

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

**Simple
Resolution
Adopted**

HOUSE RESOLUTION 189
Adopted 2/25/09

Sponsors: Representatives Dickson; Dollar, Hughes, Insko, and Moore.

Referred to: University Board of Governors Nominating.

February 18, 2009

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:

8 **I. COMMITTEE RESPONSIBILITIES.**

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

13 2. The Committee shall receive nominations for election to the Board of Governors
14 from Monday, March 2, 2009, through Friday, March 6, 2009. In 2009, the total number of
15 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 March 2, 2009, and no later than 5:00 P.M. on Friday, March 6, 2009, shall constitute a formal
21 nomination. Delivery to the Office of the House Principal Clerk by facsimile transmission or
22 e-mail transmission shall not constitute a formal nomination of a candidate. An individual is
23 not eligible for nomination if he or she was nominated and not elected to the Board of
24 Governors by the Senate during the 2009 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 to be received by the North Carolina State
28 Ethics Commission no later than 5:00 P.M. on Friday, March 6, 2009.

29 4. On or after March 7, 2009, the Committee shall list all proposed nominees. The
30 Committee shall screen the nominees as to their qualifications, experience, and statutory
31 suitability. The Committee may screen nominees by interviewing or by soliciting written
32 information or by both means. On completion of the screening process, the Committee shall
33 conduct a vote to ensure that the slate of legally qualified candidates lists 16 candidates if 16 or
34 more have been nominated.

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



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

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

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

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

9 3. The House of Representatives shall hold its election no later than the beginning of
10 the daily session on April 1, 2009. Before the voting begins, the Speaker of the House shall
11 explain the voting rules, which are:

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

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

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

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

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

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

29 4. The members of the House of Representatives shall proceed to mark their ballots
30 for eight persons for four-year terms.

31 Every ballot shall be signed by the member of the House of Representatives casting
32 it, and no unsigned ballots shall be counted.

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

37 6. When the Chair of the Committee has determined that the House of
38 Representatives has elected eight persons to serve as members of the Board of Governors for
39 terms of four years, the Speaker of the House of Representatives shall declare those eight
40 persons to have been elected to the Board of Governors by the House of Representatives.

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

43 **III. NOTIFICATION OF ELECTION RESULTS.**

44 When the election process is complete, the Chair of the Committee shall notify the
45 Secretary of the Board of Governors of the names of the persons elected by the House of
46 Representatives and the term for which each person was elected.

47 **SECTION 2.** As used in this resolution, the term "Chair" means the Chair of the
48 UNC Board of Governors Nominating Committee.

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