

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1995**

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**SENATE RESOLUTION 176**

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Sponsors: Senators Plexico, Winner; Jordan, Hobbs, Conder, and Plyler.

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Referred to: Education/Higher Education.

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February 9, 1995

1 A SENATE 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 Senate:

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

12 2. The Senate Committee shall receive suggestions of proposed candidates for  
13 nomination for election to the University Board of Governors through February 21, 1995.  
14 A Senator may propose as a candidate for nomination as many persons in a category as  
15 there are positions to fill in a category. In 1995 the total number of positions is eight. In  
16 order for a person to have standing to be considered as a candidate for nomination by the  
17 Senate Committee, that person must be formally proposed as a candidate for nomination  
18 by a member of the Senate. Only a written nomination on a form provided by the  
19 cochair of the Senate Committee for that purpose and received in the office of one of the  
20 cochair of the Senate Committee by 5:00 p.m. on February 21, 1995, shall constitute  
21 formal proposal of a candidate. An individual cannot be a candidate for nomination or be  
22 nominated in more than one category.

1           3. A Senator may propose candidates for nomination only for the categories  
2 available for election by the Senate. In the 1995 Session, the Senate will elect:

- 3           (a) Six at-large members for four-year terms; and  
4           (b) Two members of the political party to which the largest minority of  
5 members of the General Assembly belong for four-year terms.

6           4. On or after February 22, 1995, the Senate Committee shall list all proposed  
7 candidates for nomination by category. The Senate Committee shall screen the proposed  
8 candidates for nomination as to their qualifications and background and may interview  
9 each one to make sure that suitable persons are nominated for each category. The Senate  
10 Committee shall ascertain that each candidate for nomination is willing and able to serve  
11 and has no statutory disability. On completion of the screening process, the Senate  
12 Committee shall vote on each candidate proposed for nomination. If a sufficient number  
13 of nominees who are legally qualified are submitted in a category, then the slate of  
14 candidates shall list at least twice the number of candidates for the total seats open in a  
15 category. A candidate for nomination that receives the vote of a majority of those  
16 members of the Senate Committee present and voting shall become a nominee on the  
17 Senate ballot.

18           5. The cochairs of the Senate Committee shall ascertain whether the nominees  
19 for election by the Senate would serve if elected. Any nominee may withdraw without  
20 the approval of the sponsor.

21           6. Senate Committee nominees shall be placed before and recommended to  
22 the Senate for election.

## 23           II. ELECTIONS IN THE SENATE.

24           1. A ballot shall be prepared under the supervision of the cochairs of the  
25 Senate Committee for the use of the Senate.

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

30           3. The Senate shall hold its election no later than the beginning of the daily  
31 session on March 1, 1995. Before the voting begins, one of the cochairs of the Senate  
32 Committee shall explain the voting rules, which are:

- 33           (a) No nomination shall be received from the floor.  
34           (b) In order to be chosen, a nominee must receive the votes of a majority of  
35 all members present and voting in the nominee's category.  
36           (c) Each member present and voting shall vote for as many nominees as  
37 there are positions to be filled in each category, and any ballot not so  
38 marked shall be deemed void as to that category.  
39           (d) When fewer than two nominees in the minority party category, or fewer  
40 than six nominees in the at-large category, receive the votes of a  
41 majority of all members present and voting for positions in those  
42 categories, a runoff to fill the open position or positions shall be  
43 conducted among the nominees who were not elected but who received

1 the highest number of votes cast in each category, and the number of  
2 nominees eligible to be voted on in the runoff shall be twice the number  
3 of positions to be filled.

4 (e) If there is a tie for the last position between two nominees who are  
5 eligible for the next runoff, both nominees shall be included in the next  
6 runoff balloting, even though there would be more than two nominees  
7 per available position, unless the deciding vote is cast in accordance  
8 with the North Carolina Constitution, Article II, Section 13.

9 (g) When more than two nominees in the minority party category, or more  
10 than six nominees in the at-large category, receive the votes of a  
11 majority of all members present and voting for positions in those  
12 categories, then the two nominees in the minority category, or the six  
13 nominees in the at-large category, receiving the highest number of votes  
14 in the category shall be deemed to have been chosen.

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

16 (a) Two persons in the minority political party of the General Assembly  
17 category for four-year terms; and

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

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

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

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

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

### 32 III. NOTIFICATION OF ELECTION RESULTS.

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

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