

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 733
Committee Substitute Favorable 4/17/97

Short Title: Beaufort Vacancies.

(Local)

Sponsors:

Referred to:

April 1, 1997

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT IN FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, SHERIFF, OR COUNTY COMMISSIONER IN BEAUFORT COUNTY, IF THE VACATING MEMBER WAS A MEMBER OF A POLITICAL PARTY, THE APPOINTING AUTHORITY SHALL APPOINT FROM A LIST RECOMMENDED BY THAT POLITICAL PARTY IF TWO OR MORE NAMES ARE SUBMITTED ON A TIMELY BASIS.

The General Assembly of North Carolina enacts:

Section 1. (a) G.S. 161-5(a1) reads as rewritten:

"(a1) When a vacancy occurs from any cause in the office of register of deeds, the board of county commissioners shall fill such vacancy by the appointment of a successor for the unexpired term, who shall qualify and give bond as required by law. If the register of deeds was ~~elected as the nominee~~ a member of a political party, party at the time of the vacancy, the county manager shall notify by first-class mail the county chairman of that political party of the existence of the vacancy. ~~the~~ The board of county commissioners shall consult the county executive committee of that political party before filling the vacancy and shall appoint ~~the person recommended by that committee, if the party makes a recommendation within 30 days of the occurrence of the vacancy.~~ from a list of two or more persons recommended by that committee, if the party makes a recommendation

1 within 30 days of the mailing of the notification. If the list is not so provided, the board
2 of county commissioners shall appoint a person who was registered to vote as a member
3 of that party on the date of the most recent county general election or as of 90 days prior
4 to the vacancy occurring, whichever date was longest ago."

5 (b) This section applies to Beaufort County only.

6 Section 2. (a) The second sentence of G.S. 162-5.1 reads as rewritten:

7 "If the sheriff ~~were elected as a nominee~~ was a member of a political party, party at the
8 time the vacancy occurred, the county manager shall notify by first-class mail the county
9 chairman of that political party of the existence of the vacancy. ~~the~~ The board of
10 commissioners shall consult the county executive committee of that political party before
11 filling the vacancy, and shall elect the person recommended by the county executive committee
12 of that party, if the party makes a recommendation within 30 days of the occurrence of the
13 vacancy, and shall appoint from a list of two or more persons recommended by that
14 committee, if the party makes a recommendation within 30 days of the mailing of the
15 notification. If the list is not so provided, the board of county commissioners shall
16 appoint a person who was registered to vote as a member of that party on the date of the
17 most recent county general election or as of 90 days prior to the vacancy occurring,
18 whichever date was longest ago."

19 (b) This section applies to Beaufort County only.

20 Section 3. (a) G.S. 153A-27.1(d) reads as rewritten:

21 "(d) If the member who vacated the seat was ~~elected as a nominee~~ a member of a
22 political party, party at the time the vacancy occurred, the county manager shall notify by
23 first-class mail the county chairman of that political party of the existence of the vacancy.
24 ~~the~~ The board of commissioners, the chairman of the board, or the clerk of superior court,
25 as the case may be, shall consult the county executive committee of the appropriate
26 political party before filling the vacancy, and shall appoint the person recommended by the
27 county executive committee of the political party of which the commissioner being replaced was
28 a member, if the party makes a recommendation within 30 days of the occurrence of the vacancy.
29 and shall appoint from a list of two or more persons recommended by that committee, if
30 the party makes a recommendation within 30 days of the mailing of the notification. If
31 the list is not so provided, the board of county commissioners shall appoint a person who
32 was registered to vote as a member of that party on the date of the most recent county
33 general election or as of 90 days prior to the vacancy occurring, whichever date was
34 longest ago."

35 (b) This section applies to Beaufort County only.

36 Section 4. This act is effective when it becomes law.