

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE RESOLUTION 267

Sponsors: Senators Dalton, Carter, and Lucas.

Referred to: Education/Higher Education.

February 27, 2001

1 A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR
2 NOMINATING AND ELECTING ONE AT-LARGE MEMBER OF THE BOARD
3 OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

4 Be it resolved by the Senate:

5 **SECTION 1.** The following procedures for nominating and electing one
6 member of 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 to be elected by
10 the Senate to fill a vacant seat on the Board of Governors in the at-large category for the
11 remainder of the unexpired term that ends on June 30, 2003.

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 March 8, 2001. Each Senator may nominate one person. In order for a person to
15 have standing to be considered as a candidate for nomination by the Senate Committee,
16 that person must be formally proposed as a candidate for nomination by a member of
17 the Senate. Only a written nomination on a form provided by the cochairs of the Senate
18 Committee for that purpose and received in the Office of the Senate Principal Clerk no
19 later than 5:00 P.M. on Thursday, March 8, 2001, shall constitute formal proposal of a
20 candidate. Delivery of a nomination form by facsimile transmission shall not constitute
21 a formal proposal of a candidate.

22 3. In addition to any candidates a Senator may propose for election to the
23 Board of Governors under Senate Resolution 103, a Senator may propose one candidate
24 for nomination for the unexpired term for the at-large category available for election by
25 the Senate. Due to a vacancy, the Senate shall elect in the 2001 Session of the General
26 Assembly one at-large member for the remainder of the unexpired term that expires on
27 June 30, 2003.

28 4. On or after March 9, 2001, the Senate Committee shall list all proposed
29 candidates for nomination to the at-large member for the unexpired term that expires on

1 June 30, 2003. The Senate Committee shall screen the proposed candidates for
2 nomination as to their qualifications and background and may interview each one to
3 make sure that suitable persons are nominated for each category. The Senate Committee
4 shall ascertain that each candidate for nomination is willing and able to serve and has no
5 statutory disability. On completion of the screening process, the Senate Committee shall
6 vote on each candidate proposed for nomination. If a sufficient number of nominees
7 who are legally qualified are submitted in a category, then the slate of candidates shall
8 list at least twice the number of candidates for the total seats open in a category. A
9 candidate for nomination that receives the vote of a majority of those members of the
10 Senate Committee present and voting shall become a nominee on the Senate ballot.

11 5. The cochairs of the Senate Committee shall ascertain whether the nominees
12 for election by the Senate would serve if elected. Any nominee may withdraw without
13 the approval of the sponsor.

14 6. Senate Committee nominees shall be placed before and recommended to
15 the Senate for election.

16 II. ELECTIONS IN THE SENATE.

17 1. A ballot shall be prepared under the supervision of the cochairs of the
18 Senate Committee for the use of the Senate. The ballot shall include the nominees
19 selected by the Senate Committee pursuant to Senate Resolution 103 and the nominees
20 selected by the Senate Committee under this resolution.

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

25 3. The Senate shall hold its election no later than the beginning of the daily
26 session on March 15, 2001. Before the voting begins, one of the cochairs of the Senate
27 Committee shall explain the voting rules, which are:

- 28 (a) No nomination shall be received from the floor.
29 (b) In order to be chosen, a nominee must receive the votes of a majority
30 of all members present and voting in the nominee's category.
31 (c) Each member present and voting shall vote for as many nominees as
32 there are positions to be filled in each category, and any ballot not so
33 marked shall be deemed void as to that category.
34 (d) If fewer than two nominees in the at-large category to fill the
35 unexpired term receive the votes of a majority of all members present
36 and voting for that position, a runoff to fill the open position shall be
37 conducted among the nominees who were not elected but who
38 received the highest number of votes cast in that category; and the
39 number of nominees eligible to be voted on in the runoff shall be twice
40 the number of positions to be filled.
41 (e) If there is a tie for the last position between two nominees who are
42 eligible for the next runoff, both nominees shall be included in the next
43 runoff balloting, even though there would be more than two nominees

1 per available position, unless the deciding vote is cast in accordance
2 with the North Carolina Constitution, Article II, Section 13.

3 4. The Senators shall proceed to mark their ballots

4 (a) One person in the at-large category, to fill the unexpired term that
5 will expire on June 30, 2003; and

6 (b) Pursuant to Section 1.II.4. of Senate Resolution 103.

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

9 5. The cochairs of the Senate Committee shall be responsible for canvassing
10 the vote and declaring the results. All ballots shall be retained by the Principal Clerk as
11 part of the permanent records of the Senate and shall be open for immediate public
12 inspection.

13 6. When the cochairs of the Senate Committee have determined that the
14 Senate has chosen one member from the at-large category to the Board of Governors for
15 the remainder of the unexpired term that expires on June 30, 2003, the President of the
16 Senate shall declare that person to have been elected.

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

19 **III. NOTIFICATION OF ELECTION RESULTS.**

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

24 **SECTION 2.** As used in this resolution, the term "cochairs" means the
25 Senior Chair and the Cochairs of the Senate Committee.

26 **SECTION 3.** This resolution is effective upon adoption.