

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 607

Senate Election Laws Committee Substitute Adopted 6/12/91

Short Title: Williamston Election Method.

(Local)

Sponsors:

Referred to:

April 8, 1991

A BILL TO BE ENTITLED

AN ACT CHANGING THE METHOD OF ELECTING THE BOARD OF COMMISSIONERS FOR THE TOWN OF WILLIAMSTON.

The General Assembly of North Carolina enacts:

Section 1. The Williamston Board of Commissioners shall consist of five members elected in nonpartisan plurality elections for terms of two years. Elections shall be held at the time provided by State law and, except as otherwise provided in this act, shall be conducted according to general State law.

Sec. 2. Beginning with the 1991 election, two commissioners shall be elected from each of the two districts described in Section 3, and one commissioner shall be elected from the town at large. Only the voters residing in a district may vote on the two commissioners for that district, and only persons residing in a district shall be eligible to be candidates for the two offices representing the district. All voters of the town may vote for the at-large commissioner, and any eligible resident of the town may be a candidate for that office.

Sec. 3. The election districts are as follows:

District 1 – All of the town within the following line running clockwise from the point where Haughton Street (N.C. Highway 125) intersects with the town limits on the north side of town: South on Haughton to Williams Street, east on Williams to Park Street, south on Park to U.S. Highway 17 bypass, west on the bypass to Washington Street, north on Washington to Carolina Avenue, northwest on Carolina to Pinecrest, northeast on Pinecrest to Hanover, northwest on Hanover to Hyland Avenue, southwest on Hyland to Brownlow Avenue, northwest on Brownlow to Main Street, west on Main

1 to Edgelee Street, northwest on Edgelee to Weaver Drive, west on Weaver to Victoria
2 Street, south on Victoria to First Street, west on First to McCasky Road, south on
3 McCasky to Main Street, west on Main to U.S. Highway 64, west on 64 to the town
4 limits, and north and northeast along the town limits to the starting point.

5 **District 2** – All of the town not included within District 1, including the area
6 annexed in 1990 west of the previous town limits.

7 Sec. 4. Following each federal census and each annexation, the Board of
8 Commissioners may, by adoption of a resolution, alter the district boundaries if
9 necessary to comply with the requirements of equal representation. In making such
10 changes, the board shall follow the procedures in Chapters 160A and 163 of the General
11 Statutes, except as modified by this act.

12 Sec. 5. Vacancies on the board shall be filled as provided by general State
13 law. If a vacancy occurs in one of the four district commissioner offices, the person
14 appointed to fill the vacancy must reside in the district for which the vacancy occurred.

15 Sec. 6. The Mayor shall continue to be elected as a separate office by all the
16 voters of the town, and shall continue to serve a term of two years.

17 Sec. 7. Chapter 90 of the Session Laws of 1947 is repealed.

18 Sec. 8. Chapter 883 of the Session Laws of 1989, which purported to change
19 the method of electing town commissioners but which never took effect because it was
20 not precleared under section 5 of the Voting Rights Act, is also repealed.

21 Sec. 9. Because Martin County is subject to section 5 of the federal Voting
22 Rights Act of 1965, this act must be precleared by the United States Attorney General
23 before it may take effect. Implementation of the new election method, and the filing of
24 candidates for the 1991 town election, shall be as follows, depending upon the date this
25 act is precleared:

26 (a) If the act is not precleared before filing of candidates under the present
27 election system opens on July 5, 1991, notices of candidacy shall be accepted pursuant
28 to the present election system.

29 (b) If the act is precleared between July 5 and July 22, 1991, the date G.S. 163-
30 294.2(c)(1) provides for filing to open under the election system established by the act,
31 the board of elections shall offer candidates who have already filed by that time the
32 choice of receiving a refund of the filing fee or refile a notice of candidacy under the
33 new election system. Otherwise, filing under the new election system shall proceed
34 according to G.S. 163-294.2(C)(1).

35 (c) If the act is precleared after July 22, 1991, but by August 30, 1991, filing of
36 candidates shall open at noon on the second business day after notice of preclearance is
37 received and shall continue for two weeks. The board of elections shall offer each
38 person who already filed a notice of candidacy the choice of receiving a refund of the
39 filing fee or refile under the new election system. The board of elections shall publish
40 notice of the new filing period as soon as possible after it is notified of preclearance and
41 shall notify and encourage the news media to publicize the reopening of filing.

42 (d) If the act is not precleared until after August 30, 1991, the existing at-large
43 election method shall be used for the 1991 election and the new election method
44 established by this act shall be implemented beginning with the 1993 town election.

1 Sec. 10. This act is effective upon ratification.