

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 87

Short Title: Shifting State Elections.

(Public)

Sponsors: Representatives Ethridge; Fletcher, and Stamey.

Referred to: Courts, Justice, Constitutional Amendments, and Referenda.

February 18, 1991

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE CONSTITUTION TO SHIFT THE ELECTION OF THE
2 GOVERNOR AND OTHER COUNCIL OF STATE MEMBERS TO
3 NONPRESIDENTIAL EVEN-NUMBERED YEARS.
4

5 The General Assembly of North Carolina enacts:

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

8 "(1) Election and term. The Governor and Lieutenant Governor shall be elected by
9 the qualified voters of the State in 1992 at the places and on the day prescribed by law.
10 Their term of office shall be two years and shall commence on the first day of January
11 next after their election and continue until their successors are elected and qualified.
12 The Governor and Lieutenant Governor shall be elected by the qualified voters of the
13 State in ~~1972-1994~~ and every four years thereafter, at the same time and places as
14 members of the General Assembly are elected. Their term of office shall be four years
15 and shall commence on the first day of January next after their election and continue
16 until their successors are elected and qualified. For the purpose of the last sentence of
17 subdivision (2) of this section, the term commencing January 1, 1993, shall be
18 consecutive to the term commencing January 1, 1989, or January 1, 1995."

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

21 "(1) Officers. A Secretary of State, an Auditor, a Treasurer, a Superintendent of
22 Public Instruction, an Attorney General, a Commissioner of Agriculture, a
23 Commissioner of Labor, and a Commissioner of Insurance shall be elected by the
24 qualified voters of the State in 1992, at the places and on the day prescribed by law.

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

10 Sec. 3. The amendments set forth in Sections 1 and 2 of this act shall be
11 submitted to the qualified voters of the State at the statewide general election to be held
12 in November of 1992, which shall be conducted under the laws then governing elections
13 in the State.

14 Sec. 4. At that election, each qualified voter desiring to vote shall be provided
15 a ballot on which shall be printed the following:

16 "[] FOR constitutional amendments shifting election of the Governor,
17 Lieutenant Governor, and other members of the Council of State from
18 presidential-election years to even-numbered nonpresidential years,
19 provided that those elected in 1992 shall serve a two-year transitional
20 term.

21 [] AGAINST constitutional amendments shifting election of the
22 Governor, Lieutenant Governor, and other members of the Council of
23 State from presidential-election years to even-numbered
24 nonpresidential years, provided that those elected in 1992 shall serve a
25 two-year transitional term."

26 Those qualified voters favoring the amendments shall vote by marking an "X" or check
27 mark in the square beside the statement beginning "FOR", and those qualified voters
28 opposed to the amendment shall vote by marking an "X" or check mark in the square
29 beside the statement beginning "AGAINST".

30 Notwithstanding the foregoing provisions of this section, voting machines
31 may be used in accordance with rules and regulations prescribed by the State Board of
32 Elections.

33 Sec. 5. If a majority of votes cast thereon are in favor of the constitutional and
34 statutory amendments set out in Sections 1 and 2 of this act, then the State Board of
35 Elections shall certify those amendments to the Secretary of State, who shall enroll the
36 amendments so certified among the permanent records of his office. The constitutional
37 amendments proposed in Sections 1 and 2 shall become effective January 1, 1993, and
38 shall also apply to the 1992 election.

39 Sec. 6. The table in G.S. 163-1 is amended for the offices of Governor,
40 Lieutenant Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public
41 Instruction, Attorney General, Commissioner of Agriculture, Commissioner of Labor,
42 and Commissioner of Insurance by rewriting the entries under the columns "DATE OF
43 ELECTION", to read "Tuesday next after the first Monday in November 1992, and
44 Tuesday next after the first Monday in November 1994, and every four years

1 thereafter", by adding at the end of the column "TERM OF OFFICE", "except two
2 years, from first day of January next after the 1992 election".

3 Sec. 7. Section 6 of this act shall become effective beginning with the 1992
4 election, but only become effective if the constitutional amendments proposed by
5 Sections 1 and 2 of this act are approved.

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