

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

H

**Simple
Resolution
Adopted**

**HOUSE RESOLUTION 801
Adopted 5/30/07**

Sponsors:

Referred to:

March 15, 2007

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

4 Be it resolved by the House of Representatives:

5 **SECTION 1.** The following procedures for nominating and electing a person
6 to fill a vacancy on the Board of Governors of The University of North Carolina
7 (hereinafter the "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 vacancy in the elected membership of the
12 Board of Governors that was created by a vacating member who was originally elected
13 by the House of Representatives.

14 2. The Committee shall receive nominations from Thursday, May 31, 2007,
15 through 12:00 Noon on Friday, June 1, 2007, to elect one person to fill one vacancy on
16 the Board of Governors. Each Representative may nominate one person. In order for a
17 person to have standing as a nominee, that person must be formally nominated by a
18 member of the House of Representatives. Only a written nomination that includes all the
19 requested information, which is submitted on the 2007 UNC Board of Governors
20 Vacancy Nomination Form provided by the Chair of the Committee for that purpose,
21 and that is received in the Office of the House Principal Clerk on or after Thursday,
22 May 31, 2007, and no later than 12:00 Noon on Friday, June 1, 2007, shall constitute a
23 formal nomination. Delivery to the Office of the House Principal Clerk by facsimile
24 transmission or e-mail transmission shall not constitute a formal nomination of a
25 candidate.

26 3. Every person who has been formally nominated shall file a completed
27 North Carolina State Ethics Commission Statement of Economic Interest with the North

1 Carolina State Ethics Commission to be received by the North Carolina State Ethics
2 Commission no later than 12:00 Noon on Monday, June 4, 2007.

3 4. On or after Saturday, June 2, 2007, the Committee shall list all proposed
4 nominees. The Committee shall screen the nominees as to their qualifications,
5 experience, and statutory suitability. The Committee may screen nominees by
6 interviewing or by soliciting written information or by both means. On completion of
7 the screening process, the Committee shall conduct a vote to ensure that the slate of
8 legally qualified nominees lists two legally qualified nominees if two or more were
9 nominated.

10 (a) To qualify for the slate, a nominee must receive the votes of a majority
11 of all members of the Committee present and voting.

12 (b) Each member of the Committee present and voting shall vote for two
13 nominees for the slate if there are a sufficient number of nominees.

14 (c) If more than two nominees receive a majority vote of all members
15 present and voting, the two nominees receiving the highest number of votes shall be the
16 recommended nominees on the slate.

17 (d) If less than two nominees receive the votes of a majority of all
18 members present and voting, a runoff to fill the slate shall be conducted among the
19 nominees who received the highest number of votes cast; and the number of nominees
20 eligible to be voted on in the runoff shall be twice the number of vacant slate positions,
21 if there are a sufficient number of nominees.

22 (e) If there is a tie for the vacant slate positions between nominees, all of
23 the tied nominees shall be included in the next runoff balloting, even though there
24 would be more than twice the number of nominees per vacant position.

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

27 6. The Committee's nominees shall be placed before and recommended to the
28 House of Representatives for election.

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

30 1. A ballot shall be prepared under the supervision of the Chair of the
31 Committee for the use of the House of Representatives. The ballot shall list two legally
32 qualified nominees if two or more were nominated.

33 2. The names of the nominees shall be arranged on the ballot by alphabetical
34 order and shall list only the names of those nominees recommended by the Committee.

35 3. The House of Representatives shall hold its election no later than the
36 beginning of the daily session on June 6, 2007. Before the voting begins, the Speaker of
37 the House shall explain the voting rules, which are:

38 (a) No nominations shall be received from the floor.

39 (b) In order to be elected, a nominee must receive the votes of a majority
40 of all members present and voting.

41 (c) Each member present and voting shall vote for one nominee, and any
42 ballot not so marked shall be deemed void.

1 (d) If there is a tie for the vacant position between the two nominees, a
2 runoff to fill the vacant position shall be conducted until a nominee
3 receives the votes of a majority of all members present and voting.

4 4. The members of the House of Representatives shall proceed to mark their
5 ballots for one person to fill the vacant position for a four-year term.

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

8 5. The Chair of the Committee is responsible for canvassing the vote and
9 declaring the results and may designate members of the Committee to assist. All ballots
10 shall be retained by the House Principal Clerk as part of the permanent records of the
11 House of Representatives and shall be open for immediate public inspection upon
12 adjournment of that day's session.

13 6. When the Chair of the Committee has determined that the House of
14 Representatives has elected one person to fill the vacant position and serve as a member
15 of the Board of Governors for a term of four years, the Speaker of the House of
16 Representatives shall declare that person to have been elected to the Board of Governors
17 by the House of Representatives. The election of that person is provisional subject to the
18 North Carolina State Ethics Commission's evaluation of the North Carolina State Ethics
19 Commission Statements of Economic Interest of that person in accordance with Article
20 3 of Chapter 138A of the General Statutes.

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

23 **III. NOTIFICATION OF ELECTION RESULTS.**

24 When the election process is complete, the Chair of the Committee shall
25 notify the Secretary of the Board of Governors of the name of the person elected by the
26 House of Representatives to fill the vacant position and the term for which the person
27 was elected.

28 **SECTION 2.** This resolution is effective upon adoption.