

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1173

Short Title: Constitutional Revisions.

(Public)

Sponsors: Representative Wood.

Referred to: Constitutional Amendments and Referenda.

April 19, 1993

A BILL TO BE ENTITLED

1 AN ACT TO LIMIT ALL ELECTED OFFICIALS TO TWELVE YEARS IN OFFICE,
2 TO MAKE ALL COUNCIL OF STATE POSITIONS OTHER THAN
3 GOVERNOR, LIEUTENANT GOVERNOR, AND AUDITOR APPOINTIVE BY
4 THE GOVERNOR, TO PROVIDE A TEAM TICKET FOR GOVERNOR AND
5 LIEUTENANT GOVERNOR IN THE GENERAL ELECTION, TO MAKE ALL
6 JUDICIAL OFFICES FOR FOUR YEARS, TO PROVIDE DISTRICT ELECTION
7 OF SUPERIOR COURT JUDGES, AND TO REQUIRE GUBERNATORIAL
8 CABINET APPOINTMENTS TO BE CONFIRMED BY THE GENERAL
9 ASSEMBLY.

10
11 The General Assembly of North Carolina enacts:

12 Section 1. Article II of the Constitution of North Carolina is amended by
13 adding a new section to read:

14 "Sec. 25. Limitation of consecutive terms.

15 (1) No person shall be eligible for election to more than six terms as a member of
16 the House of Representatives, nor to more than six terms as a member of the Senate. If
17 a person is not elected to a full term, service caused by filling of a vacancy shall be
18 considered as a term for the purpose of this section if the person takes office during the
19 first two calendar years of the term.

20 (2) Terms of office beginning before January 1, 1995, shall not be considered for
21 the purpose of this section.

22 (3) A person disqualified by this section from election as a member of the House
23 or Senate may not fill a vacancy in that office."

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

3 "(2) **Qualifications.** No person shall be eligible for election to the office of
4 Governor or Lieutenant Governor unless, at the time of his election, he shall have
5 attained the age of 30 years and shall have been a citizen of the United States for five
6 years and a resident of this State for two years immediately preceding his election. No
7 person elected to the Office of Governor or Lieutenant Governor shall be eligible for
8 election to more than ~~two~~three consecutive terms of the same office. Terms of office
9 beginning before January 1, 1993, shall not be considered for the purpose of this
10 section."

11 Sec. 3. Section 16 of Article IV of the Constitution of North Carolina reads
12 as rewritten:

13 "Sec. 16. Terms of office and election of Justices of the Supreme Court, Judges of
14 the Court of Appeals, and Judges of the Superior Court. Justices of the Supreme Court,
15 Judges of the Court of Appeals, and regular Judges of the Superior Court shall be
16 elected by the qualified voters and shall hold office for terms of ~~eight~~four years and
17 until their successors are elected and qualified. Justices of the Supreme Court and
18 Judges of the Court of Appeals shall be elected by the qualified voters of the State.
19 Regular Judges of the Superior Court ~~may~~shall be elected by ~~the qualified voters of the~~
20 ~~State or by the voters of their respective districts, as the General Assembly may~~
21 ~~prescribe~~districts. No person elected to any office under this section shall be eligible
22 for election to more than three terms of the same office. The previous sentence applies
23 only to terms commencing on or after December 1, 1994."

24 Sec. 4. Section 9(3) of Article IV of the Constitution of North Carolina reads
25 as rewritten:

26 "(3) **Clerks.** A Clerk of the Superior Court for each county shall be elected for a
27 term of four years by the qualified voters thereof, at the same time and places as
28 members of the General Assembly are elected. If the office of Clerk of the Superior
29 Court becomes vacant otherwise than by the expiration of the term, or if the people fail
30 to elect, the senior regular resident Judge of the Superior Court serving the county shall
31 appoint to fill the vacancy until an election can be regularly held. No person shall be
32 eligible for election to more than three terms of office. Terms of office beginning
33 before January 1, 1995, shall not be considered for the purpose of this section."

