

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE RESOLUTION 93

Sponsors: Senator Perdue.

Referred to: Higher Education.

February 18, 1991

1 A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR
2 NOMINATING AND ELECTING MEMBERS OF THE BOARD OF
3 GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

4 Be it resolved by the Senate:

5 Section 1. The following procedures for nominating and electing members
6 of the Board of Governors of The University of North Carolina are adopted:

7 **I. COMMITTEE RESPONSIBILITIES.**

8 1. It is the duty of the Senate Committee on Higher Education (hereinafter
9 referred to as the "Senate Committee") to choose nominees for each opening in each
10 category of seats on the Board of Governors of The University of North Carolina to
11 which the Senate is to elect members.

12 2. The Senate Committee shall receive suggestions of proposed candidates
13 for nomination for election to the University Board of Governors through February 20,
14 1991. In order for a person to have standing to be considered as a candidate for
15 nomination by the Senate Committee, that person must be formally proposed as a
16 candidate for nomination by a member of the Senate Committee.

17 3. On or after February 20, 1991, the Senate Committee shall meet and
18 receive from members of the Committee formal proposals of candidates for nomination.
19 A committee member may propose candidates for nomination only for the categories
20 available for election by the Senate. In this 1991 Session, the Senate will elect:

21 (a) Two members of the political party to which the largest minority of the
22 members of the General Assembly belong; and

23 (b) Six at-large members for four-year terms.

24 4. The Senate Committee shall screen the proposed candidates for
25 nomination as to their qualifications and background and may interview each one to
26 make sure that suitable persons are nominated for each category. The Committee shall

1 ascertain that each candidate for nomination is willing and able to serve and has no
2 statutory disability.

3 5. A Senator may propose as candidates for nomination as many persons as
4 there are positions to fill. In 1991 that number is eight. An individual cannot be a
5 candidate for nomination or be nominated in more than one category. When the
6 proposing process is closed, the Senate Committee shall list all proposed candidates for
7 nomination by category and shall vote on each candidate proposed for nomination and
8 listed on the Senate ballot. A vote of a majority of those members of the Senate
9 Committee present and voting shall constitute one a nominee.

10 6. The Chairman of the Senate Committee shall contact all nominees for
11 election by the Senate and ascertain whether they would serve if elected. Any nominee
12 may withdraw his name without the approval of the person who proposed his name.

13 7. Senate Committee nominees shall be placed before and recommended to
14 the Senate for election.

15 II. ELECTIONS IN THE SENATE.

16 1. A ballot shall be prepared under the supervision of the Chairman of the
17 Senate Committee for the use of the Senate.

18 2. The ballot shall list only the names of those nominees proposed by the
19 Senate Committee who have consented to run and for whom the Senate is entitled to
20 vote. Their names shall be arranged (a) by category and (b) within each category,
21 alphabetically by surname.

22 3. The Senate shall hold its election at the beginning of the daily session on
23 February 28, 1991. Before the voting begins, the President of the Senate shall explain
24 the voting 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
29 nominees as there are positions to be filled in each category, and any
30 ballot not so marked shall be deemed void as to that category.

31 (iv) When a member for a category containing a single position
32 is to be chosen and no nominee receives a majority of the votes cast
33 for all the nominees in that category, a runoff shall be conducted
34 between the person receiving the highest and the person receiving
35 the second highest number of votes cast.

36 (v) When fewer than six nominees in the four-year at-large
37 category receive the votes of a majority of all members present and
38 voting for positions in that category, a runoff to fill the open position
39 or positions shall be conducted among the nominees receiving the
40 highest number of votes cast, and the number of nominees eligible to
41 be voted on in the runoff shall be twice the number of positions to be
42 filled.

43 (For the purpose of illustration, if when the first ballot is taken, no
44 nominee receives a majority, then the top 12 vote getters will be in the

1 runoff, because there must be twice the number of persons in the
2 runoff as there are positions to be filled and the Senate has two such
3 positions to fill. If one person receives the votes of a majority of all
4 members present and voting for that category, then he is elected and a
5 runoff will be held among the 10 next highest vote getters. This is so
6 because there are five positions remaining to be filled and there must
7 be twice the number of nominees in the runoff as there are positions
8 available, therefore 10.)

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

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

17 4. The Senators shall proceed to mark their ballots for the following:

18 (a) Two persons in the minority party category for four-year terms; and

19 (b) Six persons in the at-large category for four-year terms.

20 Every ballot shall be signed by the Senator casting it, and no unsigned ballots
21 shall be counted.

22 5. The Chairman of the Senate Committee shall be responsible for
23 canvassing the vote and declaring the results. All ballots shall be retained by the
24 Principal Clerk as part of the permanent records of the Senate and shall be open for
25 immediate public inspection.

26 6. When the Chairman of the Senate Committee has determined that the
27 Senate has chosen two members of the Board of Governors from the political party that
28 constitutes the largest minority in the General Assembly and six members of the Board
29 of Governors from the at-large category for terms of four years, the President of the
30 Senate shall declare those four persons to have been elected.

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

33 **IV. NOTIFICATION OF ELECTION RESULTS.**

34 When the election process is complete, the Chairman of the Senate
35 Committee shall notify the Secretary of the Board of Governors of The University of
36 North Carolina of the names of the persons elected by the Senate and the category in
37 which and term for which each of them was elected.

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