

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-37
HOUSE BILL 429

AN ACT TO VALIDATE A REFERENDUM CHANGING THE MANNER OF
ELECTION OF THE BOARD OF COMMISSIONERS OF MADISON COUNTY,
EFFECTIVE IN 2002, AS APPROVED BY THE VOTERS OF THAT COUNTY.

Whereas, the Board of Commissioners of Madison County, under the authority of Part 4 of Article 4 of Chapter 153A of the General Statutes conducted a referendum in November of 1998 on the issue of providing staggered terms for the Madison County Board of Commissioners, and the language in both the ballot and resolution stated this was to become effective beginning with the 2002 election; and

Whereas, the voters of Madison County approved that question in the referendum; and

Whereas, G.S. 153A-62 provides that all such referenda become effective "at the first succeeding primary and general election for county officers"; and

Whereas, the next election for county officers in Madison County is in 2000; and

Whereas, there is some doubt as to the legality of the clause in the resolution calling the referendum which stated it would become effective in 2002, but the General Assembly wishes to follow the will of the voters and validate the referendum; Now, therefore, The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 169 of the 1973 Session Laws reads as rewritten:

"Section 1. ~~Beginning~~(a) Except as provided in subsection (b) of this section, beginning with the primary and general election to be held in 1974, the members of the Board of Commissioners of Madison County shall be elected for terms of four years.

(b) In the 2002 general election, the three persons receiving the highest numbers of votes shall be elected for four-year terms, and the two persons receiving the next highest numbers of votes shall be elected for two-year terms. Successors shall be elected for four-year terms.

(c) Effective on the first Monday in December of 2002, the Board of Commissioners of Madison County is expanded from three to five members."

Section 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 10th day of May, 1999.

s/ Dennis A. Wicker
President of the Senate

s/ James B. Black
Speaker of the House of Representatives