



LEGAL AFFAIRS DIVISION

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# MEMORANDUM

<b>DATE</b>	January 27, 2023
<b>TO</b>	Members of the Board Board of Vocational Nursing and Psychiatric Technicians
<b>CC</b>	Elaine Yamaguchi, Executive Officer Board of Vocational Nursing and Psychiatric Technicians
<b>FROM</b>	Kenneth Swenson, Attorney III, Board Legal Counsel Legal Affairs Division, Department of Consumer Affairs
<b>SUBJECT</b>	<b>Board Officer Elections on February 10, 2023 (Agenda Item 4)</b>

Business and Professions Code section 2846 requires the members of the board to elect a president and vice-president annually at the first board meeting of the calendar year. The annual election of board officers has customarily been conducted by the board legal counsel with the unanimous consent of the members of the board.

In keeping with past custom and practice, the members of the board will be asked to unanimously consent to the election of officers being conducted by the board legal counsel as follows:

1. *The election of president shall precede the election of vice president. Nominations will be taken from the floor by the members of the board.*
2. *Nominations need not be seconded but a member may second a nomination to indicate endorsement. A nomination will be deemed an assumed motion that the nominee be elected to the office. A separate motion and second shall not be required prior to the balloting for office. After being nominated, nominees shall indicate if they accept the nomination.*
3. *Once nominations are closed for an office, balloting shall occur for that office by roll call vote. The roll call vote shall proceed in alphabetical order by last name of those members not currently holding office to be followed by the current vice president and president respectively.*
4. *Each member shall cast their vote by identifying a nominee by name, even if there is only one nominee for the office. The nominee with the majority of ballots cast in their name shall be elected to the office. In the event of a tie vote, balloting shall be repeated until a nominee obtains a majority of ballots cast.*