

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 595
HOUSE BILL 291

AN ACT TO PROVIDE THAT THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS SHALL BE ELECTED FROM DISTRICTS, AND TO EXPAND THE BOARD TO SEVEN SEATS, SUBJECT TO A REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. Effective on the first Monday in December of 1986, the New Hanover County Board of Commissioners shall consist of seven members. Until that date, it shall consist of five members.

Sec. 2. In the 1984 election, three commissioners shall be elected at large for two-year terms. The two commissioners elected in the 1982 election for four-year terms shall serve until the expiration of their terms.

Sec. 3. (a) The county board of commissioners shall divide the county into seven districts, and one member shall be elected beginning in 1986 from each district, so that each member represents the same number of persons as nearly as possible, and only the qualified voters of a district shall nominate candidates and elect the member who resides in the district for the seat allocated to that district.

(b) The board of county commissioners shall cause a map of the districts so laid out to be drawn up and filed as provided in G.S. 153A-20 and G.S. 153A-22, and the districts may be revised as provided in G.S. 153A-22.

(c) The initial district plan shall be adopted by the board of county commissioners no later than January 1, 1985.

(d) Each commissioner must reside in the district for which he is elected.

Sec. 4. In the 1986 election and quadrennially thereafter, one commissioner shall be elected from each of the seven districts to serve a four-year term.

Sec. 5. Chapter 340, Public Laws of 1905 and Chapter 816, Public Laws of 1909, are repealed.

Sec. 6. Effective on the first Monday in December of 1986, the New Hanover County Board of Commissioners shall consist of seven members. Until that date, it shall consist of five members.

Sec. 7. In the 1984 election, three commissioners shall be elected at large for two-year terms. The two commissioners elected in the 1982 election for four-year terms shall serve until the expiration of their terms.

Sec. 8. (a) The county board of commissioners shall divide the county into seven districts with each district having the same population as nearly as possible, and one commissioner shall be elected from each district. Members shall reside in the

districts according to the apportionment plan adopted, but the qualified voters of the entire county shall nominate all candidates for and elect all members of the board.

(b) The district apportionment plan shall be adopted by the board of county commissioners by ordinance no later than January 1, 1985. Once adopted, the plan may only be changed in accordance with law.

Sec. 9. In the 1986 county election, the four elected county commissioners receiving the highest number of votes shall be elected for four-year terms and the three elected county commissioners receiving the next highest number of votes shall be elected for two-year terms. Successors shall be elected for four-year terms.

Sec. 10. Chapter 340, Public Laws of 1905 and Chapter 816, Public Laws of 1909, are repealed.

Sec. 11. (a) Sections 1 through 10 of this act shall become effective only if approved by the voters of New Hanover County in a referendum. The New Hanover County Board of Elections shall hold a special election on October 11, 1983, on the question of approval of Sections 1 through 10 of this act.

(b) The form of the ballot shall be:

"VOTE FOR ONLY ONE CHOICE

1. @ FOR expansion of New Hanover County Board of Commissioners to seven members and election by a district system, with county commissioners residing in the district for which elected and only the qualified voters of the district voting in that district elections.

2. @ FOR expansion of New Hanover County Board of Commissioners to seven members and election by districts so that members shall reside in the districts according to the apportionment plan adopted, but the qualified voters of the entire county shall nominate all candidates for and elect all members of the board.

3. @ FOR New Hanover County Board of Commissioners consisting of five members elected by an at-large system."

(c) If a majority of the votes cast are in favor of question 1, then Sections 1 through 5 of this act shall become effective upon the date of certification of the election results, and Sections 6 through 10 of this act shall have no force or effect.

(d) If a majority of the votes cast are in favor of question 2, then Sections 6 through 10 of this act shall become effective upon the date of certification of the election, and Sections 1 through 5 of this act shall have no force or effect.

(e) If a majority of the votes cast are in favor of question 3, then Sections 1 through 10 of this act shall have no force or effect.

Sec. 12. (a) If neither questions 1, 2, or 3 receives a majority of the votes cast in the October 11, 1983, election, then the New Hanover County Board of Elections shall hold a second special election on November 8, 1983.

(b) At the second special election, the voters shall vote between the two questions provided in Section 11 of this act which received the highest number of votes in the October 11, 1983, election. Only those two questions shall appear on the ballot. Sections 10(c), 10(d), and 10(e) of this act shall determine the effect the second special election has on Sections 1 through 10 of this act. Absentee ballots for the second special election shall be available at least 10 days before the election.

Sec. 13. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 23rd day of June, 1983.