GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2019

Simple Resolution Adopted

SENATE RESOLUTION 76 Adopted 2/21/19

	Sponsors:	Senators Rabon (Primary Sponsor); Hise, Perry, and Steinburg.		
	Referred to:	Select Committee on Nominations		
		February 19, 2019		
1	A SENATE I	RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND		
2	ELECTIN	IG MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF		
3	NORTH CAROLINA.			
4	Be it resolved by the Senate:			
5		ECTION 1. The following procedures for nominating and electing members of the		
6	Board of Governors of The University of North Carolina are adopted:			
7		I. COMMITTEE RESPONSIBILITIES.		
8	1.			
9		the "Senate Committee") to choose nominees for each opening on the Board of		
10	Governors of	The University of North Carolina to which the Senate is to elect members.		
11	2.	The Senate Committee shall receive suggestions of proposed nominees for		
12		e Board of Governors of The University of North Carolina from Monday, February		
13	25, 2019, through Friday, March 1, 2019. In 2019, the total number of positions available for			
14	election by the Senate is six, and each position is for a four-year term. A Senator may propose			
15		y for the openings available for election by the Senate. In order for a person to have		
16		e considered as a nominee by the Senate Committee, that person must be formally		
17	•	a member of the Senate. Only a written nomination on a form provided by the		
18		enate Committee for that purpose and received in the Office of the Senate Principal		
19		fter Monday, February 25, 2019, and no later than 5:00 P.M. on Friday, March 1,		
20		onstitute a formal nomination of an individual. Delivery to the Office of the Senate		
21		rk of a nomination form by facsimile transmission or e-mail transmission shall not		
22	constitute a formal nomination of an individual. An individual is not eligible for nomination by			
23	a member of the Senate if he or she was nominated for election to the Board of Governors by a			
24		e House of Representatives during the 2019 Session.		
25	3.	Notwithstanding G.S. 138A-22, every person who has been formally		

25 Notwithstanding G.S. 138A-22, every person who has been formally nominated shall file a completed North Carolina State Ethics Statement of Economic Interest as 26 27 required by law no later than 5:00 P.M. on Friday, March 1, 2019. The Statement of Economic 28 Interest must clearly state that the person has been nominated for the Board of Governors of The 29 University of North Carolina.

30 4. After the close of the nomination period on March 1, 2019, the Senate Committee shall list all proposed nominees. The Senate Committee shall screen the nominees for 31 32 nomination as to their qualifications and background and may interview each one to make sure 33 that suitable individuals are nominated. The Senate Committee shall ascertain that each nominee for nomination is willing and able to serve and has no statutory disability. On completion of the 34 screening process, the Senate Committee shall conduct a vote to ensure that the slate of legally 35 36 qualified nominees lists no more than twice the number of nominees for the total seats open.



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	5. The Chair 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 sponsoring Senator.		
-	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 Chair of the Senate		
	Committee for the use of the Senate.		
1	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 alphabetically by surname.		
	3. The Senate shall hold its election no later than Thursday, March 21, 2019		
	Before the voting begins, the Chair 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.		
	(c) Each member present and voting shall vote for as many nominees as there are		
	positions to be filled, and any ballot not so marked shall be deemed void.		
	(d) If fewer than six nominees receive the votes of a majority of all members		
	present and voting, a runoff to fill the open position or positions shall be		
	conducted among the nominees who were not elected but who received the		
	highest numbers of votes cast; and the number of nominees eligible to be voted		
	on in the runoff shall be twice the number of positions to be filled.		
	(e) If there is a tie for the last position between two nominees who are 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 Section 13 of Article II of		
	the North Carolina Constitution.		
	(f) If more than six nominees receive the votes of a majority of all members		
	present and voting, then the six nominees receiving the highest numbers of		
	votes shall be deemed to have been chosen.		
	4. The Senators shall proceed to mark their ballots for six persons, each to serve		
	four-year terms. Every ballot shall be signed by the Senator casting it, and no unsigned ballots		
	shall be counted.		
	5. The Chair of the Senate Committee shall be responsible for canvassing the		
	vote and declaring the results. All ballots shall be retained by the Senate Principal Clerk as par		
	of the permanent records of the Senate and shall be open for immediate public inspection.		
	6. When the Chair of the Senate Committee has determined that the Senate has		
	chosen six persons to serve as members of the Board of Governors for terms of four years, the		
	President of the Senate shall entertain a motion for the simultaneous election of those persons by		
	the Senate to the indicated positions and for the indicated terms. The vote shall then be called		
	electronically. If a majority of those voting shall vote "aye" and the vote is orally confirmed		
	those six persons named in the motion shall be declared to have been elected to the Board of		
	Governors by the Senate.		
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	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 Chair of the Senate Committee shall notify the Secretary of the Board of Covernors of The University of North Carolina of the names of the		
	the Secretary of the Board of Governors of The University of North Carolina of the names of the		
	persons elected by the Senate and of the term for which each person was elected.		

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SECTION 2. As used in this resolution, the term "Chair" means the Chair of the
Senate Select Committee on Nominations.

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SECTION 3. This resolution is effective upon adoption.