

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE RESOLUTION 1059

Sponsors: Representatives Warner; and Bowman.

Referred to: Rules, Appointments and Calendar.

April 22, 1991

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 members of
6 the Board of Governors of The University of North Carolina are adopted:

7 **I. GENERAL RESPONSIBILITIES.**

8 1. At the 1993 Session, the House of Representatives shall elect persons to
9 fill eight seats on the Board of Governors of The University of North Carolina. The
10 categories of seats and the number of seats in each category for election by the House of
11 Representatives are as follows:

12 (a) Two seats to be filled by members of the political party that constitutes
13 the largest minority in the General Assembly for four-year terms.

14 (b) Six seats to be filled by members at large for four-year terms.

15 (c) Additional vacancies occurring as a result of unexpired terms shall be
16 filled by the chamber which originally elected a member to the seat
17 now vacant due to an unexpired term.

18 2. The Education Committee of the House of Representatives shall select
19 nominees for each seat in each nominee category for which the House of
20 Representatives is to elect members to the Board of Governors.

21 3. The Subcommittee on University Education and Affairs of the Education
22 Committee (Subcommittee) shall assist the Education Committee. The duties of the
23 Subcommittee shall include receiving proposals for nomination from members of the
24 House of Representatives, screening and interviewing the candidates proposed for
25 nomination, and recommending a list of nominees for the consideration and vote of the
26 Education Committee. The Subcommittee shall adhere to the following schedule to

1 expedite election of the members to the Board of Governors. Within five days of
2 completion of appointments to the House Education Committee, or the first Monday
3 following the completion of appointments to the House Education Committee,
4 whichever is later, written nominations from members, as described in paragraph 5
5 below, shall be closed. The Subcommittee shall interview qualified candidates on the
6 second Tuesday following the completion of appointments to the House Education
7 Committee. On the third Tuesday following the completion of appointments to the
8 House Education Committee, the Subcommittee shall submit its list of nominees to the
9 Education Committee for its consideration. The final slate of nominees shall be
10 submitted to the House of Representatives for its vote within 30 legislative days of the
11 completion of appointments to the House Education Committee.

12 II. MEMBER RESPONSIBILITIES.

13 1. A member of the House of Representatives may propose for nomination as
14 many candidates as there are seats available for nomination to the Board of Governors.
15 A person must be proposed by a member of the House in order to be a candidate for
16 nomination to a seat.

17 2. To have a person considered as a candidate for nomination to the Board of
18 Governors, the sponsoring member of the House of Representatives shall submit a
19 written proposal to the Chairman of the Subcommittee within five days of completion of
20 appointments to the House Education committee, or the first Monday following the
21 completion of appointments, whichever is later. Proposals shall contain the following
22 information:

- 23 (a) The candidate's name;
- 24 (b) The category of seat which is proposed; once nominations close,
25 neither the candidate, nor the House member proposing the candidate,
26 shall be permitted to change the category of seat on the Board of
27 Governors for which the candidate is seeking nomination; and
- 28 (c) The candidate's residence, institutions of higher education attended,
29 employment history, service on other educational boards, and other
30 relevant experience or community service.

31 Failure to submit the above information for a candidate by the deadline shall preclude
32 the candidate from consideration for nomination.

33 3. Sponsoring members also shall:

- 34 (a) Determine that the persons that they have proposed as candidates are
35 not members of the General Assembly, officers or employees of the
36 State or of any constituent institution of the University System or
37 spouses of such members, officers or employees per G.S. 116-7(b).
38 For purposes of this resolution, school teachers, principals,
39 superintendents and other public school personnel are not officers or
40 employees of the State within the meaning of G.S. 116-7(b).
- 41 (b) Ascertain that the person proposed as a candidate for the Board of
42 Governors will serve if elected.

- 1 (c) Notify proposed candidates of all interview dates and times and of any
2 other requirements imposed or information requested by the
3 Subcommittee or Committee.

4 III. SUBCOMMITTEE PROCEEDINGS.

5 1. According to the schedule set out in paragraph 3 above, the Subcommittee
6 shall begin the screening and interviewing process. To encourage participation by the
7 maximum number of members, the Subcommittee shall attempt to conduct candidate
8 interviews in a space large enough to accommodate the House members, its visitors, and
9 the media. All candidates for nomination shall be listed by category. The member
10 proposing the candidate for nomination, or his designee, shall be present at the
11 Subcommittee meeting and shall introduce the candidate to the Subcommittee.
12 Candidates shall present a brief synopsis of their qualifications for membership on the
13 Board of Governors and their interest in serving on the Board. Candidates should be
14 prepared to answer questions from Subcommittee members concerning membership on
15 the Board of Governors.

