

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 365
HOUSE BILL 1104

AN ACT TO PROVIDE FOR THE NOMINATION AND ELECTION OF THE
BOARD OF COUNTY COMMISSIONERS OF RUTHERFORD COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 4 of Chapter 75, Public-Local Laws of 1933 is rewritten to read:

"Sec. 4. Beginning with the primary to be held for county officers in Rutherford County in 1974, candidates for the County Board of Commissioners shall be nominated from the five districts described in Section 2 above. Candidates must be residents of the district from which they seek nomination and election. At the time of filing notice of candidacy, the candidate shall indicate thereon the number of the district from which he is running. The ballot in the primary shall indicate the candidate's party affiliation and the district for which he seeks nomination. Instructions on the ballot shall inform the voter that he may vote for one candidate from each district. Candidates in the primary shall be voted on by the qualified voters of the entire county.

The candidate for each political party who receives a majority of the votes cast for candidates in the district from which he seeks nomination shall be declared nominated."

Sec. 2. Section 5 of Chapter 75, Public-Local Laws of 1933 is rewritten to read as follows:

"Sec. 5. The candidates nominated from each district shall be voted on in the general election by the qualified voters of the entire county. Beginning with the general election for county offices to be held in 1974, the candidate from each district receiving the highest number of votes cast for candidates from that district shall be elected. The three candidates receiving the highest number of votes shall be elected for terms of four years, and the two candidates receiving the next highest number of votes shall be elected for terms of two years. Thereafter, as the terms of members expire, their successors shall be elected for terms of four years.

Vacancies occurring in the board of county commissioners, other than expiration of term, shall be filled for the unexpired term by appointment by the remaining members of the board.

The general election ballot shall indicate the district from which each candidate is running, and the instructions shall inform the voter that he may vote for one candidate in each district."

Sec. 3. The terms of the incumbent members of the Rutherford County Board of Commissioners are hereby extended or reduced so that the terms of all incumbents shall expire on the first Monday in December 1974.

Sec. 4. Section 1 of Chapter 443, Public-Local Laws of 1921; Chapter 206, Public-Local Laws of 1925; Chapter 557, Session Laws of 1955; Chapter 518, Session Laws of 1963, are hereby repealed, and all laws and clauses of laws in conflict with this act are repealed to the extent of such conflict.

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

In the General Assembly read three times and ratified, this the 7th day of May, 1973.