

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE RESOLUTION 126  
Committee Substitute Favorable 2/15/95  
Committee Substitute #2 Favorable 3/15/95

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Sponsors:

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Referred to:

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February 8, 1995

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 eight  
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 Committee on Education of the House of  
10 Representatives (hereinafter the "Committee" ) to conduct a process for nominating and  
11 electing persons for each opening in each category of seats on the Board of Governors to  
12 which the House of Representatives is to elect members. The Chair of the Committee  
13 may refer any of the Committee's responsibilities under this resolution to the  
14 Subcommittee on Community Colleges and Universities.

15 2. The Committee shall receive nominations for election to the Board of  
16 Governors through February 22, 1995. Each Representative may nominate up to two  
17 persons. In order for a person to have standing as a nominee, that person must be  
18 formally nominated by a member of the House of Representatives. Only a written  
19 nomination on a form provided by the Chair of the Committee for that purpose and  
20 received in the office of the Chair of the Committee by 12:00 noon on February 22, 1995,

1 shall constitute a nomination. An individual cannot be a nominee or be nominated in  
2 more than one category. An individual is not eligible for nomination if he or she was  
3 nominated and not elected to the Board of Governors by the Senate during the 1995  
4 Session.

5 3. A Representative may nominate persons only for the categories available  
6 for election by the House of Representatives. In the 1995 Session, the House of  
7 Representatives will elect:

- 8 (a) Two members of the minority race category, for four-year terms;
- 9 (b) Two members of the woman category, for four-year terms; and
- 10 (c) Four members of the at-large category, for four-year terms.

11 4. On or after February 23, 1995, 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. After the slate is determined by this vote, the members  
18 of the Committee shall vote for their preferences in each category.

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

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

22 1. A ballot shall be prepared under the supervision of the Chair of the  
23 Committee for the use of the House of Representatives. The ballot shall include no more  
24 than twice the number of legally qualified candidates for the total seats open in each  
25 category and shall indicate the results of the Committee's votes for the information of the  
26 members of the House of Representatives.

27 2. The names of the nominees shall be arranged on the ballot (a) by category  
28 and (b) within each category, ranked in decreasing order by the number of votes received  
29 from the members of the Committee, beginning with the nominee who received the  
30 highest number of votes.

31 3. The House of Representatives shall hold its election no later than the  
32 beginning of the daily session on March 23, 1995. Before the voting begins, the Speaker  
33 of the House of Representatives shall explain the voting rules, which are:

- 34 (a) No nomination shall be received from the floor.
- 35 (b) In order to be elected, a nominee must receive the votes of a majority of  
36 all members present and voting in the nominee's category.
- 37 (c) Each member present and voting shall vote for as many nominees as  
38 there are positions to be filled in each category.
- 39 (d) When fewer than two nominees in the minority race or 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 (e) 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 (f) When more than two nominees in the minority race or woman  
9 categories, or more than four nominees in the at-large category, receive  
10 the votes of a majority of all members present and voting for positions  
11 in those categories, then the two nominees in the minority race category,  
12 the two nominees in the woman category, and the four nominees in the  
13 at-large category receiving the highest number of votes in the category  
14 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) Two persons in the minority race category, for four-year terms;

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

19 (c) Four persons in the at-large category, for four-year terms.

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

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

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

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

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

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

38 Sec. 2. This resolution is effective upon adoption.