

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 232  
Constitution Committee Substitute Adopted 4/11/91

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 THE NONPRESIDENTIAL EVEN-NUMBERED YEAR, WITH SIX-YEAR TRANSITIONAL TERMS TO BE FILLED BY THE 1992 ELECTIONS.

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 six 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 ~~1972-1998~~ 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."

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

"(1) **Officers.** A Secretary of State, an Auditor, a Treasurer, a Superintendent of Public Instruction, an Attorney General, a Commissioner of Agriculture, a Commissioner of Labor, and a Commissioner of Insurance shall be elected by the

1 qualified voters of the State in 1992, at the places and on the day prescribed by law.  
2 Their term of office shall be six years and shall commence on the first day of January  
3 next after their election and continue until their successors are elected and qualified. A  
4 Secretary of State, an Auditor, a Treasurer, a Superintendent of Public Instruction, an  
5 Attorney General, a Commissioner of Agriculture, a Commissioner of Labor, and a  
6 Commissioner of Insurance shall be elected by the qualified voters of the State in ~~1972~~  
7 1998 and every four years thereafter, at the same time and places as members of the  
8 General Assembly are elected. Their term of office shall be four years and shall  
9 commence on the first day of January next after their election and continue until their  
10 successors are elected and qualified."

11 Sec. 3. The amendments set forth in Sections 1 and 2 of this act shall be  
12 submitted to the qualified voters of the State at a statewide general election to be held  
13 on the Tuesday after the first Monday in November of 1991, which shall be conducted  
14 under the laws then governing elections in the State.

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

17 "[] FOR constitutional amendments to elect the Governor, Lieutenant  
18 Governor, and other members of the Council of State in  
19 nonpresidential even-numbered years beginning in 1998.

20 [] AGAINST constitutional amendments to elect the Governor,  
21 Lieutenant Governor, and other members of the Council of State in  
22 nonpresidential even-numbered years beginning in 1998."

23 Those qualified voters favoring the amendment shall vote by marking an "X" or a check  
24 mark in the square beside the statement beginning "FOR", and those qualified voters  
25 opposed to the amendment shall vote by marking an "X" or a check mark in the square  
26 beside the statement beginning "AGAINST".

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

29 Sec. 5. If a majority of votes cast are in favor of the constitutional  
30 amendments set out in Sections 1 and 2 of this act, then the State Board of Elections  
31 shall certify the amendments set out in Sections 1 and 2 of this act to the Secretary of  
32 State who shall enroll the amendments so certified among the permanent records of his  
33 office. The constitutional amendments proposed by Sections 1 and 2 of this act become  
34 effective for terms of office beginning January 1, 1993, and shall also apply to the 1992  
35 elections.

36 Sec. 6. The table in G.S. 163-1 is amended for the offices of Governor,  
37 Lieutenant Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public  
38 Instruction, Attorney General, Commissioner of Agriculture, Commissioner of Labor,  
39 and Commissioner of Insurance by rewriting the entries under the column "DATE OF  
40 ELECTION" to read "Tuesday next after the first Monday in November 1992, and  
41 Tuesday next after the first Monday in November 1998, and every four years  
42 thereafter" and by adding at the end of the column "TERM OF OFFICE" the phrase  
43 "except six years, from first day of January next after the 1992 election".

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

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