

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION

CHAPTER 96  
HOUSE BILL 413

AN ACT TO CHANGE THE METHOD OF ELECTING THE PERQUIMANS  
COUNTY BOARD OF COMMISSIONERS TO IMPROVE THE OPPORTUNITY  
FOR MINORITY CITIZENS TO ELECT CANDIDATES OF THEIR CHOICE.

The General Assembly of North Carolina enacts:

Section 1. The Perquimans County Board of Commissioners shall consist of six members elected from the county at large.

Sec. 2. Three commissioners shall be elected in 1994 and every four years thereafter, and three commissioners shall be elected in 1996 and every four years thereafter. For each election, in both the party primary and general election, all eligible candidates for the three offices shall be listed on a single ballot, but each voter shall be allowed to vote for only one candidate. The three candidates receiving the most votes in the primary shall be nominated, and the three candidates receiving the most votes in the general election shall be elected, with no runoffs.

Sec. 3. The commissioners elected in 1990 and 1992 are entitled to serve the remainders of the terms for which elected.

Sec. 4. Within 30 days of preclearance of this act pursuant to Section 5 of the Voting Rights Act, the present members of the Board of Commissioners shall appoint a person to fill the vacancy created by the increase in the size of the Board. The person appointed to that vacancy shall be representative of the black citizens of Perquimans County. The person who is appointed shall serve a term to expire when the commissioners elected in 1994 take office.

Sec. 5. If a vacancy occurs on the Board, the remaining commissioners shall appoint a qualified person to fill the vacancy. The appointment to fill the vacancy is for the remainder of the unexpired term. In making appointments to fill vacancies, the remaining Board members should attempt to assure that the Board continues to be representative of all citizens of the county.

Sec. 6. Any vacancy on the Board after the effective date of this act shall be filled without regard to the township residency of the vacating commissioner or the person being appointed.

Sec. 7. After the commissioners elected in 1996 take office, the Board of Commissioners shall review the election experience under this act, including whether the election system enacted here has improved the opportunity for black voters to elect candidates of their choice, and determine whether any further changes are needed to provide fair representation for all citizens of the county. In making this review, the Board of Commissioners shall consult with the Board of Education.

Sec. 8. The following local acts concerning the election of the Perquimans County Board of Commissioners are repealed: Chapter 137, Public-Local Acts of 1939; Chapter 1109, Session Laws of 1959; Chapter 348, Session Laws of 1963; and Chapter 104, Sessions Laws of 1989.

Sec. 9. This act is effective upon ratification but shall not be implemented until precleared pursuant to Section 5 of the federal Voting Rights Act.

In the General Assembly read three times and ratified this the 1st day of June, 1993.

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Dennis A. Wicker  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives