

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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**HOUSE RESOLUTION 444
Committee Substitute Favorable 3/7/07**

Sponsors:

Referred to:

March 5, 2007

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
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 on the Board of Governors to which
12 the House of Representatives is to elect members.

13 2. The Committee shall receive nominations for election to the Board of
14 Governors from Monday, March 12, 2007, through Friday, March 16, 2007. In 2007,
15 the total number of open positions is eight. Each Representative may nominate up to
16 two persons. In order for a person to have standing as a nominee, that person must be
17 formally nominated by a member of the House of Representatives. Only a written
18 nomination that includes all the requested information, which is submitted on a form
19 provided by the Chair of the Committee for that purpose, and that is received in the
20 Office of the House Principal Clerk on or after Monday, March 12, 2007, and no later
21 than 5:00 P.M. on Friday, March 16, 2007, shall constitute a formal nomination.
22 Delivery to the Office of the House Principal Clerk by facsimile transmission or e-mail
23 transmission shall not constitute a formal nomination of a candidate. An individual is
24 not eligible for nomination if he or she was nominated and not elected to the Board of
25 Governors by the Senate during the 2007 Session.

26 3. Every person who has been formally nominated shall file a completed
27 North Carolina State Ethics Commission Statement of Economic Interest with the North
28 Carolina State Ethics Commission to be received by the North Carolina State Ethics
29 Commission no later than 5:00 P.M. on Friday, March 23, 2007.

1 4. On or after March 17, 2007, the Committee shall list all proposed
2 nominees. The Committee shall screen the nominees as to their qualifications,
3 experience, and statutory suitability. The Committee may screen nominees by
4 interviewing or by soliciting written information or by both means. On completion of
5 the screening process, the Committee shall conduct a vote to ensure that the slate of
6 legally qualified candidates lists no more than twice the number of candidates for the
7 total seats open.

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

10 6. The Committee's nominees shall be placed before and recommended to the
11 House of Representatives for election.

12 **II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.**

13 1. A ballot shall be prepared under the supervision of the Chair of the
14 Committee for the use of the House of Representatives. The ballot shall include no more
15 than twice the number of legally qualified candidates for the total seats open.

16 2. The names of the nominees shall be arranged on the ballot by alphabetical
17 order and shall list only the names of those nominees recommended by the Committee.

18 3. The House of Representatives shall hold its election no later than the
19 beginning of the daily session on April 3, 2007. Before the voting begins, the Speaker of
20 the House shall explain the voting rules, which are:

21 (a) No nomination shall be received from the floor.

22 (b) In order to be elected, a nominee must receive the votes of a majority
23 of all members present and voting.

24 (c) Each member present and voting shall vote for as many nominees as
25 there are positions to be filled, and any ballot not so marked shall be
26 deemed void.

27 (d) If fewer than eight nominees receive the votes of a majority of all
28 members present and voting, a runoff to fill the open position or
29 positions shall be conducted among the nominees who were not
30 elected but who received the highest numbers of votes cast; and the
31 number of nominees eligible to be voted on in the runoff shall be twice
32 the number of positions to be filled.

33 (e) If there is a tie for the last position between two nominees who are
34 eligible for the next runoff, both nominees shall be included in the next
35 runoff balloting, even though there would be more than two nominees
36 per available position.

37 (f) If more than eight nominees receive the votes of a majority of all
38 members present and voting, then the eight nominees receiving the
39 highest numbers of votes shall be deemed to have been chosen.

40 4. The members of the House of Representatives shall proceed to mark their
41 ballots for eight persons for four-year terms.

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

1 5. The Chair of the Committee is responsible for canvassing the vote and
2 declaring the results and may designate members of the Committee to assist. All ballots
3 shall be retained by the House Principal Clerk as part of the permanent records of the
4 House of Representatives and shall be open for immediate public inspection upon
5 adjournment of that day's session.

6 6. When the Chair of the Committee has determined that the House of
7 Representatives has elected eight persons to serve as members of the Board of
8 Governors for terms of four years, the Speaker of the House of Representatives shall
9 declare those eight persons to have been elected to the Board of Governors by the
10 House of Representatives. The election of each of those eight persons is provisional
11 subject to the North Carolina State Ethics Commission's evaluations of the North
12 Carolina State Ethics Commission Statements of Economic Interest of those persons in
13 accordance with Article 3 of Chapter 138A of the General Statutes.

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

16 **III. NOTIFICATION OF ELECTION RESULTS.**

17 When the election process is complete, the Chair of the Committee shall
18 notify the Secretary of the Board of Governors of the names of the persons elected by
19 the House of Representatives and the term for which each person was elected.

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