATION OF ELECTION RESULTS.**

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

41 Section 2. This resolution is effective upon adoption.