

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 660

Short Title: Succession.

(Public)

Sponsors: Representative Wood.

Referred to: Judiciary.

March 16, 1989

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE CONSTITUTION TO PROVIDE THAT THE
2 GOVERNOR AND MEMBERS OF THE COUNCIL OF STATE MAY NOT
3 SERVE MORE THAN THREE SUCCESSIVE TERMS.
4

5 The General Assembly of North Carolina enacts:

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

8 "(2) Qualifications. No person shall be eligible for election to the office of
9 Governor or Lieutenant Governor unless, at the time of his election, he shall have
10 attained the age of 30 years and shall have been a citizen of the United States for five
11 years and a resident of this State for two years immediately preceding his election. No
12 person elected to the office of Governor or Lieutenant Governor shall be eligible for
13 election to more than ~~two~~three consecutive terms of the same office."

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

16 "(1) Officers. A Secretary of State, an Auditor, a Treasurer, a Superintendent of
17 Public Instruction, an Attorney General, a Commissioner of Agriculture, a
18 Commissioner of Labor, and a Commissioner of Insurance shall be elected by the
19 qualified voters of the State in 1972 and every four years thereafter, at the same time
20 and places as members of the General Assembly are elected. Their term of office shall
21 be four years and shall commence on the first day of January next after their election
22 and continue until their successors are elected and qualified. No person elected to the
23 office of Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction,
24 Attorney General, Commissioner of Agriculture, Commissioner of Labor, or

1 Commissioner of Insurance shall be eligible for election to more than three consecutive
2 terms of the same office, provided that terms of office commencing before January 1,
3 1989, shall not be considered in such calculation."

4 ♦ Sec. 3. The amendments set forth in Sections 1 and 2 of this act shall be
5 submitted to the qualified voters of the State at the statewide general election to be held
6 in November of 1990, which shall be conducted under the laws then governing elections
7 in the State.

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

10 "[] FOR constitutional amendments providing that the Governor and other
11 members of the Council of State may not be elected to more than three
12 consecutive terms of the same office.

13 [] AGAINST constitutional amendments providing that the Governor and
14 other members of the Council of State may be elected to more than
15 three consecutive terms of the same office."

16 Those qualified voters favoring the amendments shall vote by marking an "X" or a check
17 mark in the square beside the statement beginning "FOR", and those qualified voters
18 opposed to the amendment shall vote by marking an "X" or a check mark in the square
19 beside the statement beginning "AGAINST".

20 Notwithstanding the foregoing provisions of this section, voting machines
21 may be used in accordance with rules and regulations prescribed by the State Board of
22 Elections.

23 Sec. 5. If a majority of votes cast thereon are in favor of the constitutional
24 amendments set out in Sections 1 and 2 of this act, then the State Board of Elections
25 shall certify those amendments to the Secretary of State who shall enroll that
26 amendment so certified among the permanent records of his office. The constitutional
27 amendments shall be effective upon certification.

28 Sec. 6. This act is effective upon ratification.