

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 697
HOUSE BILL 1237

AN ACT TO RESTORE THE 1975 LAW ON TERMINATION OF EMPLOYMENT
OF A COUNTY SUPERVISOR OF ELECTIONS.

The General Assembly of North Carolina enacts:

Section 1. The last paragraph of G.S. 163-35(b) is deleted and the following inserted in lieu thereof:

"The county board of elections may, by petition signed by a majority of the board, recommend to the Executive Secretary- Director of the State Board of Elections the termination of the employment of the county board's supervisor of elections. The petition shall clearly state the reasons for termination. Upon receipt of the petition, the Executive Secretary-Director shall forward a copy of same by certified mail, return receipt requested, to the county supervisor of elections involved. The county supervisor of elections may reply to said petition within 15 days of receipt thereof. Within 20 days of receipt of the county supervisor of elections' reply or the expiration of the time period allowed for the filing of said reply, the State Executive Secretary-Director shall render a decision as to the termination or retention of the county supervisor of elections. The decision of the Executive Secretary-Director of the State Board of Elections shall be final unless such decision shall, within 20 days from the official date on which it was made, be deferred by the State Board of Elections, in which event a public hearing shall be conducted by said State Board or any single member designated by the remaining four members, in the county seat of the county involved. Following the conduct of such public hearing and a decision by the State Board of Elections, the chairman of said Board shall notify the Executive Secretary- Director of the State Board of Elections, in writing, of the decision resulting from the public hearing. If the decision, rendered by the State Board of Elections, results in concurrence with the decision entered by the Executive Secretary-Director, the decision becomes final. If the decision rendered by the Board is contrary to that entered by the Executive Secretary- Director, then the Executive Secretary-Director shall, within 15 days from the written notification, enter an amended decision consistent with the results of the decision by the State Board of Elections. The employment of any supervisor of elections presently employed or hereafter employed shall not be terminated except in compliance with the procedures herein prescribed. For the purposes of this subsection the individual designated by the remaining four members of the State Board shall possess the same authority conferred upon the chairman pursuant to G.S. 163-23."

Sec. 2. This act is effective on October 1, 1983.

In the General Assembly read three times and ratified, this the 6th day of July, 1983.