

February 4, 2009

H 71. FOUR-YEAR TERMS. Filed 2/4/09. *TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY.*

Subject to the approval by the voters at the May 4, 2010, statewide primary election, makes the following constitutional amendments.

Amends Article II, Section 2 and Article II, Section 4 of the North Carolina Constitution (Constitution) to provide for a quadrennial ballot (was, biennial ballot) for Senators and members of the House of Representatives (Representatives) respectively, effecting four year terms of office for Senators and Representatives.

Amends Article II, Section 8 of the Constitution to require that the election of members of the General Assembly (Senators and Representatives) be held in 2010 (was, in 1972) and every four years thereafter (was, every two years).

Currently, the Constitution provides circumstances under which the President Pro Tempore (President Pro Tem) of the Senate may succeed the Lieutenant Governor as President of the Senate. Amends Article II, Section 14(1) of the Constitution to provide that the under those circumstances, the President Pro Tem is to serve as President of the Senate until the expiration of the senator's term of office, or the qualification of a new Lieutenant Governor, whichever comes first (was, serve until the expiration of the senator's term of office).

Amends Article III, Section 2(1) of the Constitution to set the election of the Governor and Lieutenant Governor in 2010, and every four years thereafter, at the places and on the day prescribed by law (was, in 1972, at the same time and place as members of the General Assembly).

Amends Article III, Section 7 of the Constitution to set 2010 (and every four years thereafter) as the election date for Council of State elective officers at the same time and places as the Governor is elected (was, at the same time and places as members of the General Assembly are elected). Provides that vacancies for any of these offices are to be filled at the first election for either (1) members of the General Assembly *or* (2) Governor that occurs more than 60 days after the vacancy occurs (was, at the first election for members of the General Assembly), whichever comes first.

Amends Article V, Section 9(3) of the Constitution to provide for the election of the clerk of superior court for each county to occur at the same time and places as members of the General Assembly or the Governor are elected (was, the General Assembly).

Amends Article IV, Section 18(1) of the Constitution to provide that the election of district attorneys is to occur at the same time and places that members of the General Assembly or the Governor are elected (was, the General Assembly).

Amends Article IV, Section 19 of the Constitution to provide that in instances where the vacancies in elected offices are filled by appointment of the Governor, the appointees are to maintain the office until the next election for either (1) members of the General Assembly *or* (2) Governor that occurs more than 60 days after the vacancy occurs (was, at the first election for members of the General Assembly), whichever comes first.

Directs that if the constitutional amendments receive a favorable majority of votes, then the amendments are to apply to members of the General Assembly elected in the 2010 general election, permitting them to serve four-year terms.

Intro. by Goforth, Brubaker, Carney, Howard. CONST