



SENATE RESOLUTION 138: Senate BOG Elections.

2023-2024 General Assembly

Committee:	Senate Select Committee on Nominations	Date:	February 22, 2023
Introduced by:	Sen. Rabon	Prepared by:	Brian Gwyn
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *The Board of Governors of The University of North Carolina has 24 elected members serving staggered four-year terms. During each odd-numbered year, the General Assembly elects twelve individuals to the Board - six by the House and six by the Senate. Each chamber separately prepares a resolution governing its nomination and election procedure. All of the seats are at-large seats.*

BILL ANALYSIS: If adopted, SR 138 provides the following procedure:

1. The Senate Select Committee on Nominations (Committee) is responsible for conducting the nomination and election process for the Senate nominees for the UNC Board of Governors.
2. The nomination process begins on Tuesday, February 28, 2023, and closes on Monday, March 6, 2023. Only nominations submitted on a form provided by the Chair of the Committee and received by 5 p.m. on Monday, March 6, 2023, in the Office of the Senate Principal Clerk are eligible for consideration. Facsimile and email transmissions of nominations will not be considered.
3. All persons who have been formally nominated must file a completed North Carolina State Ethics Commission Statement of Economic Interest with the North Carolina State Ethics Commission by 5 p.m. on Monday, March 6, 2023.
4. The following persons are **not** eligible to serve on the UNC Board of Governors:
 - Members of the General Assembly
 - Officers or employees of the State
 - Officers or employees of The University of North Carolina
 - Officers or employees of the constituent institutions

The **spouses** of the following individuals are **not** eligible to serve on the UNC Board of Governors:

- Members of the General Assembly
 - Officers or employees of The University of North Carolina
 - Officers or employees of the constituent institutions
5. Any person who was nominated to the Board of Governors by the House during the 2023 Session is not eligible to be nominated by a Senate member.
 6. After March 6, 2023, the Committee shall consider the nominees to determine whether each nominee is willing and able to serve and his or her statutory suitability. The Committee will then conduct a vote to make sure that the slate of legally qualified nominees lists no more than 12

Jeffrey Hudson
Director



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nominees. After the Committee finishes voting, a ballot listing the names of the nominees selected by the Committee must be prepared for the vote in the full Senate.

7. The Senate must hold its election no later than Wednesday, March 15, 2023. The Chair of the Committee will explain the voting procedure set out in the Resolution. No floor nominations will be accepted.
8. In order to be elected, a nominee must receive the votes of a majority of the members of the Senate present and voting. Any ballot that is not marked for as many nominees as there are positions to be filled will be deemed void. In order to have the ballot be counted, each Senator must sign the ballot he or she casts.
9. The Chair of the Committee is responsible for canvassing the ballots and declaring the results.

EFFECTIVE DATE: The resolution is effective upon adoption.