16 2. Upon completion of the interview process, the Subcommittee shall vote on
17 each candidate to determine whether to recommend the candidate to the Education
18 Committee as a nominee for election to the Board of Governors. A candidate must
19 receive the vote of a majority of the members of the Subcommittee present and voting
20 to be recommended to the Education Committee as a nominee. The Subcommittee shall
21 nominate to the slate at least one nominee per vacancy. It is desirable that there be as
22 many qualified nominees as possible.

23 3. In the event the Subcommittee recommends to the Education Committee
24 more candidates in a category than there are open seats available in that category, the
25 Subcommittee may choose to designate any preferred candidates as a "Recommended
26 Nominee". A candidate must receive the vote of a majority of the members present and
27 voting to be designated a "Recommended Nominee". Candidates who are not
28 designated a "Recommended Nominee" shall be designated "Nominee" on the ballot.

29 IV. EDUCATION COMMITTEE PROCEEDINGS.

30 1. The Education Committee shall vote on the candidates recommended for
31 nomination by the Subcommittee. To be nominated for election to the Board of
32 Governors, a candidate must receive the votes of a majority of the members of the
33 Education Committee present and voting. The Committee shall nominate to the slate at
34 least one nominee per vacancy. It is desirable that there be as many qualified nominees
35 as possible.

36 2. In the event the Education Committee recommends more nominees in a
37 category than there are openings available in that category, the Education Committee
38 may choose to designate any preferred nominee as a "Recommended Nominee". A
39 candidate must receive the vote of a majority of the members present and voting to be
40 designated a "Recommended Nominee". Candidates who are not designated a
41 "Recommended Nominee" shall be designated "Nominee" on the ballot.

42 3. The Chairman of the Subcommittee shall reconfirm that all nominees are
43 willing to serve if elected. A nominee may withdraw at anytime without the approval of
44 the member who proposed the nominee.

V. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.

1 2. A list of nominees shall be prepared under the supervision of the
2 Chairman of the Subcommittee to be distributed to the House of Representatives.

3 3. The list shall be composed of nominees proposed by the Education
4 Committee who have consented to run and for whom the House is entitled to vote.
5 Nominees shall be arranged by category and within each category, alphabetically by
6 surname. If the Education Committee has chosen to designate preferred nominees for
7 openings on the Board of Governors, the list shall contain the designation
8 "Recommended Nominee" or "Nominee" as the Education Committee has determined.

9 4. The House of Representatives shall hold its election after being notified
10 that the Senate has completed its election. Before the voting begins, the Speaker of the
11 House of Representatives shall explain the voting rules, which are:

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

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

15 (c) Members may choose not to vote for any nominees in a particular
16 category. However, members choosing to cast votes for nominees in a
17 category must vote for as many nominees within that category as there
18 are positions to be filled in that category.

19 (d) When a single seat is open in a category, and no nominee receives a
20 majority of the votes cast for all the nominees in that category, a runoff
21 shall be conducted between the nominee receiving the highest and the
22 person receiving the second highest number of votes cast.

23 (e) When fewer than two nominees in the minority party category, or six
24 nominees in the at-large category receive the votes of a majority of all
25 members present and voting for positions in that category, a runoff to
26 fill the open seat or seats shall be conducted among the nominees
27 receiving the highest number of votes cast. The top vote-getters up to
28 twice the number of seats available in a category shall be eligible to be
29 included in the runoff.

30 (For example, if when the first ballot is taken, no nominee in the at-
31 large category receives a majority, and there are at least 12 nominees,
32 then the top 12 vote-getters in the at-large category will be in the
33 runoff. If one nominee receives the votes of a majority of all members
34 present and voting for that category, then that nominee is elected and a
35 runoff will be held including and among up to 10 of the next highest
36 vote-getters.)

37 (f) If there is a tie for the last position between two nominees who are
38 eligible for the next runoff, both nominees shall be included in the next
39 runoff.

40 (g) When more than two nominees in the minority party category, or six
41 nominees in the at-large category receive the votes of a majority of all
42 members present and voting for positions in that category, then the
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1 nominees receiving the highest number of votes in that category shall
2 be deemed to have been chosen.

3 4. Voting by the members of the House of Representatives for elections to
4 the Board of Governors shall be by roll call vote.

5 5. The Chairman of the Subcommittee shall be responsible for canvassing the
6 vote and declaring the results of the election.

7 6. When the Chairman of the Subcommittee has determined that the House
8 of Representatives has chosen two members of the Board of Governors from the
9 minority party category for four-year terms, and six members from the at-large category
10 for four-year terms, the Speaker of the House shall declare those eight persons to have
11 been elected by the House of Representatives to the indicated positions and for the
12 indicated terms.

13 7. The results of the election in the House of Representatives shall then be
14 sent to the Senate.

15 **VI. NOTIFICATION OF ELECTION RESULTS.**

16 When the election process is complete, the Chairman of the Subcommittee
17 shall notify the Secretary of the Board of Governors of The University of North
18 Carolina of the names of the persons elected by the House of Representatives and the
19 category and term for which each of them was elected.

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