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AMENDMENTS TO THE
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1776-1996

Institute of Government
The University of North Carolina at Chapel Hill
1997

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AMENDMENTS TO THE CONSTITUTION OF NORTH CAROLINA

1776-1996

A List of Constitutions
and Constitutional Amendments
Submitted to the Qualified Voters
of the State, with the Vote Cast on Each and the
Statement of the Issue As It Appeared on the Ballot

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1997

PREFACE

This is a catalogue of the amendments to the Constitution of North Carolina that have been submitted to the voters of the State since 1776, when our first Constitution was adopted. Amendments adopted by conventions without a vote of the people have been noted also, as have several amendment proposals which were approved by the General Assembly but which never reached the voters, due to legislative repeal or judicial invalidation of the act of submission.

Each voting proposition has been treated here as one amendment, whether it involved only the change of a word or two or the revision of the entire Constitution.

For every Constitution or amendment that reached the voters, the number of votes cast for and against the proposition has been stated. The chief source of voting data has been the North Carolina Manual, published biennially since 1913.

Every legislative act or convention ordinance submitting a revised Constitution or a constitutional amendment to the voters (with a single exception) has set forth in specific terms the proposition that was to appear on the ballot, identifying for the voter the change or changes to be voted on. All of these ballot propositions have been quoted here in full. (The Constitution has never required that the full text or a synopsis of an amendment be printed on the ballot.)

Appendix 1 tabulates the number of amendments to the Constitution the people have voted on each election year, indicating the number ratified and the number rejected.

Appendix 2 sets out in full the four forms the amendment provisions of the Constitution of North Carolina have taken since the first amendment procedure was adopted in 1835.

AMENDMENTS TO THE CONSTITUTION OF NORTH CAROLINA

1776-1996

Constitution of 1776

The Constitution and Declaration of Rights of 1776 were promulgated by the Fifth Provincial Congress without a vote of the people. 23 State Records of North Carolina 977, 980. The single amendment to the Constitution adopted between 1776 and 1835 was promulgated by the Convention of 1789. It granted borough status to Fayetteville. 22 State Records of North Carolina 50-51.

The constitutional amendments of 1835 were submitted to the people by an ordinance adopted by the Convention of 1835. See Journal of the Convention . . . [of] 1835, pp. 103-104, for a copy of the ordinance submitting the amendments to the voters. Ratified 11/9/1835 by 26,771 to 21,606. The ballot issue: "Ratification" or "Rejection".

The only amendment that reached the voters between 1835 and 1865 was the suffrage amendment, submitted by Laws 1854-55, ch. 7, and 1856-57, chs. 12 and 13. (From 1836 until 1876, amendments had to pass one session of the General Assembly by a three-fifths vote, then pass the next session following an election for legislators by a two-thirds vote, and then go to the voters.) Ratified 8/6/1857 by 50,095 to 19,382. The ballot issue: "Approved" or "Not Approved".

Twelve amendments to the Constitution were adopted by the Convention of 1861-62 without being submitted to a vote of the people. Ordinances and Resolutions Passed by the State Convention of North Carolina, at its Several Sessions in 1861-'62, p. 3 ff. (Amendments adopted by convention were not until 1971 required by the terms of the Constitution to be submitted to the voters for ratification or rejection, although the act providing for the calling of a convention might require such submission.)

The Convention of 1865-66 submitted to the people in 1865 an amendment declaring null and void the secession ordinance of 20 May 1861, which the people ratified 11/9/1865 by 19,977 to 1,940. The ballot issue: "Anti-Secession Ordinance ratified" or "Anti-Secession Ordinance rejected". Constitution of North-Carolina, with Amendments, and Ordinances and Resolutions Passed by the Convention, Session 1865, pp. 39, 46-47.

The Convention of 1865-66 also submitted to the people in 1865 an amendment abolishing slavery in North Carolina, which the people ratified 11/9/1865 by 18,527 to 3,696. The ballot issue: "Anti-Slavery Ordinance ratified" or "Anti-Slavery Ordinance rejected". Constitution of North-Carolina, with Amendments, and Ordinances and Resolutions Passed by the Convention, Session 1865, pp. 40, 46-47.

The Convention of 1865-66 submitted to the people in 1866 a revised Constitution which the people rejected 8/2/1866 by 21,770 to 19,880. See Ordinances and Resolutions Passed by the North Carolina State Convention, Second Session, 1866, pp. 21-22. The ballot issue: "Ratification" or "Rejection".

Constitution of 1868

The Convention of 1868 submitted to the people in 1868 a revised Constitution which the people ratified 4/21-23/1868 by 93,086 to 74,016. See Constitution of the State of North Carolina, together with the Ordinances and Resolutions of the Constitutional Convention . . . 1868, ch. 35, for the ordinance submitting the Constitution to the people. The ballot issue: "For the Constitution" or "Against the Constitution".

