

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2001**

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**HOUSE RESOLUTION 542**

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Sponsors: Representatives Oldham; Alexander and Goodwin.

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Referred to: University Board of Governors Nominating.

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March 8, 2001

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

8 **I. COMMITTEE RESPONSIBILITIES.**

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

13 2. The Committee shall receive nominations for election to the Board of  
14 Governors through March 29, 2001. Each Representative may nominate up to two  
15 persons. In order for a person to have standing as a nominee, that person must be  
16 formally nominated by a member of the House of Representatives. Only a written  
17 nomination that includes all the requested information, which is submitted on a form  
18 provided by the Chair of the Committee for that purpose, and that is received in the  
19 Office of the House Principal Clerk no later than 5:00 P.M. on March 29, 2001, shall  
20 constitute a formal nomination. Delivery by facsimile transmission shall constitute valid  
21 receipt if the communication or submission is in fact received in the Office of the House  
22 Principal Clerk no later than 5:00 P.M. on March 29, 2001. An individual cannot be a  
23 nominee or be nominated in more than one category. An individual is not eligible for  
24 nomination if he or she was nominated and not elected to the Board of Governors by the  
25 Senate during the 2001 Session.

26 3. A Representative may nominate persons only for the categories available  
27 for election by the House of Representatives. In the 2001 Session, the House of  
28 Representatives will elect:

29 (a) Six persons in the at-large category, for four-year terms;

- 1 (b) Two persons in the political minority party category, for four-year  
2 terms; and  
3 (c) One person in the minority race category, for the remainder of the  
4 unexpired term that ends on June 30, 2003.

5 4. On or after April 3, 2001, the Committee shall list all nominees by  
6 category. The Committee shall screen the nominees as to their qualifications,  
7 experience, opinions, and statutory suitability. The Committee may screen nominees by  
8 interviewing, or by soliciting written information, or by both means. On completion of  
9 the screening process, the Committee shall conduct a vote to ensure that the slate of  
10 legally qualified candidates lists no more than twice the number of candidates for the  
11 total seats open in each category.

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

## 14 **II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.**

15 1. A ballot shall be prepared under the supervision of the Chair of the  
16 Committee for the use of the House of Representatives. The ballot shall include no more  
17 than twice the number of legally qualified candidates for the total seats open in each  
18 category.

19 2. The names of the nominees shall be arranged on the ballot (a) by category  
20 and (b) within each category by alphabetical order.

21 3. The House of Representatives shall hold its election no later than the  
22 beginning of the daily session on April 5, 2001. Before the voting begins, the Speaker of  
23 the House shall explain the voting rules, which are:

- 24 (a) No nomination shall be received from the floor.  
25 (b) In order to be elected, a nominee must receive the votes of a majority  
26 of all members present and voting in the nominee's category.  
27 (c) Each member present and voting shall vote for as many nominees as  
28 there are positions to be filled in each category, and any ballot not so  
29 marked shall be deemed void as to that category.  
30 (d) When fewer than one nominee in the minority race category, two  
31 nominees in the political minority party category, or six nominees in  
32 the at-large category receive the votes of a majority of all members  
33 present and voting for positions in those categories, a runoff to fill the  
34 open position or positions shall be conducted among the nominees  
35 who were not elected but who received the highest number of votes  
36 cast in each category; and the number of nominees eligible to be voted  
37 on in the runoff shall be twice the number of positions to be filled.  
38 (e) If there is a tie for the last position between two nominees who are  
39 eligible for the next runoff, both nominees shall be included in the next  
40 runoff balloting, even though there would be more than two nominees  
41 per available position.  
42 (f) When more than one nominee in the minority race category, two  
43 nominees in the political minority party category, or six nominees in  
44 the at-large category receive the votes of a majority of all members

1 present and voting for positions in those categories, then the one  
2 nominee in the minority race category, two nominees in the political  
3 minority party category, or the six nominees in the at-large category  
4 receiving the highest number of votes in that category shall be deemed  
5 to have been elected.

6 4. The members of the House of Representatives shall proceed to mark their  
7 ballots for the following:

8 (a) Six persons in the at-large category, for four-year terms;

9 (b) Two persons in the political minority party category, for four-year  
10 terms; and

11 (c) One person in the minority race category, for the remainder of the  
12 unexpired term that ends on June 30, 2003.

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

15 5. The Chair of the Committee is responsible for canvassing the vote and  
16 declaring the results and may designate members of the Committee to assist. All ballots  
17 shall be retained by the Principal Clerk as part of the permanent records of the House of  
18 Representatives and shall be open for immediate public inspection.

19 6. When the Chair of the Committee has determined that the House of  
20 Representatives has elected two members from the political minority party category and  
21 six members from the at-large category for terms of four years, and one member from  
22 the minority race category for the remainder of the unexpired term, the Speaker of the  
23 House of Representatives shall declare those nine persons to have been elected to the  
24 Board of Governors by the House of Representatives to the indicated positions and for  
25 the indicated terms.

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

### 28 **III. NOTIFICATION OF ELECTION RESULTS.**

29 When the election process is complete, the Chair of the Committee shall  
30 notify the Secretary of the Board of Governors of the names of the persons elected by  
31 the House of Representatives and the category and term for which each person was  
32 elected.

33 **SECTION 2.** This resolution is effective upon adoption.