34 Sec. 5. Section 18(1) of Article IV of the Constitution of North Carolina
35 reads as rewritten:

36 "(1) **District Attorneys.** The General Assembly shall, from time to time, divide the
37 State into a convenient number of prosecutorial districts, for each of which a District
38 Attorney shall be chosen for a term of four years by the qualified voters thereof, at the
39 same time and places as members of the General Assembly are elected. Only persons
40 duly authorized to practice law in the courts of this State shall be eligible for election or
41 appointment as a District Attorney. The District Attorney shall advise the officers of
42 justice in his district, be responsible for the prosecution on behalf of the State of all
43 criminal actions in the Superior Courts of his district, perform such duties related to
44 appeals therefrom as the Attorney General may require, and perform such other duties

1 as the General Assembly may prescribe. No person shall be eligible for election to more
2 than three terms of office. Terms of office beginning before January 1, 1995, shall not
3 be considered for the purpose of this section."

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

6 "**(1) Officers.** ~~A Secretary of State, an Auditor, An Auditor a Treasurer, a~~
7 ~~Superintendent of Public Instruction, an Attorney General, a Commissioner of~~
8 ~~Agriculture, a Commissioner of Labor, and a Commissioner of Insurance~~ shall be
9 elected by the qualified voters of the State in 1972-1996 and every ~~four~~ six years
10 thereafter, at the same time and places as members of the General Assembly are elected.
11 ~~Their~~ The term of office shall be ~~four~~ six years and shall commence on the first day of
12 January next after their election and continue until ~~their successors are~~ a successor is
13 elected and qualified. No person shall be eligible for election as Auditor to more than
14 two terms of office. Terms of office beginning before January 1, 1995, shall not be
15 considered for the purpose of this section."

16 Sec. 7. Section 2 of Article VII of the Constitution of North Carolina reads as
17 rewritten:

18 "**Sec. 2. Sheriffs.** In each county a Sheriff shall be elected by the qualified voters
19 therefor at the same time and places as members of the General Assembly are elected
20 and shall hold his office for a period of four years, subject to removal for cause as
21 provided by law. No person shall be eligible for election as Sheriff to more than three
22 terms of office. Terms of office beginning before December 1, 1994, shall not be
23 considered for the purpose of this section.

24 Sec. 8. Section 8 of Article III of the Constitution of North Carolina reads as
25 rewritten:

26 "**Sec. 8. Council of State.** The Council of State shall consists of the officers whose
27 offices are established by this ~~Article.~~ Article, and the heads of the principal
28 administrative departments, as established by law and limited by Section 11 of this
29 Article, but only those heads the appointment of whom is made by the Governor subject
30 to confirmation of both houses of the General Assembly under Section 5(8) of this
31 Article."

32 Sec. 9. Article VI of the Constitution of North Carolina is amended by
33 adding a new section to read:

34 "**Sec. 11. Term limits for statutory offices.** No person is eligible for election to
35 any office created by or in accordance with an act of the General Assembly if
36 completion of a full term will result in that person serving a total of more than 12 years
37 in that office. For the purpose of this section, terms of office commencing before
38 December 1, 1994, shall not be considered.

39 Sec. 10. Section 5(8) of the Constitution of North Carolina reads as
40 rewritten:

41 "**(8) Appointments.** The Governor shall nominate and by and with the advice and
42 consent of a majority of the Senators appoint all officers whose appointments are not
43 otherwise provided ~~for~~ for, except that the Governor shall nominate and by and with the
44 advice and consent of a majority of the Senators and a majority of the members of the

1 House of Representatives appoint the heads of the principal administrative departments.
2 For the purpose of this section, the University of North Carolina and any educational
3 institution established by law are not principal administrative departments. The General
4 Assembly may provide by law for the filling of vacancies by appointment the Governor
5 for any such office which occur while the General Assembly is not in session, and for
6 persons to hold such office by appointment of the Governor on an interim basis."

7 Sec. 11. Section 2 of Article III of the Constitution of North Carolina is
8 amended by adding a new subsection to read:

9 "(3) Team Election. In the General Election, all candidates for the offices of
10 Governor and Lieutenant Governor shall form joint candidacies so that each voter shall
11 cast a single vote for a candidate for Governor and a candidate for Lieutenant Governor
12 running together."

