

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

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**SENATE RESOLUTION 103**

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Sponsors: Senators Dalton, Carter, and Lucas.

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Referred to: Education/Higher Education.

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February 7, 2001

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  
6 members 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 for  
13 nomination for election to the Board of Governors of The University of North Carolina  
14 through February 22, 2001. A Senator may propose as a candidate for nomination as  
15 many persons in a category as there are positions to fill in a category. In 2001 the total  
16 number of positions is eight. In order for a person to have standing to be considered as a  
17 candidate for nomination by the Senate Committee, that person must be formally  
18 proposed as a candidate for nomination by a member of the Senate. Only a written  
19 nomination on a form provided by the cochairs of the Senate Committee for that  
20 purpose and received in the Office of the Senate Principal Clerk no later than 5:00 P.M.  
21 on Thursday, February 22, 2001, shall constitute formal proposal of a candidate.  
22 Delivery of a nomination form by facsimile transmission shall not constitute a formal  
23 proposal of a candidate. An individual cannot be a candidate for nomination or be  
24 nominated in more than one category.

25 3. A Senator may propose candidates for nomination only for the categories  
26 available for election by the Senate. In the 2001 Session of the General Assembly, the  
27 Senate will elect:

- 28 (a) Four persons in the at-large category, for four-year terms;  
29 (b) Two persons in the minority race category, for four-year terms; and

1 (c) Two persons in the woman category, for four-year terms.

2 4. On or after February 23, 2001, the Senate Committee shall list all proposed  
3 candidates for nomination by category. The Senate Committee shall screen the proposed  
4 candidates for nomination as to their qualifications and background and may interview  
5 each one to make sure that suitable persons are nominated for each category. The Senate  
6 Committee shall ascertain that each candidate for nomination is willing and able to  
7 serve and has no statutory disability. On completion of the screening process, the Senate  
8 Committee shall vote on each candidate proposed for nomination. If a sufficient  
9 number of nominees who are legally qualified are submitted in a category, then the slate  
10 of candidates shall list at least twice the number of candidates for the total seats open in  
11 a category. A candidate for nomination that receives the vote of a majority of those  
12 members of the Senate Committee present and voting shall become a nominee on the  
13 Senate ballot.

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

17 6. Senate Committee nominees shall be placed before and recommended to  
18 the Senate for election.

## 19 II. ELECTIONS IN THE SENATE.

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

22 2. The ballot shall list only the names of those nominees proposed by the  
23 Senate Committee who have consented to run and for whom the Senate is entitled to  
24 vote. Their names shall be arranged: (i) by category; and (ii) within each category,  
25 alphabetically by surname.

26 3. The Senate shall hold its election no later than the beginning of the daily  
27 session on March 1, 2001. Before the voting begins, one of the cochairs of the Senate  
28 Committee shall explain the voting rules, which are:

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

30 (b) In order to be chosen, a nominee must receive the votes of a majority  
31 of all members present and voting in the nominee's category.

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

35 (d) If fewer than two nominees in the minority race or the woman  
36 categories, or if fewer than four nominees in the at-large category  
37 receive the votes of a majority of all members present and voting for  
38 positions in those categories, a runoff to fill the open position or  
39 positions shall be conducted among the nominees who were not  
40 elected but who received the highest number of votes cast in each  
41 category; and the number of nominees eligible to be voted on in the  
42 runoff shall be twice the number of positions to be filled.

43 (e) If there is a tie for the last position between two nominees who are  
44 eligible for the next runoff, both nominees shall be included in the next

1 runoff balloting, even though there would be more than two nominees  
2 per available position, unless the deciding vote is cast in accordance  
3 with the North Carolina Constitution, Article II, Section 13.

4 (f) If more than two nominees in the minority race or the woman  
5 categories, or if more than four nominees in the at-large category  
6 receive the votes of a majority of all members present and voting for  
7 positions in that category, then the two nominees in the minority race  
8 or the woman categories, or the four nominees in the at-large category  
9 receiving the highest number of votes in that category shall be deemed  
10 to have been chosen.

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

12 (a) Four persons in the at-large category, for four-year terms;

13 (b) Two persons in the minority race category, for four-year terms; and

14 (c) Two persons in the woman category, for four-year terms.

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

17 5. The cochair of the Senate Committee shall be responsible for canvassing  
18 the vote and declaring the results. All ballots shall be retained by the Principal Clerk as  
19 part of the permanent records of the Senate and shall be open for immediate public  
20 inspection.

21 6. When the cochair of the Senate Committee have determined that the  
22 Senate has chosen two members from the minority race category, two members from  
23 the woman category, and four members from the at-large category to serve as members  
24 of the Board of Governors for terms of four years, the President of the Senate shall  
25 declare those eight persons to have been elected.

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

### 28 **III. NOTIFICATION OF ELECTION RESULTS.**

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

33 **SECTION 2.** As used in this resolution, the term "cochair" means the  
34 Senior Chair and the Cochair of the Senate Committee.

35 **SECTION 3.** This resolution is effective upon adoption.