

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE RESOLUTION 215

Sponsors: Senator Murphy.

Referred to: Higher Education.

February 20, 1989

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 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 Higher Education (hereinafter
9 referred to as the "Senate Committee") to choose at least two nominees for each
10 opening in each category of seats on the Board of Governors of The University of North
11 Carolina to 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 21,
14 1989. 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 21, 1989, 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 1989 Session, the Senate will elect:

- 21 (a) One woman for a four-year term;
22 (b) One member of a minority race for a four-year term; and
23 (c) Two 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. There is no limit on the number of persons a Senator may propose as
4 candidates for nomination. An individual cannot be a candidate for nomination or be
5 nominated in more than one category. When the proposing process is closed, the Senate
6 Committee shall list all proposed candidates for nomination by category and shall vote
7 on each candidate proposed for nomination and listed on the Senate ballot. A vote of a
8 majority of those members of the Senate Committee present and voting shall constitute
9 one a nominee.

10 6. Senate Committee nominees shall be placed before and recommended to a
11 joint session of the Senate and House of Representatives.

12 **II. JOINT SESSION - SELECTION OF NOMINEES.**

13 1. The Senate and House of Representatives shall meet in joint session at
14 1:30 p.m. on February 28, 1989, for the purpose of nominating persons for election to
15 the Board of Governors of The University of North Carolina. In the joint session of the
16 Senate and House of Representatives, committee nominations shall be made first and
17 then the floor shall be opened for the nomination by any Senator or Representative of
18 persons for election to the Board of Governors. Nominees shall be grouped into the
19 following categories, as required by G.S. 116-6:

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

25 Notwithstanding any provision herein, any person may be nominated in either category
26 4 or 5 above so long as his name does not appear in more than one category.

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

30 3. There is no limit on the number of persons a Senator may nominate and no
31 limit on the categories for which he may nominate persons in the joint session.

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

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

39 6. The Chairman of the Senate Committee shall contact all nominees for
40 election by the Senate and ascertain whether they would serve if elected. Any nominee
41 may withdraw his name without the approval of the person who proposed his name. If
42 withdrawals reduce the number of nominees below twice the number of places to be
43 filled in any category, another joint session of the Senate and House shall be held to
44 receive sufficient additional nominations in that category.

III. ELECTIONS IN THE SENATE.

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

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

8 3. The Senate shall hold its election at the beginning of the daily session on
9 March 1, 1989. Before the voting begins, the President of the Senate shall explain the
10 voting rules, which are:

11 (i) No nomination shall be received from the floor.

12 (ii) In order to be chosen, a nominee must receive the votes of a
13 majority of all members present and voting for his category.

14 (iii) Each member present and voting shall vote for as many
15 nominees as there are positions to be filled in each category, and any
16 ballot not so marked shall be deemed void as to that category.

17 (iv) When a member for a category containing a single position
18 is to be chosen and no nominee receives a majority of the votes cast
19 for all the nominees in that category, a runoff shall be conducted
20 between the person receiving the highest and the person receiving
21 the second highest number of votes cast.

22 (v) When fewer than two nominees in the four-year at-large
23 category receive the votes of a majority of all members present and
24 voting for positions in that category, a runoff to fill the open position
25 or positions shall be conducted among the nominees receiving the
26 highest number of votes cast, and the number of nominees eligible to
27 be voted on in the runoff shall be twice the number of positions to be
28 filled.

29 (For the purpose of illustration, if when the first ballot is taken, no
30 nominee receives a majority, then the top four vote getters will be in
31 the runoff, because there must be twice the number of persons in the
32 runoff as there are positions to be filled and the Senate has two such
33 positions to fill. If one person receives the votes of a majority of all
34 members present and voting for that category, then he is elected and a
35 runoff will be held among the two next highest vote getters. This is so
36 because there is one position remaining to be filled and there must be
37 twice the number of nominees in the runoff as there are positions
38 available, therefore two.)

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

43 (vii) When more than two nominees in the four-year at-large
44 category receive the votes of a majority of all members present and

1 voting for positions in that category, then the two nominees
2 receiving the highest number of votes shall be deemed to have been
3 chosen.

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

5 (a) One person in the minority race category for a four-year term;

6 (b) One woman for a four-year term; and

7 (c) Two persons in the at-large category for four-year terms.

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

10 5. The Chairman of the Senate Committee shall be responsible for
11 canvassing the vote and declaring the results. All ballots shall be retained by the
12 Principal Clerk as part of the permanent records of the Senate and shall be open for
13 immediate public inspection.

14 6. When the Chairman of the Senate Committee has determined that the
15 Senate has chosen one member of the Board of Governors from the minority race
16 category for a term of four years, one woman for a term of four years, and two members
17 of the Board of Governors from the at-large category for terms of four years, the
18 President of the Senate shall declare those four persons to have been elected.

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

21 **IV. NOTIFICATION OF ELECTION RESULTS.**

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

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