13 Sec. 12. The amendments set forth in Sections 1 through 11 of this act shall
14 be submitted to the qualified voters of the State at a general election to be held on
15 Tuesday after the first Monday in November of 1993, which election shall be conducted
16 under the laws then governing elections in the State. At that election, each qualified
17 voter who desires to vote shall be provided a ballot on which shall be printed the
18 following:

19 " FOR constitutional amendments limiting elected officials to 12 years
20 in office, requiring that appointments of cabinet officers by the
21 Governor to be confirmed by the General Assembly, making current
22 executive officers other than the Governor, Lieutenant Governor, and
23 Auditor appointive officers, making judicial elections for four-year
24 terms, making superior court judges elected from their districts, and
25 requiring the Governor and Lieutenant Governor to run as a team
26 ticket in the general election.

27 AGAINST constitutional amendments limiting elected officials to 12
28 years in office, requiring that appointments of cabinet officers by the
29 Governor to be confirmed by the General Assembly, making current
30 executive officers other than the Governor, Lieutenant Governor, and
31 Auditor appointive officers, making judicial elections for four-year
32 terms, making superior court judges elected from their districts, and
33 requiring the Governor and Lieutenant Governor to run as a team
34 ticket in the general election."

35 Those qualified voters favoring the amendments shall vote by marking an
36 "X" or a check mark in the square beside the statement beginning "FOR", and those
37 qualified voters opposed to the amendments shall vote by marking an "X" or a check
38 mark in the square beside the statement beginning "AGAINST".

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

42 Sec. 13. If a majority of votes cast thereon are in favor of the constitutional
43 amendments, the State Board of Elections shall certify the amendments to the Secretary
44 of State who shall enroll the amendments so certified among the permanent records of

1 his office. The constitutional amendments shall become effective January 1, 1994, and
2 shall apply to justices and judges of the General Court of Justice, elected in the 1994
3 general election so that they shall serve four-year terms. Members of the Council of
4 State whose offices are being changed from elective to appointive may finish the
5 remainder of their current terms, but any vacancies shall be filled as provided by this
6 act.

7 Sec. 14. G.S. 147-4 reads as rewritten:

8 **"§ 147-4. Executive officers – election; term; induction into office.**

9 The executive department shall consist of a Governor, a Lieutenant Governor, a
10 ~~Secretary of State, and an Auditor, a Treasurer, a Superintendent of Public Instruction,~~
11 ~~an Attorney General, a Commissioner of Agriculture, a Commissioner of Insurance, and~~
12 ~~a Commissioner of Labor,~~ who shall be elected for a term of four years, except the
13 Auditor for six years, by the qualified electors of the State, at the same time and places,
14 and in the same manner, as members of the General Assembly are elected Their term of
15 office shall commence on the first day of January next after their election and continue
16 until their successors are elected and qualified. It also consists of the heads of the
17 departments named in Chapter 143B of the General Statutes. The persons having the
18 highest number of votes, respectively, shall be declared duly elected, but if two or more
19 be equal and highest in votes for the same office, then one of them shall be chosen by
20 joint ballot of both houses of the General Assembly. Contested elections shall be
21 determined by a joint ballot of both houses of the General Assembly in such manner as
22 shall be prescribed by law."

23 Sec. 15. G.S. 163-8 reads as rewritten:

24 **"§ 163-8. Filling vacancies in State executive offices.**

25 If the office of Governor or Lieutenant Governor shall become vacant, the
26 provisions of G.S. 147-11.1 shall apply. If the office of any of the following officers
27 shall be vacated by death, resignation, or otherwise than by expiration of term, it shall
28 be the duty of the Governor to appoint another to serve until his successor is elected and
29 qualified: ~~Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction,~~
30 ~~Attorney General, Commissioner of Agriculture, Commissioner of Labor, and~~
31 ~~Commissioner of Insurance.~~ Each such vacancy shall be filled by election at the first
32 election for members of the General Assembly that occurs more than 60 days after the
33 vacancy has taken place, and the person chosen shall hold the office for the remainder
34 of the unexpired four-year term: Provided, that when a vacancy occurs in any of the
35 offices named in this section and the term expires on the first day of January succeeding
36 the next election for members of the General Assembly the Governor shall appoint to
37 fill the vacancy for the unexpired term of the office.

