

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE RESOLUTION 135

Sponsors: Representatives Barnes, Oldham; and Bowman.

Referred to: Education.

February 11, 1993

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
7 the "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
12 to 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 University Affairs.

15 2. The Committee shall receive nominations for election to the Board of
16 Governors through February 24, 1993. Each Representative may nominate up to three
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 24,
21 1993, shall constitute a nomination. An individual cannot be a nominee or be
22 nominated in more than one category. An individual is not eligible for nomination if he
23 or she was nominated and not elected to the Board of Governors by the Senate during
24 the 1993 Session.

1 3. A Representative may nominate persons only for the categories available
2 for election by the House of Representatives. In the 1993 Session, the House of
3 Representatives will elect:

- 4 (a) Two members of the political party to which the largest minority of the
5 members of the General Assembly belongs, for four-year terms;
- 6 (b) Six at-large members, for four-year terms; and
- 7 (c) Due to a vacancy, one woman for the remainder of the unexpired term.

8 4. On or after February 24, 1993, the Committee shall list all nominees by
9 category. The Committee shall screen the nominees as to their qualifications,
10 experience, opinions, and statutory suitability. The Committee may screen nominees by
11 interviewing, or by soliciting written information, or by both means. On completion of
12 the screening process, the Committee shall prepare a ballot that includes all legally
13 qualified nominees, and members of the Committee shall vote for their preferences in
14 each category.

15 5. Each nominee's signature on the official nomination form shall confirm
16 that nominee's willingness to serve if elected. Any nominee may withdraw without the
17 approval of the sponsor.

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

19 1. A ballot shall be prepared under the supervision of the Chair of the
20 Committee for the use of the House of Representatives. The ballot shall include all
21 legally qualified nominees and shall indicate the results of the Committee's votes for the
22 information of the members of the House of Representatives.

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

27 3. The House of Representatives shall hold its election no later than the
28 beginning of the daily session on March 18, 1993. Before the voting begins, the
29 Speaker of the House of Representatives 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
32 of 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) When a member for a category containing a single position is to be
36 elected and no nominee receives a majority of the votes cast for all the
37 nominees in that category, a runoff shall be conducted between the
38 persons receiving the two highest numbers of votes cast.
- 39 (e) When fewer than two nominees in the minority party category, or
40 fewer than six nominees in the at-large category, receive the votes of a
41 majority of all members present and voting for positions in those
42 categories, a runoff to fill the open position or positions shall be
43 conducted among the nominees who were not elected but who
44 received the highest number of votes cast in each category, and the

1 number of nominees eligible to be voted on in the runoff shall be twice
2 the number of positions to be filled.

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

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

13 4. The members of the House of Representatives shall proceed to vote by roll
14 call for the following:

15 (a) Two persons in the minority party category for four-year terms;

16 (b) Six persons in the at-large category for four-year terms; and

17 (c) One person in the woman category for the remainder of the unexpired
18 term.

19 5. The Chair of the Committee is responsible for canvassing the vote and
20 declaring the results and may designate members of the Committee to assist.

21 6. When the Chair of the Committee has determined that the House of
22 Representatives has elected two members from the minority party category and six
23 members from the at-large category to the Board of Governors for terms of four years,
24 and one member from the woman category to the Board of Governors for the remainder
25 of the unexpired term, the Speaker of the House of Representatives shall declare those
26 nine persons to have been elected by the House of Representatives to the indicated
27 positions and for the indicated terms.

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

30 **III. NOTIFICATION OF ELECTION RESULTS.**

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

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