

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1409
SENATE BILL 1011

AN ACT TO PROVIDE THAT THE STATE BOARD OF ELECTIONS SHALL BE AN INDEPENDENT AGENCY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143A-22 is hereby repealed.

Sec. 2. Article 3 of Chapter 163 of the General Statutes is hereby amended by adding a new section immediately following G.S. 163-19 to be designated as G.S. 163-19.1 and to read as follows:

"§ 163-19.1. **State Board of Elections Independent Agency.** — The State Board of Elections shall be and remain an independent regulatory and quasi-judicial agency and shall not be placed within any principal administrative department. The State Board of Elections shall exercise its statutory powers, duties, functions, authority, and shall have all powers and duties conferred upon the heads of principal departments under G.S. 143B-10."

Sec. 3. Article 3 of Chapter 163 of the General Statutes is hereby amended by adding a new section immediately following G.S. 163-19.1 to be designated as G.S. 163-19.2 and to read as follows:

"§ 163-19.2. **Executive Secretary-Director to be appointed by Board.** — The appointment of the Executive Secretary-Director of the State Board of Elections is extended to May 15, 1977, unless removed for proper cause, and thereafter the Board shall appoint an Executive Secretary-Director for a term of four years with compensation to be determined by the Department of Personnel. He shall serve, unless removed for cause, until his successor is appointed. Such Executive Secretary-Director shall be responsible for staffing, administration, execution of the Board's decisions and orders and shall perform such other responsibilities as may be assigned by the Board. In the event of a vacancy, the vacancy shall be filled for the remainder of the term."

Sec. 4. All funds budgeted to the Department of the Secretary of State for the State Board of Elections are hereby transferred to the State Board of Elections.

Sec. 5. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of April, 1974.