38 Upon the occurrence of a vacancy in the office of any one of these officers for any
39 of the causes stated in the preceding paragraph, the Governor may appoint an acting
40 officer to perform the duties of that office until a person is appointed or elected pursuant
41 to this section and Article III, Section 7 of the State Constitution, to fill the vacancy and
42 is qualified."

43 Sec. 16. Chapter 163 of the General Statutes is amended by adding a new
44 section to read:

1 **"§ 163-115.1. Party must nominate candidates for Governor and Lieutenant**
2 **Governor.**

3 If a party nominates a candidate for Governor under this Article, it must also
4 nominate a candidate for Lieutenant Governor, or the nomination as Governor is void.
5 If a party nominates a candidate for Lieutenant Governor under this Article, it must also
6 nominate a candidate for Governor, or the nomination as Lieutenant Governor is void."

7 Sec. 17. Chapter 163 of the General Statutes is amended by adding a new
8 section to read:

9 **"§ 163-108.2. Nomination of Lieutenant Governor.**

10 Except for G.S. 163-114 and G.S. 163-115.1, the provisions of this Article do not
11 apply to the office of Lieutenant Governor. Nomination for such office is as provided
12 by Article 11A of this Chapter."

13 Sec. 18. G.S. 163-98 reads as rewritten:

14 **"§ 163-98. General election participation by new political party.**

15 In the first general election following the date on which a new political party
16 qualifies under the provisions of G.S. 163-96, it shall be entitled to have the names of its
17 candidates for State, congressional, and national offices printed on the official ballots,
18 but it shall not be entitled to have the names of candidates for other offices printed on
19 State, district, or county ballots at that election.

20 For the first general election following the date on which it qualifies under G.S. 163-
21 96, a new political party shall select its candidates by party convention. Following
22 adjournment of the nominating convention, but not later than the first day of July prior
23 to the general election, the president of the convention shall certify to the State Board of
24 Elections the names of persons chosen in the convention as the new party's candidates
25 for State, congressional, and national offices in the ensuing general election. The State
26 Board of Elections shall print names thus certified on the appropriate ballots as the
27 nominees of the new party. The party, if it nominates a candidate for Governor, must
28 also nominate a candidate for Lieutenant Governor, or the nomination for Governor
29 shall be void. The candidate for Governor shall present to the State convention or State
30 executive committee of that party, whichever body the party rules provide, a proposed
31 candidate for Lieutenant Governor, who shall be the party's nominee if the convention
32 or committee, as appropriate, approves."

33 Sec. 19. G.S. 163-122 is amended by adding a new subsection to read:

34 "(c) In filing petitions as an unaffiliated candidate, a petition for the office of
35 Governor shall also contain the name of a candidate for Lieutenant Governor, and the
36 petition shall be a petition for both. In filing petitions as an unaffiliated candidate, a
37 petition for the office of Lieutenant Governor shall also contain the name of a candidate
38 for Governor, and the petition shall be a petition for both. The form of the petition
39 requesting unaffiliated candidates to be placed on the ballot for Governor and
40 Lieutenant Governor on the general election ballot shall contain on the heading of each
41 page of the petition in bold print or in all capital letters the words 'THE
42 UNDERSIGNED REGISTERED VOTERS IN COUNTY HEREBY PETITION
43 ON BEHALF OF AS AN UNAFFILIATED CANDIDATE FOR GOVERNOR
44 AND AS AN UNAFFILIATED CANDIDATE FOR LIEUTENANT

1 GOVERNOR IN THE NEXT GENERAL ELECTION. THE UNDERSIGNED
2 HEREBY PETITION THAT THE SUBJECT CANDIDATES BE PLACED ON THE
3 APPROPRIATE BALLOT UPON COMPLIANCE WITH THE PROVISIONS OF G.S.
4 163-122."

