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

Be it resolved by the House of Representatives:

SECTION 1. The following procedures for nominating and electing members of the Board of Governors of The University of North Carolina (hereinafter the "Board of Governors") are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the University Board of Governors Nominating Committee of the House of Representatives (hereinafter the "Committee") to conduct a process for nominating and electing persons for each opening on the Board of Governors to which the House of Representatives is to elect members.

2. The Committee shall receive nominations for election to the Board of Governors from Monday, March 2, 2009, through Friday, March 6, 2009. In 2009, the total number of open positions is eight. Each Representative may nominate up to two persons. In order for a person to have standing as a nominee, that person must be formally nominated by a member of the House of Representatives. Only a written nomination that includes all the requested information, which is submitted on a form provided by the Chair of the Committee for that purpose, and that is received in the Office of the House Principal Clerk on or after Monday, March 2, 2009, and no later than 5:00 P.M. on Friday, March 6, 2009, shall constitute a formal nomination. Delivery to the Office of the House Principal Clerk by facsimile transmission or e-mail transmission shall not constitute a formal nomination of a candidate. An individual is not eligible for nomination if he or she was nominated and not elected to the Board of Governors by the Senate during the 2009 Session.

3. Notwithstanding G.S. 138A-22, every person who has been formally nominated shall file a completed North Carolina State Ethics Commission Statement of Economic Interest with the North Carolina State Ethics Commission to be received by the North Carolina State Ethics Commission no later than 5:00 P.M. on Friday, March 6, 2009.

4. On or after March 7, 2009, the Committee shall list all proposed nominees. The Committee shall screen the nominees as to their qualifications, experience, and statutory suitability. The Committee may screen nominees by interviewing or by soliciting written information or by both means. On completion of the screening process, the Committee shall conduct a vote to ensure that the slate of legally qualified candidates lists 16 candidates if 16 or more have been nominated.

5. Each nominee shall confirm his or her willingness to serve if elected. Any nominee may withdraw without the approval of the sponsor.
6. The Committee's nominees shall be placed before and recommended to the House of Representatives for election.

II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.

1. A ballot shall be prepared under the supervision of the Chair of the Committee for the use of the House of Representatives. The ballot shall include 16 legally qualified candidates if 16 or more have been nominated.

2. The names of the nominees shall be arranged on the ballot by alphabetical order and shall list only the names of those nominees recommended by the Committee.

3. The House of Representatives shall hold its election no later than the beginning of the daily session on April 1, 2009. Before the voting begins, the Speaker of the House shall explain the voting rules, which are:

   (a) No nomination shall be received from the floor.
   (b) In order to be elected, 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 eight 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.
   (f) If more than eight nominees receive the votes of a majority of all members present and voting, then the eight nominees receiving the highest numbers of votes shall be deemed to have been chosen.

4. The members of the House of Representatives shall proceed to mark their ballots for eight persons for four-year terms.

   Every ballot shall be signed by the member of the House of Representatives casting it, and no unsigned ballots shall be counted.

5. The Chair of the Committee is responsible for canvassing the vote and declaring the results and may designate members of the Committee to assist. All ballots shall be retained by the House Principal Clerk as part of the permanent records of the House of Representatives and shall be open for immediate public inspection upon adjournment of that day's session.

6. When the Chair of the Committee has determined that the House of Representatives has elected eight persons to serve as members of the Board of Governors for terms of four years, the Speaker of the House of Representatives shall declare those eight persons to have been elected to the Board of Governors by the House of Representatives.

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

III. NOTIFICATION OF ELECTION RESULTS.

When the election process is complete, the Chair of the Committee shall notify the Secretary of the Board of Governors of the names of the persons elected by the House of Representatives and the term for which each person was elected.

SECTION 2. As used in this resolution, the term "Chair" means the Chair of the UNC Board of Governors Nominating Committee.

SECTION 3. This resolution is effective upon adoption.