

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

**S
Resolution
Adopted**

Simple

**SENATE RESOLUTION 68
Adopted 2/11/99**

Sponsors: Senators Dalton and Lee.

Referred to: Education/Higher Education.

February 10, 1999

1 A SENATE 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 Senate:

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 Senate Committee on Education/Higher Education
9 (hereinafter referred to as the "Senate Committee") to choose nominees for each opening
10 in each category of seats on the Board of Governors of The University of North Carolina
11 to which the Senate is to elect members.

12 2. The Senate Committee shall receive suggestions of proposed candidates for
13 nomination for election to the Board of Governors of The University of North Carolina
14 through February 16, 1999. A Senator may propose as a candidate for nomination as
15 many persons in a category as there are positions to fill in a category. In 1999 the total
16 number of positions is eight. In order for a person to have standing to be considered as a
17 candidate for nomination by the Senate Committee, that person must be formally
18 proposed as a candidate for nomination by a member of the Senate. Only a written
19 nomination on a form provided by the cochairs of the Senate Committee for that purpose

1 and received in the Office of the Senate Principal Clerk no later than 5:00 p.m. on
2 February 16, 1999, shall constitute formal proposal of a candidate. An individual cannot
3 be a candidate for nomination or be nominated in more than one category.

4 3. A Senator may propose candidates for nomination only for the categories
5 available for election by the Senate. In the 1999 Session, the Senate will elect:

6 (a) Two persons in the political minority party, for four-year terms; and

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

8 4. On or after February 17, 1999, the Senate Committee shall list all proposed
9 candidates for nomination by category. The Senate Committee shall screen the proposed
10 candidates for nomination as to their qualifications and background and may interview
11 each one to make sure that suitable persons are nominated for each category. The Senate
12 Committee shall ascertain that each candidate for nomination is willing and able to serve
13 and has no statutory disability. On completion of the screening process, the Senate
14 Committee shall vote on each candidate proposed for nomination. If a sufficient number
15 of nominees who are legally qualified are submitted in a category, then the slate of
16 candidates shall list at least twice the number of candidates for the total seats open in a
17 category. A candidate for nomination that receives the vote of a majority of those
18 members of the Senate Committee present and voting shall become a nominee on the
19 Senate ballot.

20 5. The cochair of the Senate Committee shall ascertain whether the nominees
21 for election by the Senate would serve if elected. Any nominee may withdraw without
22 the approval of the sponsor.

23 6. Senate Committee nominees shall be placed before and recommended to
24 the Senate for election.

25 II. ELECTIONS IN THE SENATE.

26 1. A ballot shall be prepared under the supervision of the cochair of the
27 Senate Committee for the use of the Senate.

28 2. The ballot shall list only the names of those nominees proposed by the
29 Senate Committee who have consented to run and for whom the Senate is entitled to vote.
30 Their names shall be arranged: (i) by category; and (ii) within each category,
31 alphabetically by surname.

32 3. The Senate shall hold its election no later than the beginning of the daily
33 session on February 18, 1999. Before the voting begins, one of the cochair of the Senate
34 Committee shall explain the voting rules, which are:

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

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

38 (c) Each member present and voting shall vote for as many nominees as
39 there are positions to be filled in each category, and any ballot not so
40 marked shall be deemed void as to that category.

41 (d) When fewer than two nominees in the political minority party category,
42 or fewer than six nominees in the at-large category, receive the votes of
43 a majority of all members present and voting for positions in those

1 categories, a runoff to fill the open position or positions shall be
2 conducted among the nominees who were not elected but who received
3 the highest number of votes cast in each category, and the number of
4 nominees eligible to be voted on in the runoff shall be twice the number
5 of positions to be filled.

6 (e) If there is a tie for the last position between two nominees who are
7 eligible for the next runoff, both nominees shall be included in the next
8 runoff balloting, even though there would be more than two nominees
9 per available position, unless the deciding vote is cast in accordance
10 with the North Carolina Constitution, Article II, Section 13.

11 (f) If more than two nominees in the political minority party category, or
12 more than six nominees in the at-large category, receive the votes of a
13 majority of all members present and voting for positions in those
14 categories, then the two nominees in the political minority party
15 category, and the six nominees in the at-large category, receiving the
16 highest number of votes in the category shall be deemed to have been
17 chosen.

18 4. The Senators shall proceed to mark their ballots for the following:

19 (a) Two persons in the political minority party category, for four-year
20 terms; and

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

22 Every ballot shall be signed by the Senator casting it, and no unsigned ballots
23 shall be counted.

24 5. The cochairs of the Senate Committee shall be responsible for canvassing
25 the vote and declaring the results. All ballots shall be retained by the Principal Clerk as
26 part of the permanent records of the Senate and shall be open for immediate public
27 inspection.

28 6. When the cochairs of the Senate Committee have determined that the
29 Senate has chosen two persons from the political minority party category, and six persons
30 from the at-large category to serve as members of the Board of Governors for terms of
31 four years, the President of the Senate shall declare those eight persons to have been
32 elected.

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

35 **III. NOTIFICATION OF ELECTION RESULTS.**

36 When the election process is complete, the cochairs of the Senate Committee
37 shall notify the Secretary of the Board of Governors of The University of North Carolina
38 of the names of the persons elected by the Senate and the category and term for which
39 each person was elected.

40 Section 2. This resolution is effective upon adoption.