5 Sec. 20. G.S. 163-140(b) is amended by adding a new subdivision to read:

6 "(9) In the General Election, the offices of Governor and Lieutenant
7 Governor shall be combined on the State ballot and the nominees of
8 each party or unaffiliated offices listed together so that a vote for a
9 candidate for one of those offices is a vote for the candidates for both
10 offices. Such team election of Governor and Lieutenant Governor is
11 not a multiseat race for the purpose of subsection (f) of this section."

12 Sec. 21. G.S. 163-151(6) is amended by adding a new subparagraph to read:

13 "f. A write-in vote for a candidate for Governor shall not be
14 counted unless that person has also written in the name of a
15 candidate for Lieutenant Governor. A write-in vote for a
16 candidate for Lieutenant Governor shall not be counted unless
17 that person has also written in the name of a candidate for
18 Governor. A write-in vote shall not be counted for any
19 candidate for Governor if that person appears on the ballot as a
20 candidate for that office. A write-in vote shall not be counted
21 for any candidate for Lieutenant Governor if that person
22 appears on the ballot as a candidate for that office."

23 Sec. 22. Chapter 163 of the General Statutes is amended by adding a new
24 Article to read:

25 **"ARTICLE 11A.**

26 **"NOMINATION OF LIEUTENANT GOVERNOR.**

27 **"§ 163-126. Lieutenant Governor.**

28 Political parties nominating a candidate for Governor under Article 10 of this
29 Chapter shall nominate a candidate for Lieutenant Governor in accordance with this
30 Article.

31 **"§ 163-126.1. Convention or State executive committee.**

32 The candidate for Governor shall propose a candidate for Lieutenant Governor to
33 either the State convention or the State executive committee of that party, whichever
34 body the party rules provide. The person, if approved by the convention or committee,
35 as appropriate, is that party's nominee for Lieutenant Governor.

36 **"§ 163-126.2. Time of nomination.**

37 The nomination for Lieutenant Governor shall be made no earlier than the date
38 that party's nomination for Governor is determined under G.S. 163-110, G.S. 163-111,
39 or G.S. 163-112, as appropriate, and no later than the first Monday in August. The State
40 Board of Elections shall be notified of the nomination for Lieutenant Governor no later
41 than the first Monday in August. The State Board of Elections shall cause the name of
42 the nominee to be printed on the general election ballots as if the nomination had been
43 made by primary under Article 10 of this Chapter.

44 **"§ 163-126.3. Vacancies in nomination.**

1 If a party has nominated a candidate for Lieutenant Governor, and a vacancy occurs
2 in that nomination, it shall be filled in accordance with G.S. 163-114 whether the
3 nomination was made by the State convention or the State executive committee."

4 Sec. 23. G.S. 163-107(a) is amended by deleting in the schedule the entry
5 under "Office Sought", and "Amount of Filing Fee" the entry for "Lieutenant
6 Governor".

7 Sec. 24. G.S. 163-107.1(b) reads as rewritten:

8 "(b) If the candidate is seeking the office of United States Senator, Governor,
9 ~~Lieutenant Governor~~, any State executive officer, Justice of the Supreme Court or
10 Judge of the Court of Appeals, the petition must be signed by 10,000 registered voters
11 who are members of the political party in whose primary the candidate desires to run,
12 except that in the case of a political party as defined by G.S. 163-96(a)(2) which will be
13 making nominations by primary election, the petition must be signed by ten percent
14 (10%) of the registered voters of the State who are affiliated with the same political
15 party in whose primary the candidate desires to run, or in the alternative, the petition
16 shall be signed by no less than 10,000 registered voters regardless of the voter's political
17 party affiliation, whichever requirement is greater. The petition must be filed with the
18 State Board of Elections not later than 12:00 noon on Monday preceding the filing
19 deadline before the primary in which he seeks to run. The names on the petition shall be
20 verified by the board of elections of the county where the signer is registered, and the
21 petition must be presented to the county board of elections at least 15 days before the
22 petition is due to be filed with the State Board of Elections. When a proper petition has
23 been filed, the candidate's name shall be printed on the primary ballot."

