

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

H

**Simple
Resolution
Adopted**

**HOUSE RESOLUTION 81
Adopted 2/12/13**

Sponsors: Representative T. Moore (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to:

February 11, 2013

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

4 Be it resolved by the House of Representatives:

5 **SECTION 1.** The following procedures for nominating and electing members of
6 the Board of Governors of The University of North Carolina (hereinafter the "Board of
7 Governors") are adopted:

I. COMMITTEE RESPONSIBILITIES.

9 1. It is the duty of the UNC Board of Governors Nominations Committee
10 (hereinafter the "Committee") to conduct a process for nominating and electing persons for
11 each opening on the Board of Governors to which the House of Representatives is to elect
12 members.

13 2. The Committee shall receive nominations for election to the Board of Governors
14 from Monday, February 18, 2013, through Friday, February 22, 2013. In 2013, the total number
15 of open positions is eight. Each Representative may nominate up to two persons. In order for a
16 person to have standing as a nominee, that person must be formally nominated by a member of
17 the House of Representatives. Only a written nomination that includes all the requested
18 information, which is submitted on a form provided by the Chair of the Committee for that
19 purpose, and that is received in the Office of the House Principal Clerk on or after Monday,
20 February 18, 2013, and no later than 5:00 P.M. on Friday, February 22, 2013, shall constitute a
21 formal nomination. Delivery to the Office of the House Principal Clerk by facsimile
22 transmission or e-mail transmission shall not constitute a formal nomination of a candidate. An
23 individual is not eligible for nomination if he or she was nominated and not elected to the
24 Board of Governors by the Senate during the 2013 Session.

25 3. Notwithstanding G.S. 138A-22, every person who has been formally nominated
26 shall file a completed North Carolina State Ethics Commission Statement of Economic Interest
27 with the North Carolina State Ethics Commission. In order for a nomination to be complete and
28 eligible for consideration, the Statement of Economic Interest must be received by the North
29 Carolina State Ethics Commission no later than 5:00 P.M. on Friday, February 22, 2013.

30 4. On or after February 23, 2013, the Committee shall list all proposed nominees.
31 The Committee shall screen the nominees as to their qualifications, experience, and statutory
32 suitability. The Committee may screen nominees by interviewing or by soliciting written
33 information or by both means. On completion of the screening process, the Committee shall



1 conduct a vote to ensure that the slate of legally qualified candidates lists 16 candidates if 16 or
2 more have been nominated.

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

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

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

8 1. A ballot shall be prepared under the supervision of the Chair of the Committee for
9 the use of the House of Representatives. The ballot shall include 16 legally qualified candidates
10 if 16 or more have been nominated.

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

13 3. The House of Representatives shall hold its election no later than the beginning of
14 the daily session on Wednesday, March 20, 2013. Before the voting begins, the Speaker of the
15 House shall explain the voting rules, which are:

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

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

19 (c) Each member present and voting shall vote for as many nominees as there
20 are positions to be filled, and any ballot not so marked shall be deemed void.

21 (d) If fewer than eight nominees receive the votes of a majority of all members
22 present and voting, a runoff to fill the open position or positions shall be
23 conducted among the nominees who were not elected but who received the
24 highest numbers of votes cast; and the number of nominees eligible to be
25 voted on in the runoff shall be twice the number of positions to be filled.

26 (e) If there is a tie for the last position between two nominees who are eligible
27 for the next runoff, both nominees shall be included in the next runoff
28 balloting, even though there would be more than two nominees per available
29 position.

30 (f) If more than eight nominees receive the votes of a majority of all members
31 present and voting, then the eight nominees receiving the highest numbers of
32 votes shall be deemed to have been chosen.

33 4. The members of the House of Representatives shall proceed to mark their ballots
34 for eight persons for four-year terms. Every ballot shall be signed by the member of the House
35 of Representatives casting it, and no unsigned ballots shall be counted.

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

40 6. When the Chair of the Committee has determined that the House of
41 Representatives has chosen eight persons to serve as members of the Board of Governors for
42 terms of four years, the Speaker of the House of Representatives shall entertain a motion for the
43 simultaneous election of those persons by the House of Representatives to the indicated
44 positions and for the indicated terms. The vote shall then be called electronically. If a majority
45 of those voting shall vote "aye" and it is orally confirmed, those eight persons named in the
46 motion shall be declared to have been elected to the Board of Governors by the House of
47 Representatives.

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

50 **III. NOTIFICATION OF ELECTION RESULTS.**

1 When the election process is complete, the Chair of the Committee shall notify the
2 Secretary of the Board of Governors of the University of North Carolina of the names of the
3 persons elected by the House of Representatives and the term for which each person was
4 elected.

5 **SECTION 2.** As used in this resolution, the term "Chair" means the Chair of the
6 UNC Board of Governors Nominations Committee.

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