

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 941

Short Title: Governor/Council of State Terms.

(Public)

Sponsors: Representatives Cooper; Barnhill, Bowen, Bowman, Church, J. Crawford, Diamont, B. Ethridge, Lilley, Lineberry, Mills, Perdue, Redwine, Rogers, Tart, S. Thompson, Wicker, and Wiser.

Referred to: Judiciary.

March 28, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE GOVERNOR AND COUNCIL OF STATE TO BE ELECTED IN 1994 AND QUADRENNIALLY THEREAFTER, WITH A ONE-TIME TWO-YEAR TERM ELECTION IN 1992 SO AS TO PROVIDE TRANSITION.

The General Assembly of North Carolina enacts:

Section 1. Section 2(1) of Article III of the Constitution of North Carolina reads as rewritten:

"(1) Election and term. The Governor and Lieutenant Governor shall be elected by the qualified voters of the State in 1992 at the same time and places as members of the General Assembly are elected. Their term of office shall be two years and shall commence on the first day of January next after their election and continue until their successors are elected and qualified, that term shall not be considered for the purpose of the last sentence of subdivision (2) of this section, and for the purpose of that subdivision the terms commencing January 1, 1989, and January 1, 1995, shall be considered consecutive. The Governor and Lieutenant Governor shall be elected by the qualified voters of the State in ~~1972-1994~~ and every four years thereafter, at the same time and places as members of the General Assembly are elected. Their term of office shall be four years and shall commence on the first day of January next after their election and continue until their successors are elected and qualified."

Sec. 2. Section 7(1) of Article III of the Constitution of North Carolina reads as rewritten:

1 "(1) Officers. A Secretary of State, an Auditor, a Treasurer, a Superintendent of
2 Public Instruction, an Attorney General, a Commissioner of Agriculture, a
3 Commissioner of Labor, and a Commissioner of Insurance shall be elected by the
4 qualified voters of the State in 1992, at the same time and places as members of the
5 General Assembly are elected. Their term of office shall be two years and shall
6 commence on the first day of January next after their election and continue until their
7 successors are elected and qualified. A Secretary of State, an Auditor, a Treasurer, a
8 Superintendent of Public Instruction, an Attorney General, a Commissioner of
9 Agriculture, a Commissioner of Labor, and a Commissioner of Insurance shall be
10 elected by the qualified voters of the State in ~~1972-1994~~ and every four years thereafter,
11 at the same time and places as members of the General Assembly are elected. Their
12 term of office shall be four years and shall commence on the first day of January next
13 after their election and continue until their successors are elected and qualified."

14 Sec. 3. The amendments set out in Sections 1 and 2 of this act shall be
15 submitted to the qualified voters of the State at the general election in November of
16 1990. That election shall be held and conducted under the laws then governing general
17 elections in this State.

18 Sec. 4. At the election, each qualified voter presenting himself to vote shall
19 be provided a ballot on which shall be printed the following:

20 "[] FOR constitutional amendment providing for the Governor and
21 Council of State to be elected in 1992 for a two-year term, and in 1994
22 and every four years thereafter for a four-year term.

23 [] AGAINST constitutional amendment providing for the Governor and
24 Council of State to be elected in 1992 for a two-year term, and in 1994
25 and every four years thereafter for a four-year term."

26 Notwithstanding the foregoing provisions of this section, voting machines
27 may be used in accordance with rules prescribed by the State Board of Elections.

28 Sec. 5. If a majority of the votes cast are in favor of the amendments set out
29 in Sections 1 and 2 of this act, then the amendments shall be certified by the State
30 Board of Elections to the Secretary of State, who shall enroll the amendment among
31 the permanent records of his office, and the amendments shall become effective
32 January 1, 1993, and shall also apply to the 1992 election.

33 Sec. 6. The table in G.S. 163-1 is amended for the offices of Governor,
34 Lieutenant Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public
35 Instruction, Attorney General, Commissioner of Agriculture, Commissioner of Labor,
36 and Commissioner of Insurance by rewriting the entries under the columns "DATE OF
37 ELECTION", to read "Tuesday next after the first Monday in November 1992, and
38 Tuesday next after the first Monday in November 1994 and every four years
39 thereafter", and by adding at the end of the column "TERM OF OFFICE", "except two
40 years, from first day of January next after the 1992 election".

41 Sec. 7. Section 5 of this act shall become effective beginning with the 1992
42 election, but only become effective if the constitutional amendments proposed by
43 Sections 1 and 2 of this act are approved.

44 Sec. 8. This act is effective upon ratification.