24 Sec. 25. G.S. 163-111(c)(1) reads as rewritten:

25 "(1) A candidate who is apparently entitled to demand a second primary,
26 according to the unofficial results, for one of the offices listed below,
27 and desiring to do so, shall file a request for a second primary in
28 writing or by telegram with the Executive Secretary-Director of the
29 State Board of Elections no later than 12:00 noon on the seventh day
30 (including Saturdays and Sundays) following the date on which the
31 primary was conducted, and such request shall be subject to the
32 certification of the official results by the State Board of Elections. If
33 the vote certification by the State Board of Elections determines that a
34 candidate who was not originally thought to be eligible to call for a
35 second primary is in fact eligible to call for a second primary, the
36 Executive Secretary-Director of the State Board of Elections shall
37 immediately notify such candidate and permit him to exercise any
38 options available to him within a 48-hour period following the
39 notification:

40 Governor,

41 ~~Lieutenant Governor~~,

42 All State executive officers,

43 Justices, Judges, or District Attorneys of the General Court of Justice,

44 United States Senators,

Members of the United States House of Representatives,
 State Senators in multi-county senatorial districts, and
 Members of the State House of Representatives in multi-county
 representative districts."

Sec. 26. The table in G.S. 163-1 reads as rewritten:

OFFICE	JURISDICTION	DATE OF ELECTION	TERM OF OFFICE
Governor	State	Tuesday next after	Four years, from the first Monday in November 1968 and every four years thereafter
Lieutenant Governor	State	Tuesday next after	Four years, from the first Monday in November 1968 and every four years thereafter
Secretary of State	State	Tuesday next after	Four years, from the first Monday in November 1968 and every four years thereafter
Auditor	State	Tuesday next after	Four Six years, from the first Monday in November 1968 and every four years thereafter
Treasurer	State	Tuesday next after	Four years, from the first Monday in November 1968 and every four years thereafter
Superintendent of Public Instruction	State	Tuesday next after	Four years, from the first Monday in November 1968 and every four years thereafter
Attorney General	State	Tuesday next after	Four years, from the first Monday in November 1968 and every four years thereafter
Commissioner of Agriculture	State	Tuesday next after	Four years, from the first Monday in November 1968 and every four years thereafter

1			and every four	after election
2			years thereafter	
3	Commissioner	State	Tuesday next after	Four years, from
4	of Labor		the first Monday	first day of
5			in November 1968	January next
6			and every four	after election
7			years thereafter	
8	Commissioner	State	Tuesday next after	Four years, from
9	of		the first Monday	first day of
10	Insurance		in November 1968	January next
11			and every four	after election
12			years thereafter	
13	All other	State	Tuesday next after	Four years, from
14	State	the first Monday	first day of	
15	officers		in November 1968	January next
16	whose terms		and every four	after election
17	last for		years thereafter	
18	four years			
19	All other	State	Tuesday next after	Two years, from
20	State	the first Monday	first day of	
21	officers		in November 1968	January next
22	whose terms		and every two	after election
23	are not	years thereafter		
24	specified			
25	by law			
26	State Senator	Senatorial	Tuesday next after	Two years
27	district	the first Monday		
28		in November 1968		
29			and every two	
30		years thereafter		
31	Member of	Representative		Tuesday next after
32	State House	district	the first Monday	Two years
33	of Repre-		in November 1968	
34	sentatives		and every two	
35		years thereafter		
36	Justices and	State	At the regular	Eight Four years,
37	Judges of the		members of the	election for from first day
38	Appellate		General Assembly	of January next
39	Division		immediately preceding	after election
40			the termination of	
41			each regular term	
42				
43	Judges of the	State	At the regular	Eight Four years,
44	superior		election for	from first day

