# GENERAL ASSEMBLY OF NORTH CAROLINA **SESSION 2001**

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Simple Resolution Adopted

# SENATE RESOLUTION 103 **Education/Higher Education** Committee Substitute Senate Resolution Adopted 2/21/01 **Adopted 2/21/01**

Referred to:	

## February 7, 2001

THE **SENATE** RESOLUTION TO **ESTABLISH** PROCEDURE FOR AND **ELECTING MEMBERS** NOMINATING OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

4 Be it resolved by the Senate:

> **SECTION 1.** The following procedures for nominating and electing members of the Board of Governors of The University of North Carolina are adopted:

### I. COMMITTEE RESPONSIBILITIES.

- 1. It is the duty of the Senate Committee on Education/Higher Education (hereinafter referred to as the "Senate Committee") to choose nominees for each opening in each category of seats on the Board of Governors of The University of North Carolina to which the Senate is to elect members.
- 2. The Senate Committee shall receive suggestions of proposed candidates for nomination for election to the Board of Governors of The University of North Carolina through March 8, 2001. A Senator may propose as a candidate for nomination as many persons in a category as there are positions to fill in a category. In 2001 the total number of positions is eight. In order for a person to have standing to be considered as a candidate for nomination by the Senate Committee, that person must be formally proposed as a candidate for nomination by a member of the Senate. Only a written nomination on a form provided by the cochairs of the Senate Committee for that purpose and received in the Office of the Senate Principal Clerk on or after Wednesday, February 7, 2001, and no later than 5:00 P.M. on Thursday, March 8, 2001, shall
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- 22 constitute formal proposal of a candidate. Delivery of a nomination form by facsimile
- 23 transmission shall not constitute a formal proposal of a candidate. An individual cannot
- 24 be a candidate for nomination or be nominated in more than one category.

- 3. A Senator may propose candidates for nomination only for the categories available for election by the Senate. In the 2001 Session of the General Assembly, the Senate will elect:
  - (a) Four persons in the at-large category, for four-year terms;
  - (b) Two persons in the minority race category, for four-year terms; and
  - (c) Two persons in the woman category, for four-year terms.
- 4. On or after March 9, 2001, the Senate Committee shall list all proposed candidates for nomination by category. The Senate Committee shall screen the proposed candidates for nomination as to their qualifications and background and may interview each one to make sure that suitable persons are nominated for each category. The Senate Committee shall ascertain that each candidate for nomination is willing and able to serve and has no statutory disability. On completion of the screening process, the Senate Committee shall vote on each candidate proposed for nomination. If a sufficient number of nominees who are legally qualified are submitted in a category, then the slate of candidates shall list at least twice the number of candidates for the total seats open in a category. A candidate for nomination that receives the vote of a majority of those members of the Senate Committee present and voting shall become a nominee on the Senate ballot.
- 5. The cochairs of the Senate Committee shall ascertain whether the nominees for election by the Senate would serve if elected. Any nominee may withdraw without the approval of the sponsor.
- 6. Senate Committee nominees shall be placed before and recommended to the Senate for election.

### II. ELECTIONS IN THE SENATE.

- 1. A ballot shall be prepared under the supervision of the cochairs of the Senate Committee for the use of the Senate.
- 2. The ballot shall list only the names of those nominees proposed by the Senate Committee who have consented to run and for whom the Senate is entitled to vote. Their names shall be arranged: (i) by category; and (ii) within each category, alphabetically by surname.
- 3. The Senate shall hold its election no later than the beginning of the daily session on March 15, 2001. Before the voting begins, one of the cochairs of the Senate Committee shall explain the voting rules, which are:
  - (a) No nomination shall be received from the floor.
  - (b) In order to be chosen, a nominee must receive the votes of a majority of all members present and voting in the nominee's category.
  - (c) Each member present and voting shall vote for as many nominees as there are positions to be filled in each category, and any ballot not so marked shall be deemed void as to that category.
  - (d) If fewer than two nominees in the minority race or the woman categories, or if fewer than four nominees in the at-large category receive the votes of a majority of all members present and voting for positions in those categories, a runoff to fill the open position or

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- positions shall be conducted among the nominees who were not elected but who received the highest number of votes cast in each category; and the number of nominees eligible to be voted on in the runoff shall be twice the number of positions to be filled.
- If there is a tie for the last position between two nominees who are (e) eligible for the next runoff, both nominees shall be included in the next runoff balloting, even though there would be more than two nominees per available position, unless the deciding vote is cast in accordance with the North Carolina Constitution, Article II, Section 13.
- (f) If more than two nominees in the minority race or the woman categories, or if more than four nominees in the at-large category receive the votes of a majority of all members present and voting for positions in that category, then the two nominees in the minority race or the woman categories, or the four nominees in the at-large category receiving the highest number of votes in that category shall be deemed to have been chosen.
- 4. The Senators shall proceed to mark their ballots for the following:
- Four persons in the at-large category, for four-year terms; (a)
- (b) Two persons in the minority race category, for four-year terms; and
- Two persons in the woman category, for four-year terms. (c)

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

- 5. The cochairs of the Senate Committee shall be responsible for canvassing the vote and declaring the results. All ballots shall be retained by the Principal Clerk as part of the permanent records of the Senate and shall be open for immediate public inspection.
- 6. When the cochairs of the Senate Committee have determined that the Senate has chosen two members from the minority race category, two members from the woman category, and four members from the at-large category to serve as members of the Board of Governors for terms of four years, the President of the Senate shall declare those eight persons to have been elected.
- 7. The results of the election in the Senate shall then be sent by Special Messenger to the House of Representatives.

### III. NOTIFICATION OF ELECTION RESULTS.

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

- **SECTION 2.** As used in this resolution, the term "cochairs" means the Senior Chair and the Cochairs of the Senate Committee.
  - **SECTION 3.** This resolution is effective upon adoption.