

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 930
SENATE BILL 704

AN ACT TO SCHEDULE THE NONPARTISAN MUNICIPAL ELECTION IN THE
CITY OF ELIZABETH CITY FOR MAYOR AND FOR MEMBERS OF THE
CITY COUNCIL NOT CONDUCTED IN 1983 DUE TO DELAY CAUSED BY
SUBMISSIONS TO THE UNITED STATES DEPARTMENT OF JUSTICE.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding any other provisions of law to the contrary and subject to the receipt by Elizabeth City of written notification from the United States Department of Justice that the Attorney General of the United States does not interpose any objection to this act and the implementation thereof under the terms of the Voting Rights Act of 1965 (as amended), the nonpartisan municipal election for Mayor and for members of the City Council of the City of Elizabeth City, originally scheduled to be conducted on October 11, 1983, shall be conducted in accordance with the schedule and procedures hereinafter prescribed, and except as provided herein, the provisions of Chapter 163 of the General Statutes shall apply.

Sec. 2. The public notice relative to the election to be conducted in accordance with this act shall be published in a newspaper having general circulation in Elizabeth City on August 10, 1984. At least one other publication shall be made no later than one week following the date of the first publication.

Sec. 3. The nonpartisan municipal election for Mayor and for members of the City Council of the City of Elizabeth City shall be conducted on Tuesday, September 11, 1984, and a runoff election, if required, shall be conducted on Tuesday, October 9, 1984.

Sec. 4. The public notice relative to a runoff election, if one is required, to be conducted in accordance with this act shall be published in a newspaper having general circulation in Elizabeth City no later than 10 days following the election, and at least one other publication shall be made no later than one week following the date of the first publication.

Sec. 5. The State Board of Elections pursuant to G.S. 163-304 and the Pasquotank County Board of Elections pursuant to G.S. 163-285 shall conduct and have authority over the election and if required, the runoff election herein ordered. Such authority shall include the right to make reasonable interim rules and regulations not inconsistent with this act in order to insure an orderly election and if required, a runoff election, as ordered herein pursuant to Articles 23 and 24 of Chapter 163 of the General Statutes and other laws applicable to elections in the City of Elizabeth City. Any interim rules and regulations adopted shall expire at the time set forth in Section 8 of this act.

Sec. 6. The election ballot to be printed pursuant to this act shall contain the names of the candidates who filed for the four ward seats and Mayor between August 19, 1983, and September 9, 1983. Each voter shall be entitled to vote for one of the candidates for Mayor and for one of the candidates as to each respective ward. Ballots shall be as provided in G.S. 163- 299.

Sec. 7. The terms of the Mayor and City Council members elected pursuant to this act shall commence on the first Monday of November 1984, and their terms shall expire on the same dates their terms would have expired had said Mayor and City Council members been elected at the elections scheduled for October 11, 1983.

Sec. 8. The provisions of this act shall be temporary and shall apply only to the election and if required, the runoff election, ordered herein. Its provisions shall expire following final certification of the election and if required, the runoff election, ordered herein.

Sec. 9. In the event any portion of this act is held unconstitutional or invalid by a State or Federal Court or is unenforceable because of objection interposed by the United States Department of Justice under the Voting Rights Act of 1965 (as amended) or if the United States Department of Justice imposes requirements in addition to those set forth herein in connection with the election and if required, the runoff election, herein ordered, which additional requirements are prerequisites to obtaining a nonobjection by the United States Attorney General under the Voting Rights Act of 1965 (as amended), then and in any of said events, the State Board of Elections shall have authority to make reasonable interim rules and regulations with respect to the election and if required, the runoff election herein ordered, and to implement any additional requirements which may be imposed as set forth above, in addition to or in lieu of the procedures set forth in this act, and such rules and regulations shall expire at the time set forth in Section 8 hereof.

Sec. 10. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 11th day of June, 1984.