

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1999**

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**SENATE RESOLUTION 68**

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Sponsors: Senators Dalton and Lee.

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Referred to: Education/Higher Education.

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February 10, 1999

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 Board of Governors of The University of North Carolina  
14 through February 16, 1999. A Senator may propose as a candidate for nomination as  
15 many persons in a category as there are positions to fill in a category. In 1999 the total  
16 number of positions is eight. In order for a person to have standing to be considered as a  
17 candidate for nomination by the Senate Committee, that person must be formally  
18 proposed as a candidate for nomination by a member of the Senate. Only a written  
19 nomination on a form provided by the cochairs of the Senate Committee for that purpose  
20 and received in the Office of the Senate Principal Clerk no later than 5:00 p.m. on  
21 February 16, 1999, shall constitute formal proposal of a candidate. An individual cannot  
22 be a candidate for nomination or be nominated in more than one category.

1           3. A Senator may propose candidates for nomination only for the categories  
2 available for election by the Senate. In the 1999 Session, the Senate will elect:

- 3           (a) Two persons in the political minority party, for four-year terms; and  
4           (b) Six persons in the at-large category, for four-year terms.

5           4. On or after February 17, 1999, the Senate Committee shall list all proposed  
6 candidates for nomination by category. The Senate Committee shall screen the proposed  
7 candidates for nomination as to their qualifications and background and may interview  
8 each one to make sure that suitable persons are nominated for each category. The Senate  
9 Committee shall ascertain that each candidate for nomination is willing and able to serve  
10 and has no statutory disability. On completion of the screening process, the Senate  
11 Committee shall vote on each candidate proposed for nomination. If a sufficient number  
12 of nominees who are legally qualified are submitted in a category, then the slate of  
13 candidates shall list at least twice the number of candidates for the total seats open in a  
14 category. A candidate for nomination that receives the vote of a majority of those  
15 members of the Senate Committee present and voting shall become a nominee on the  
16 Senate ballot.

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

20           6. Senate Committee nominees shall be placed before and recommended to  
21 the Senate for election.

## 22           II. ELECTIONS IN THE SENATE.

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

25           2. The ballot shall list only the names of those nominees proposed by the  
26 Senate Committee who have consented to run and for whom the Senate is entitled to vote.  
27 Their names shall be arranged: (i) by category; and (ii) within each category,  
28 alphabetically by surname.

29           3. The Senate shall hold its election no later than the beginning of the daily  
30 session on February 18, 1999. Before the voting begins, one of the cochair of the Senate  
31 Committee shall explain the voting rules, which are:

- 32           (a) No nomination shall be received from the floor.  
33           (b) In order to be chosen, a nominee must receive the votes of a majority of  
34 all members present and voting in the nominee's category.  
35           (c) Each member present and voting shall vote for as many nominees as  
36 there are positions to be filled in each category, and any ballot not so  
37 marked shall be deemed void as to that category.  
38           (d) When fewer than two nominees in the political minority party category,  
39 or fewer than six nominees in the at-large category, receive the votes of  
40 a majority of all members present and voting for positions in those  
41 categories, a runoff to fill the open position or positions shall be  
42 conducted among the nominees who were not elected but who received  
43 the highest number of votes cast in each category, and the number of

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

3 (e) 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, unless the deciding vote is cast in accordance  
7 with the North Carolina Constitution, Article II, Section 13.

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

15 4. The Senators shall proceed to mark their ballots for the following:

16 (a) Two persons in the political minority party category, for four-year  
17 terms; and

18 (b) Six persons in the at-large category, for four-year terms.

19 Every ballot shall be signed by the Senator casting it, and no unsigned ballots  
20 shall be counted.

21 5. The cochair of the Senate Committee shall be responsible for canvassing  
22 the vote and declaring the results. All ballots shall be retained by the Principal Clerk as  
23 part of the permanent records of the Senate and shall be open for immediate public  
24 inspection.

25 6. When the cochair of the Senate Committee have determined that the  
26 Senate has chosen two persons from the political minority party category, and six persons  
27 from the at-large category to serve as members of the Board of Governors for terms of  
28 four years, the President of the Senate shall declare those eight persons to have been  
29 elected.

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

### 32 III. NOTIFICATION OF ELECTION RESULTS.

33 When the election process is complete, the cochair of the Senate Committee  
34 shall notify the Secretary of the Board of Governors of The University of North Carolina  
35 of the names of the persons elected by the Senate and the category and term for which  
36 each person was elected.

37 Section 2. This resolution is effective upon adoption.