

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

1

HOUSE BILL 1161

Short Title: Gubernatorial Team Ticket.

(Public)

Sponsors: Representative Wood.

Referred to: Election Law and Campaign Reform.

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR
RUN AS A JOINT TICKET IN THE GENERAL ELECTION.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Article III of the Constitution of North Carolina is amended by adding a new subsection to read:

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

Section 2. The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at the statewide primary election in 2000, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

"[] FOR [] AGAINST

Constitutional amendment providing that candidates for Governor and Lieutenant Governor shall be listed on the general election ballot as a team."

Section 3. If a majority of the votes cast on the question are in favor of the amendment set out in Section 1 of this act, the State Board of Elections shall certify the

1 amendment to the Secretary of State. The constitutional amendment shall become
2 effective beginning with candidacies for the 2000 General Election. The Secretary of
3 State shall enroll the amendment so certified among the permanent records of that office.

4 Section 4. Chapter 163 of the General Statutes is amended by adding a new
5 section to read:

6 **"§ 163-115.1. Party must nominate candidates for Governor and Lieutenant**
7 **Governor.**

8 If a party nominates a candidate for Governor under this Article, it must also
9 nominate a candidate for Lieutenant Governor, or the nomination as Governor is void. If
10 a party nominates a candidate for Lieutenant Governor under this Article, it must also
11 nominate a candidate for Governor, or the nomination as Lieutenant Governor is void."

12 Section 5. Chapter 163 of the General Statutes is amended by adding a new
13 section to read:

14 **"§ 163-108.2. Nomination of Lieutenant Governor.**

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

18 Section 6. G.S. 163-98 reads as rewritten:

19 **"§ 163-98. General election participation by new political party.**

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

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

36 Section 7. G.S. 163-122 is amended by adding a new subsection to read:

37 "(d) In filing petitions as an unaffiliated candidate, a petition for the office of
38 Governor shall also contain the name of a candidate for Lieutenant Governor, and the
39 petition shall be a petition for both. In filing petitions as an unaffiliated candidate, a
40 petition for the office of Lieutenant Governor shall also contain the name of a candidate
41 for Governor, and the petition shall be a petition for both. The form of the petition
42 requesting unaffiliated candidates to be placed on the ballot for Governor and Lieutenant
43 Governor on the general election ballot shall contain on the heading of each page of the

1 petition in bold print or in all capital letters the words ‘THE UNDERSIGNED
2 REGISTERED VOTERS IN COUNTY HEREBY PETITION ON BEHALF OF
3 AS AN UNAFFILIATED CANDIDATE FOR GOVERNOR AND AS AN
4 UNAFFILIATED CANDIDATE FOR LIEUTENANT GOVERNOR IN THE NEXT
5 GENERAL ELECTION. THE UNDERSIGNED HEREBY PETITION THAT THE
6 SUBJECT CANDIDATES BE PLACED ON THE APPROPRIATE BALLOT UPON
7 COMPLIANCE WITH THE PROVISIONS OF G.S. 163-122.”

8 Section 8. G.S. 163-140(b) is amended by adding a new subdivision to read:

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

15 Section 9. G.S. 163-151(6) is amended by adding a new subparagraph to read:

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

26 Section 10. Sections 5 through 9 of this act shall become effective only if the
27 constitutional amendment proposed by Section 1 of this act is approved as provided by
28 Sections 2 and 3 of this act, and if so approved, Sections 5 through 9 of this act shall
29 become effective beginning with the 2000 election.

30 Section 11. This act is effective when it becomes law.