

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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HOUSE RESOLUTION 191

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Sponsors: Representatives Fraley, Dollar, and Hastings (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

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Referred to: University Board of Governors Nominating

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February 27, 2017

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 the  
6 Board of Governors of The University of North Carolina (hereinafter the "Board of Governors")  
7 are adopted:

8 **I. COMMITTEE RESPONSIBILITIES.**

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

12 2. The Committee shall receive nominations for election to the Board of  
13 Governors from Monday, March 6, 2017, through Friday, March 10, 2017. In 2017, the total  
14 number of positions available for election by the House of Representatives is six, and each  
15 position is for a four-year term. Each Representative may nominate up to two persons. In order for  
16 a 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, March  
20 6, 2017, and no later than 5:00 P.M. on Friday, March 10, 2017, shall constitute a formal  
21 nomination of an individual. Delivery to the Office of the House Principal Clerk by facsimile  
22 transmission or e-mail transmission shall not constitute a formal nomination of an individual. An  
23 individual is not eligible for nomination by a member of the House of Representatives if he or she  
24 was nominated for election to the Board of Governors by a member of the Senate during the 2017  
25 Session.

26 3. Notwithstanding G.S. 138A-22, every person who has been formally nominated  
27 shall file a completed North Carolina State Ethics Commission Statement of Economic Interest  
28 with the North Carolina State Ethics Commission. In order for a nomination to be complete and  
29 eligible for consideration, the Statement of Economic Interest must be received by the North  
30 Carolina State Ethics Commission no later than 5:00 P.M. on Friday, March 10, 2017. The  
31 Statement of Economic Interest must clearly state that the person has been nominated for the  
32 Board of Governors of The University of North Carolina.

33 4. After the close of the nomination period on March 10, 2017, the Committee  
34 shall list all proposed nominees. The Committee shall screen the nominees as to their  
35 qualifications, experience, and statutory suitability. The Committee may screen nominees by  
36 interviewing or by soliciting written information or by both means. On completion of the



1 screening process, the Committee shall conduct a vote to ensure that the slate of legally qualified  
2 nominees lists 12 nominees if 12 or 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  
6 House 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  
9 for the use of the House of Representatives. The ballot shall include 12 legally qualified nominees  
10 if 12 or more have been nominated.

11 2. The names of the nominees shall be arranged on the ballot by alphabetical order  
12 by surname 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  
14 of the daily session on Wednesday, April 5, 2017. 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 are  
20 positions to be filled and any ballot not so marked shall be deemed void.

21 (d) If fewer than six 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 voted  
25 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 for  
27 the next runoff, both nominees shall be included in the next runoff balloting,  
28 even though there would be more than two nominees per available position.

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

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

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

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

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

## 49 **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 elected.

4           **SECTION 2.** As used in this resolution, the term "Chair" means the Chair of the  
5 University Board of Governors Nominating Committee.

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