

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

Simple
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Adopted

Resolution

HOUSE RESOLUTION 178
Adopted 2/8/89

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

1 committee member may propose candidates for nomination only for the categories
2 available for election by the House of Representatives.

3 4. The Education Committee shall screen the proposed candidates for
4 nomination proposed to it as to their qualifications and background and may interview
5 each one to make sure that suitable persons are nominated for each category. The
6 Committee shall confirm that each candidate for nomination is willing and able to serve
7 and has no statutory disability.

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

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

19 II. JOINT SESSION—SELECTION OF NOMINEES.

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

- 27 (1) Women nominees for four-year term,
- 28 (2) Minority race nominees for four-year term,
- 29 (3) Minority party nominees for four-year term,
- 30 (4) At-large nominees for four-year term, Senate,
- 31 (5) At-large nominees for four-year term, House of Representatives.

32 Notwithstanding any provision herein, any person may be nominated in either category
33 4 or 5 above so long as his name does not appear in more than one category.

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

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

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

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

3 6. The Chairman of the Subcommittee shall contact the members of the
4 General Assembly who proposed the candidates nominated for election by the House of
5 Representatives and ascertain whether they would serve if elected. Any nominee may
6 withdraw his name without the approval of the person who proposed his name. If
7 withdrawals reduce the number of nominees below twice the number of places to be
8 filled in any category, another joint session of the Senate and House shall be held to
9 receive sufficient additional nominations in that category.

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

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

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

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

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

42 (For the purpose of illustration, if when the first ballot is taken, no
43 nominee receives a majority, then the top six vote-getters will be in the
44 runoff, because there must be twice the number of persons in the

1 runoff that there are positions to be filled and the House has three such
2 positions to fill. If one person receives the votes of a majority of all
3 members present and voting for that category, then he is elected and a
4 runoff will be held among the four next highest vote-getters. This is so
5 because there are two positions remaining to be filled and there must
6 be twice the number of nominees in the runoff that there are positions
7 available, therefore four.)

8 (vi) If there is a tie for the last position between two nominees who are
9 eligible for the next runoff, both nominees shall be included in the
10 next runoff, even though there would thereby be more than two
11 nominees per available position on the Board of Governors.

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

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

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

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

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

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

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

30 **IV. NOTIFICATION OF ELECTION RESULTS.**

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

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