1 courts members of the of January next
 2 General Assembly after election
 3 immediately preceding
 4 the termination of
 5 each regular term
 6 Judges of the District court At the regular Four years, from
 7 district district election for the first Monday
 8 courts members of the in December next
 9 General Assembly after election
 10 immediately preceding
 11 the termination
 12 of each regular
 13 term
 14 District District At the regular Four years, from
 15 Attorney Attorney election for first day of
 16 district members of the January next
 17 General Assembly after election
 18 immediately preceding
 19 the termination
 20 of each regular
 21 term
 22 Members of Congressional Tuesday next after Two years
 23 House of district, the first Monday
 24 Representa- except as in November 1968
 25 tives of modified by and every two
 26 the G.S. 163-104 years thereafter
 27 Congress of
 28 the United
 29 States
 30 United States State At the regular Six years
 31 Senators election immed-
 32 iately preceding
 33 the termination
 34 of each regular
 35 term
 36 County County At the regular Two years, from
 37 commissioners election for the first
 38 members of the Monday in
 39 General Assembly December next
 40 immediately preceding after election
 41 the termination of
 42 each regular term
 43 Clerk of County At the regular Four years, from
 44 superior election for the first

1 court members of the Monday in
 2 General Assembly December next
 3 immediately preceding after election
 4 the termination
 5 of each regular term
 6 Register of County At the regular Four years, from
 7 deeds election for the first
 8 members of the Monday in
 9 General Assembly December next
 10 immediately after election
 11 preceding the
 12 termination of
 13 each regular term
 14 Sheriff County At the regular Four years, from
 15 election for the first
 16 members of the Monday in
 17 General Assembly December next
 18 immediately after election
 19 preceding the
 20 termination of
 21 each regular term
 22 Coroner County At the regular Four years, from
 23 election for the first
 24 members of the Monday in
 25 General Assembly December next
 26 immediately after election
 27 preceding the
 28 termination of
 29 a regular term
 30 County County Tuesday next after Two years, from
 31 treasurer the first Monday the first
 32 (in in November 1968 Monday in
 33 counties in and every two December next
 34 which years thereafter after election
 35 elected)
 36 All other County Tuesday next after Two years, from
 37 county the first Monday the first
 38 officers to in November 1968 Monday in
 39 be elected and every two December next
 40 by the years thereafter after election".
 41 peopleSec. 27. G.S. 163-123 is amended by adding a new subsection to read:
 42 "(c1) Any declaration of intent filed under this section for the office of Governor
 43 shall be a joint declaration with another candidate for the office of Lieutenant Governor.
 44 Any declaration of intent filed under this section for the office of Lieutenant Governor

1 shall be a joint declaration with another candidate for the office of Governor. The
2 declaration shall be signed by both candidates. The State Board of Elections shall
3 provide for a joint petition form for Governor and Lieutenant Governor in lieu of the
4 one provided by subsection (d) of this section."

5 Sec. 28. Chapter 128 of the General Statutes is amended by adding a new
6 section to read:

7 **"§ 128-1.4. Appointment of heads of principal administrative departments.**

8 Notwithstanding any other provision of law, the following officer shall be appointed
9 by the Governor subject to confirmation by majority vote of each house of the General
10 Assembly:

11 (1) Secretary of State;

12 (2) Treasurer;

13 (3) Superintendent of Public Instruction;

14 (4) Attorney General;

15 (5) Commissioner of Agriculture;

16 (6) Commissioner of Labor;

17 (7) Commissioner of Insurance;

18 (8) Secretary of the Department of Cultural Resources;

19 (9) Secretary of the Department of Human Resources;

20 (10) Secretary of the Department of Revenue;

21 (11) Secretary of the Department of Crime Control and Public Safety;

22 (12) Secretary of the Department of Correction;

23 (13) Secretary of the Department of Environment, Health, and Natural
24 Resources;

25 (14) Secretary of the Department of Transportation;

26 (15) Secretary of the Department of Administration; and

27 (16) Secretary of the Department of Commerce.

28 When a vacancy occurs in any of these offices when the General Assembly is not in
29 session, the Governor may appoint someone to serve until the third day after the
30 General Assembly is next in session. The Governor may at any time appoint someone
31 to serve not more than 30 days to fill an interim vacancy, unless that person has been
32 rejected by the General Assembly for confirmation."

33 Sec. 29. Sections 14 through 28 of this act shall take effect only upon
34 approval of the voters of the constitutional amendments set forth in this act. If the
35 constitutional amendments proposed in those sections are approved by the voters,
36 Sections 14 through 28 of this act shall become effective at the same time as the
37 constitutional amendments.

38 Sec. 30. This act is effective upon ratification.