

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE RESOLUTION 102

Sponsors: Senator Perdue.

Referred to: Rules Suspended; Referred to Education/Higher Education.

February 9, 1993

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 Education/Higher Education
9 (hereinafter referred to as the "Senate Committee") to choose 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 12,
14 1993. A Senator may propose as a candidate for nomination as many persons in a
15 category as there are positions to fill in a category. In 1993 the total number of
16 positions is nine. In order for a person to have standing to be considered as a candidate
17 for nomination by the Senate Committee, that person must be formally proposed as a
18 candidate for nomination by a member of the Senate. Only a written nomination on a
19 form provided by the Chair of the Senate Committee for that purpose and received in
20 the office of the Chair of the Senate Committee by 5:00 p.m. on February 12, 1993,
21 shall constitute formal proposal of a candidate. An individual cannot be a candidate for
22 nomination or be nominated in more than one category.

23 3. A Senator may propose candidates for nomination only for the categories
24 available for election by the Senate. In the 1993 Session, the Senate will elect:

- 25 (a) Two women for four-year terms;
26 (b) Two members of a minority race for four-year terms;

- 1 (c) Four at-large members for four-year terms; and
2 (d) Due to a vacancy, one member of the political party to which the
3 largest minority of members of the General Assembly belong for the
4 remainder of the unexpired term.

5 4. On or after February 15, 1993, the Senate Committee shall list all proposed
6 candidates for nomination by category. The Senate Committee shall screen the
7 proposed candidates for nomination as to their qualifications and background and may
8 interview each one to make sure that suitable persons are nominated for each category.
9 The Committee shall ascertain that each candidate for nomination is willing and able to
10 serve and has no statutory disability. On completion of the screening process, the
11 Senate Committee shall vote on each candidate proposed for nomination. If a sufficient
12 number of nominees who are legally qualified are submitted in a category then the slate
13 of candidates shall list at least twice the number of candidates for the total seats open in
14 a category. A candidate for nomination that receives the vote of a majority of those
15 members of the Senate Committee present and voting shall become a nominee on the
16 Senate ballot.

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

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

22 II. ELECTIONS IN THE SENATE.

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

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

29 3. The Senate shall hold its election no later than the beginning of the daily
30 session on February 25, 1993. Before the voting begins, the Chair of the Senate
31 Committee shall explain the voting rules, which are:

- 32 (a) No nomination shall be received from the floor.
33 (b) In order to be chosen, a nominee must receive the votes of a majority
34 of all members present and voting in the nominee's category.
35 (c) Each member present and voting shall vote for as many nominees as
36 there are positions to be filled in each category, and any ballot not so
37 marked shall be deemed void as to that category.
38 (d) When a member for a category containing a single position is to be
39 chosen and no nominee receives a majority of the votes cast for all the
40 nominees in that category, a runoff shall be conducted between the
41 persons receiving the two highest numbers of votes cast.
42 (e) When fewer than two nominees in each of the woman or minority race
43 categories, or fewer than four nominees in the at-large category,
44 receive the votes of a majority of all members present and voting for

1 positions in those categories, a runoff to fill the open position or
2 positions shall be conducted among the nominees who were not
3 elected but who received the highest number of votes cast in each
4 category, and the number of nominees eligible to be voted on in the
5 runoff shall be twice the number of positions to be filled.

6 (f) If there is a tie for the last position between two nominees who are
7 eligible for the next runoff, both nominees shall be included in the next
8 runoff balloting, even though there would be more than two nominees
9 per available position, unless the deciding vote is cast in accordance
10 with the North Carolina Constitution, Article 2, Section 13.

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

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

18 (a) Two persons in the woman category for four-year terms;

19 (b) Two persons in the minority race party category for four-year terms;

20 (c) Four persons in the at-large category for four-year terms; and

21 (d) One person in the minority party category for the remainder of the
22 unexpired term.

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

25 5. The Chair of the Senate Committee shall be responsible for canvassing the
26 vote and declaring the results. All ballots shall be retained by the Principal Clerk as
27 part of the permanent records of the Senate and shall be open for immediate public
28 inspection.

29 6. When the Chair of the Senate Committee has determined that the Senate
30 has chosen two members from the woman category, two members from the minority
31 race category, and four members from the at-large category to the Board of Governors
32 for terms of four years, and, one member from the minority party category to the Board
33 of Governors for the remainder of the unexpired term, the President of the Senate shall
34 declare those nine persons to have been elected.

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

37 III. NOTIFICATION OF ELECTION RESULTS.

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

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