

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 751
HOUSE BILL 287

AN ACT TO AMEND CHAPTER 90, ARTICLE 2 OF THE GENERAL STATUTES
RELATING TO DENTISTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-22(b) is amended by striking the words "for the unexpired term by a majority vote of the remaining members of the Board" on lines 28 through 29 and substituting therefor the following: "by a majority vote of the remaining members of the Board to serve until the next regular election conducted by the Board, at which time the vacancy will be filled by the election process provided for in this Article."

Sec. 2. G.S. 90-22(c)(9) is rewritten to read as follows:

"(9) a. Where there is more than one nominee eligible for election to a single seat:

1. The nominee receiving a majority of the votes cast shall be declared elected.
2. In the event that no nominee receives a majority, a second election shall be conducted between the two nominees who receive the highest number of votes.

b. Where there are more than two nominees eligible for election to either of two seats at issue in the same election:

1. A majority shall be any excess of the sum ascertained by dividing the total number of votes cast for all nominees by four.
2. In the event that more than two nominees receive a majority of the votes cast, the two receiving the highest number of votes shall be declared elected.
3. In the event that only one of the nominees receives a majority, he shall be declared elected and the Board of Dental Examiners shall thereupon order a second election to be conducted between the two nominees receiving the next to highest number of votes.
4. In the event that no nominee receives a majority, a second election shall be conducted between the four candidates receiving the highest number of votes. At such second election, the two nominees receiving the highest number of votes shall be declared elected.

c. In any election, if there is a tie between candidates, the tie shall be resolved by the vote of the Board of Dental Examiners, provided that if a member of that Board is one of the candidates in the tie, he may not participate in such vote."

Sec. 3. G.S. 90-24 is amended on lines 1 and 3 by deleting the word "four" and replacing it with the words "a majority of the".

Sec. 4. G.S. 90-26 is amended on line 4 by deleting the word "four" and replacing it with the words "majority of the".

Sec. 5. The second paragraph of G.S. 90-30 is amended on line 1 by deleting the number "21" and substituting therefor the number "18".

Sec. 6. G.S. 90-36 is amended on line 11 by deleting the comma following the word "him" and by deleting the word "or" as it appears between the words "States" and "whose" and substituting therefor the word "nor".

Sec. 7. G.S. 90-41(a)(20) is repealed.

Sec. 8. G.S. 143-34.12 is amended by deleting line 4 which reads as follows:
"Chapter 90, Article 2, entitled 'Dentistry'."

Sec. 9. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 1st day of July, 1981.