

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 232
Constitution Committee Substitute Adopted 4/11/91
Third Edition Engrossed 5/14/91
House Committee Substitute Favorable 6/27/91

Short Title: Election Cycle.

(Public)

Sponsors:

Referred to:

March 14, 1991

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE ELECTION OF
THE GOVERNOR, LIEUTENANT GOVERNOR, AND THE REST OF THE
COUNCIL OF STATE TO NONPRESIDENTIAL EVEN-NUMBERED YEARS.

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 places and on the day prescribed by law. 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. 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. For the purpose of the last sentence of subdivision (2) of this section, the term commencing January 1, 1993, shall be consecutive to the term commencing January 1, 1989, or January 1, 1995."

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

14 Sec. 3. The amendments set forth in Sections 1 and 2 of this act shall be
15 submitted to the qualified voters of the State at a statewide primary election to be held
16 on the Tuesday after the first Monday in May of 1992, which shall be conducted under
17 the laws then governing elections in the State.

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

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

25 AGAINST constitutional amendments shifting election of the
26 Governor, Lieutenant Governor, and other members of the Council of
27 State from presidential-election years to even-numbered
28 nonpresidential years, provided that those elected in 1992 shall serve a
29 two-year transitional term."

30 Those qualified voters favoring the amendment shall vote by marking an "X" or a check
31 mark in the square beside the statement beginning "FOR", and those qualified voters
32 opposed to the amendment shall vote by marking an "X" or a check mark in the square
33 beside the statement beginning "AGAINST".

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

36 Sec. 5. If a majority of votes cast are in favor of the constitutional
37 amendments set out in Sections 1 and 2 of this act, then the State Board of Elections
38 shall certify the amendments set out in Sections 1 and 2 of this act to the Secretary of
39 State who shall enroll the amendments so certified among the permanent records of his
40 office. The constitutional amendments proposed by Sections 1 and 2 of this act become
41 effective for terms of office beginning January 1, 1993, and shall also apply to the 1992
42 elections.

43 Sec. 6. The table in G.S. 163-1 is amended for the offices of Governor,
44 Lieutenant Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public

1 Instruction, Attorney General, Commissioner of Agriculture, Commissioner of Labor,
2 and Commissioner of Insurance by rewriting the entries under the column "DATE OF
3 ELECTION"to read "Tuesday next after the first Monday in November 1992, and
4 Tuesday next after the first Monday in November 1994, and every four years
5 thereafter"and by adding at the end of the column "TERM OF OFFICE"the phrase
6 "except two years, from first day of January next after the 1992 election".

7 Sec. 7. Section 6 of this act becomes effective beginning with the 1992
8 election, but only becomes effective if the constitutional amendments proposed by
9 Sections 1 and 2 of this act are approved by the voters.

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