

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE RESOLUTION 178

Sponsors: Representatives Warner and Dickson.

Referred to: Education.

February 7, 1989

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. COMMITTEE RESPONSIBILITIES.**

8 1. It is the duty of the Education Committee of the House of Representatives,
9 in conjunction with the Subcommittee on The University of North Carolina, (hereinafter
10 the "Subcommittee") to choose at least two nominees for each opening in each category
11 of seats on the Board of Governors of The University of North Carolina to which the
12 House of Representatives is to elect members.

13 2. The Subcommittee shall receive suggestions of proposed candidates for
14 nomination for election to the University Board of Governors through February 14,
15 1989. Any person proposed in writing by any member of the House of Representatives
16 to the Chairman of the Subcommittee shall be considered as a candidate for nomination
17 by the Education Committee. Members of the House of Representatives shall ascertain
18 that the candidates they propose for nomination are qualified to serve as members of the
19 Board of Governors of The University of North Carolina pursuant to G.S.116-7(b), and
20 are willing to serve if elected.

21 3. After February 14, 1989, the Education Committee shall meet and receive
22 from members of the Committee formal proposals of candidates for nomination. A
23 committee member may propose candidates for nomination only for the categories
24 available for election by the House of Representatives.

25 4. The Education Committee shall screen the proposed candidates for
26 nomination proposed to it as to their qualifications and background and may interview

1 each one to make sure that suitable persons are nominated for each category. The
2 Committee shall confirm that each candidate for nomination is willing and able to serve
3 and has no statutory disability.

4 5. A Representative may propose as candidates for nomination only as many
5 persons as there are places to be filled by the House. When the proposing process is
6 closed, the Education Committee shall list all proposed candidates for nomination by
7 category. The Education Committee shall vote to determine whether each person
8 proposed shall be placed on the House ballot as a "Recommended Nominee" or a
9 "Nominee." A majority vote of the members of the Education Committee who are
10 present and voting shall constitute one a "Recommended Nominee" or a "Nominee," as
11 the Committee shall determine. An individual cannot be a candidate for nomination or
12 be nominated in more than one category.

13 6. Education Committee nominees shall be placed before and recommended
14 to a joint session of the House of Representatives and Senate.

15 **II. JOINT SESSION—SELECTION OF NOMINEES.**

16 1. The Senate and House of Representatives shall meet in joint session at
17 1:30 p.m. on February 28, 1989, for the purpose of nominating persons for election to
18 the Board of Governors of The University of North Carolina. In the joint session of the
19 Senate and House of Representatives, committee nominations shall be made first and
20 then the floor shall be opened for the nomination by any Senator or Representative of
21 persons for election to the Board of Governors. Nominees shall be grouped into the
22 following categories, as required by G.S. 116-6:

- 23 (1) Women nominees for four-year term,
- 24 (2) Minority race nominees for four-year term,
- 25 (3) Minority party nominees for four-year term,
- 26 (4) At-large nominees for four-year term, Senate,
- 27 (5) At-large nominees for four-year term, House of Representatives.

28 Notwithstanding any provision herein, any person may be nominated in either category
29 4 or 5 above so long as his name does not appear in more than one category.

30 2. In proposing a nominee, the nominator shall state the category for which
31 the nominee is being proposed. An individual cannot be proposed in more than one
32 category.

33 3. In the joint session, a Representative may nominate only as many persons
34 as there are positions to be filled in each category.

35 4. Names shall continue to be received until the number of nominees in each
36 category is at least twice the number of places to be filled, that is, there shall be
37 nominated a minimum of two women, two Republicans, two racial minority members,
38 six at-large nominees (House of Representatives) and four at-large nominees (Senate),
39 all for four-year terms.

40 5. No vote shall be taken on the nominees in the joint session. When the
41 names of all nominees have been received, the joint session shall be dissolved.

42 6. The Chairman of the Subcommittee shall contact the members of the
43 General Assembly who proposed the candidates nominated for election by the House of
44 Representatives and ascertain whether they would serve if elected. Any nominee may

1 withdraw his name without the approval of the person who proposed his name. If
2 withdrawals reduce the number of nominees below twice the number of places to be
3 filled in any category, another joint session of the Senate and House shall be held to
4 receive sufficient additional nominations in that category.

5 **III. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.**

6 1. A list of nominees shall be prepared under the supervision of the
7 Chairman of the Subcommittee for the information of the House of Representatives.

8 2. The list shall include only the names of those candidates nominated during
9 the joint session of the Senate and House of Representatives. The list shall be
10 composed of nominees proposed by the Education Committee who have consented to
11 run and those nominees proposed from the floor in the joint session who have consented
12 to run and for whom the House is entitled to vote. Their names shall be arranged (a) by
13 category and (b) within each category, alphabetically by surname. Each person whose
14 name appears on the list shall be thereon designated as a "Recommended Nominee" or
15 "Nominee", as the Education Committee shall have determined.

16 3. The House of Representatives shall hold its election immediately after
17 being notified by Special Messenger that the Senate has completed its election. Before
18 the voting begins, the Speaker of the House of Representatives shall explain the voting
19 rules, which are:

- 20 (i) No nomination shall be received from the floor.
21 (ii) In order to be chosen, a nominee must receive the votes of a
22 majority of all members present and voting for his category.
23 (iii) Each member present and voting shall vote for as many nominees
24 as there are positions to be filled in each category.
25 (iv) When a member for a category containing a single position is to be
26 chosen and no nominee receives a majority of the votes cast for all
27 the nominees in that category, a runoff shall be conducted between
28 the person receiving the highest and the person receiving the
29 second highest number of votes cast.
30 (v) When fewer than two nominees in the four-year at-large category
31 receive the votes of a majority of all members present and voting
32 for positions in that category, a runoff to fill the open position or
33 positions shall be conducted among the nominees receiving the
34 highest number of votes cast, and the number of nominees eligible
35 to be voted on in the runoff shall be twice the number of positions
36 to be filled.

37 (For the purpose of illustration, if when the first ballot is taken, no
38 nominee receives a majority, then the top four vote-getters will be in
39 the runoff, because there must be twice the number of persons in the
40 runoff that there are positions to be filled and the House has two such
41 positions to fill. If one person receives the votes of a majority of all
42 members present and voting for that category, then he is elected and a
43 runoff will be held among the two next highest vote-getters. This is so
44 because there is one position remaining to be filled and there must be

1 twice the number of nominees in the runoff that there are positions
2 available, therefore two.)

3 (vi) 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
5 next runoff, even though there would thereby be more than two
6 nominees per available position on the Board of Governors.

7 (vii) When more than two nominees in the four-year at-large category
8 receive the votes of a majority of all members present and voting
9 for positions in that category, then the two nominees receiving the
10 highest number of votes shall be deemed to have been chosen.

11 4. The members of the House of Representatives shall proceed to vote by
12 roll-call for the following:

13 One person in the minority party category for a four-year term, and

14 Three persons in the at-large category for four-year terms.

15 5. The Chairman of the Subcommittee shall be responsible for canvassing the
16 vote and declaring the results thereof.

17 6. When the Chairman of the Subcommittee has determined that the House
18 of Representatives has chosen one member of the Board of Governors from the minority
19 party category for a term of four years and three members of the Board of Governors
20 from the at-large category for a term of four years, the Speaker of the House shall
21 declare those four persons to have been elected by the House of Representatives to the
22 indicated positions and for the indicated terms.

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

25 **IV. NOTIFICATION OF ELECTION RESULTS.**

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

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