

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

**Simple
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Adopted**

Resolution

SENATE RESOLUTION 176
Education/Higher Education Committee Substitute Adopted 2/27/95

(Public)
Short Title: UNC Bd of Gov. Election Procedures

Sponsors:

Referred to:

February 9, 1995

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 University Board of Governors through February 28, 1995.
14 A Senator may propose as a candidate for nomination as many persons in a category as
15 there are positions to fill in a category. In 1995 the total number of positions is eight. In
16 order for a person to have standing to be considered as a candidate for nomination by the

1 Senate Committee, that person must be formally proposed as a candidate for nomination
2 by a member of the Senate. Only a written nomination on a form provided by the
3 cochair of the Senate Committee for that purpose and received in the office of one of the
4 cochair of the Senate Committee by 5:00 p.m. on February 28, 1995, shall constitute
5 formal proposal of a candidate. An individual cannot be a candidate for nomination or be
6 nominated in more than one category.

7 3. A Senator may propose candidates for nomination only for the categories
8 available for election by the Senate. In the 1995 Session, the Senate will elect:

9 (a) Six at-large members for four-year terms; and

10 (b) Two members of the political party to which the largest minority of
11 members of the General Assembly belong for four-year terms.

12 4. On or after March 1, 1995, the Senate Committee shall list all proposed
13 candidates for nomination by category. The Senate Committee shall screen the proposed
14 candidates for nomination as to their qualifications and background and may interview
15 each one to make sure that suitable persons are nominated for each category. The Senate
16 Committee shall ascertain that each candidate for nomination is willing and able to serve
17 and has no statutory disability. On completion of the screening process, the Senate
18 Committee shall vote on each candidate proposed for nomination. If a sufficient number
19 of nominees who are legally qualified are submitted in a category, then the slate of
20 candidates shall list at least twice the number of candidates for the total seats open in a
21 category. A candidate for nomination that receives the vote of a majority of those
22 members of the Senate Committee present and voting shall become a nominee on the
23 Senate ballot.

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

27 6. Senate Committee nominees shall be placed before and recommended to
28 the Senate for election.

29 II. ELECTIONS IN THE SENATE.

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

32 2. The ballot shall list only the names of those nominees proposed by the
33 Senate Committee who have consented to run and for whom the Senate is entitled to vote.
34 Their names shall be arranged: (a) by category and (b) within each category,
35 alphabetically by surname.

36 3. The Senate shall hold its election no later than the beginning of the daily
37 session on March 28, 1995. Before the voting begins, one of the cochair of the Senate
38 Committee shall explain the voting rules, which are:

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

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

- 1 (c) Each member present and voting shall vote for as many nominees as
2 there are positions to be filled in each category, and any ballot not so
3 marked shall be deemed void as to that category.
- 4 (d) When fewer than two nominees in the minority party category, or fewer
5 than six nominees in the at-large category, receive the votes of a
6 majority of all members present and voting for positions in those
7 categories, a runoff to fill the open position or positions shall be
8 conducted among the nominees who were not elected but who received
9 the highest number of votes cast in each category, and the number of
10 nominees eligible to be voted on in the runoff shall be twice the number
11 of positions to be filled.
- 12 (e) If there is a tie for the last position between two nominees who are
13 eligible for the next runoff, both nominees shall be included in the next
14 runoff balloting, even though there would be more than two nominees
15 per available position, unless the deciding vote is cast in accordance
16 with the North Carolina Constitution, Article II, Section 13.
- 17 (g) When more than two nominees in the minority party category, or more
18 than six nominees in the at-large category, receive the votes of a
19 majority of all members present and voting for positions in those
20 categories, then the two nominees in the minority category, or the six
21 nominees in the at-large category, receiving the highest number of votes
22 in the category shall be deemed to have been chosen.
- 23 4. The Senators shall proceed to mark their ballots for the following:
- 24 (a) Two persons in the minority political party of the General Assembly
25 category for four-year terms; and
- 26 (b) Six persons in the at-large category for four-year terms.
- 27 Every ballot shall be signed by the Senator casting it, and no unsigned ballots
28 shall be counted.
- 29 5. The cochair of the Senate Committee shall be responsible for canvassing
30 the vote and declaring the results. All ballots shall be retained by the Principal Clerk as
31 part of the permanent records of the Senate and shall be open for immediate public
32 inspection.
- 33 6. When the cochair of the Senate Committee have determined that the
34 Senate has chosen two persons from the minority political party of the General Assembly
35 category and six persons from the at-large category to serve as members of the Board of
36 Governors for terms of four years, the President of the Senate shall declare those eight
37 persons to have been elected.
- 38 7. The results of the election in the Senate shall then be sent by Special
39 Messenger to the House of Representatives.
- 40 **III. NOTIFICATION OF ELECTION RESULTS.**
- 41 When the election process is complete, the cochair of the Senate Committee
42 shall notify the Secretary of the Board of Governors of The University of North Carolina

1 of the names of the persons elected by the Senate and the category and term for which
2 each person was elected.

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