

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 291
HOUSE BILL 763

AN ACT TO CHANGE THE MANNER OF ELECTING THE LENOIR COUNTY
BOARD OF COMMISSIONERS SO AS TO IMPLEMENT A FEDERAL COURT
ORDER.

The General Assembly of North Carolina enacts:

Section 1. Effective on the first Monday in December of 1988, the Lenoir County Board of County Commissioners shall consist of seven members. Five members shall be elected from single-member election districts and two members shall be elected at large.

Sec. 2. The five single-member election districts shall be composed of the following precincts:

- (1) District 1 - Woodington, Pink Hill 1 & 2, Trent 1 & 2, Moseley Hall, and Southwest.
- (2) District 2 - Falling Creek, Institute, the part of Neuse Precinct west of N. C. 11, Kinston 3, and Kinston 5.
- (3) District 3 - Contentnea Neck, Vance, Kinston 4, and Kinston 9.
- (4) District 4 - Kinston 1, Kinston 2, and the part of Neuse Precinct east of N. C. 11.
- (5) District 5 - Kinston 6, Kinston 7, Kinston 8, and Sandhill.

Sec. 3. All members shall be elected for four-year terms.

Sec. 4. The qualified voters of each district shall elect a member who resides in the district for each of the five district seats; and the qualified voters of the entire county shall elect the two at-large members.

Sec. 5. In 1992 and every four years thereafter, commissioners shall be elected in Districts 3 and 4 and for the two at-large seats, all for four-year terms. In 1990 and every four years thereafter, commissioners shall be elected in Districts 1, 2, and 5 for four-year terms.

Sec. 6. Commissioners elected in 1986 under the prior system shall serve out their full four-year terms, expiring in 1990.

Sec. 7. (a) G.S. 163-111(a)(2) which requires a majority of votes cast for election in primary elections is modified as follows:

- (1) In the election of the two at-large seats only, the first sentence of G.S. 163-111(a)(2) is modified by deleting the words at the end of the sentence "by dividing the result by two" and inserting the words "by multiplying the result by forty percent (40%)". (For a simplified calculation of the majority vote figure required, it should be noted that

just as the majority required in a fifty percent (50%) system will always be twenty-five percent (25%) of total votes cast, the majority required by this forty percent (40%) system will always be twenty percent (20%) of total votes cast, where only two seats are being filled.)

(2) In the election of the five district seats, the majority requirement of G.S. 163-111(a)(2) shall continue unchanged.

(b) This section applies only to Lenoir County.

Sec. 8. The purpose of this legislation is to codify without change the court order of the United States District Court for the Eastern District of North Carolina dated December 23, 1987, in **United States of America v. Lenoir County, North Carolina; et al.** (No. 87-105-CIV-84).

Sec. 9. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of June, 1989.