The General Assembly of 1871-72 enacted Pub. Laws 1871-72, ch. 53, which embodied several amendments to the Constitution; the 1872-73 session set forth either of those changes in Pub. Laws 1872-73, chs. 81, 82, 83, 84, 85, 86, 87, and 88, each embodying a separate amendment; and these were submitted to the voters by Pub. Laws 1872-73, ch. 153. All eight were ratified 8/7/1873. (At that time, all amendments still had to be enacted by two sessions of the General Assembly before being submitted to the voters.) The ballot issue: "for amendments" or "against amendments" as to each of the eight. The votes cast on the amendments were:

- Ch. 81. Eliminating the State census. 70,721 to 29,087.
- Ch. 82. Making legislative sessions biennial. 70,740 to 29,033.
- Ch. 83. Broadening legislative authority to exempt personal property from taxation. 63,292 to 36,123.
- Ch. 84. Abolishing office of Superintendent of Public Works. 70,982 to 28,888.
- Ch. 85. Altering public debt provisions. 74,731 to 28,634.
- Ch. 86. Empowering General Assembly to elect University trustees. 67,839 to 30,728.
- Ch. 87. Abolishing code commissioners. 70,315 to 20,080.
- Ch. 88. Amending dual office-holding provisions. 69,331 to 29,188.

The Convention of 1875 submitted 30 constitutional changes to the voters in the form of a single ballot proposition, voted on in 1876 and ratified 11/7/1876 by 120,159 to 106,554. The ballot issue: "Ratification" or "Rejection". See ordinance submitting the amendments to the people, Amendments to the Constitution of North Carolina, Proposed by the Constitutional Convention of 1875, pp. 67-69.

One sees occasional references to the "Constitution of 1875." That is erroneous. The Constitution of 1868, as amended by the amendments proposed by the Convention of 1875 and legislatively initiated amendments, continued in force until 1971.

There has been no convention of the people in North Carolina since 1875. All subsequent amendments to the Constitution have been initiated by the General Assembly. The following is a list of every enactment of the General Assembly submitting an amendment to the people, with a notation as to its subject and its disposition. The constitutional amendment procedure requiring the enactment of an amendment by only one session of the General Assembly was adopted in 1876 and its basic features have not changed since that time. The amendment procedure incorporated in the Constitution of 1971 is consistent in all material respects with the 1876-1971 provision, but is somewhat more detailed than the latter provision.

The principal change was the new requirement that the constitutional changes adopted by a convention be submitted to the voters for ratification or rejection.

Pub. Laws 1879, ch. 314, amended by ch. 254. Making public support of indigent deaf mutes, blind, and insane of the State permissive. Ratified 11/2/1880 by 87,163 to 70,459. Ballot issue: "For amendment in relation to the support of the Deaf Mutes, the Blind and the Insane of the State" or "Against amendment in relation to the support of the Deaf Mutes, the Blind and the Insane of the State".

Pub. Laws 1879, ch. 268. Repudiating Reconstruction debt. Ratified 11/2/1880 by 117,388 to 5,458. Ballot issue: "For amendment concerning public debt" or "Against amendment concerning public debt".

Pub. Laws 1887, ch. 212. Enlarging Supreme Court from three to five members. Ratified 11/6/1888 by 121,659 to 29,377. Ballot issue: "for amendment" or "against amendment".

Pub. Laws 1891, ch. 422. Prescribing that Solicitors shall be elected in same manner as Superior Court Judges. Rejected 11/8/1892 by 135,966 to 120,476. Ballot issue: "For amendment" or "Against amendment".

Pub. Laws 1899, ch. 218; rewritten by Pub. Laws 1900 (Ex. Sess.), ch. 2. Revising Article VI on suffrage and eligibility to office. Ratified 8/2/1900 by 182,217 to 128,285. Ballot issue: "For Suffrage Amendment" or "Against Suffrage Amendment".

Pub. Laws 1913 (Ex. Sess.), ch. 81. Eliminating references to War of the Rebellion. Rejected 11/3/1914 by 61,031 to 57,816. Ballot statement: "Amendment to Article I, Section 6, and to Article VII, Section 13, Substituting the phrase 'War Between the States,' for the words 'insurrection or rebellion against the United States,' in Article I, section 6, and the word 'rebellion' in Article VII, section 13"; the voter could vote "yes" or "no".

Pub. Laws 1913 (Ex. Sess.), ch. 81. Increasing legislative compensation. Rejected 11/3/1914 by 68,149 to 50,722. Ballot statement: "Amendment to Article II, Section 28, Increasing compensation of members of the General Assembly, and decreasing mileage"; the voter could vote "yes" or "no".

Pub. Laws. 1913 (Ex. Sess.), ch. 81. Restricting local, private, and special legislation. Rejected 11/3/1914 by 62,953 to 54,727. Ballot statement: "Amendment to Article II (New Section), Restricting local, private, and special legislation"; the voter could vote "yes" or "no".

Pub. Laws. 1913 (Ex. Sess.), ch. 81. Changing governor's inauguration day. Rejected 11/3/1914 by 60,220 to 57,321. Ballot statement: "Amendment to Article III, Section 1, Fixing the day of inauguration of the Governor"; the voter could vote "yes" or "no".

- Pub. Laws. 1913 (Ex. Sess.), ch. 81. Providing for special and emergency judges. Rejected 11/3/1914 by 62,981 to 56,255. Ballot statement: "Amendment to Article IV, Section 11, To prevent delays in trials by providing emergency judges"; the voter could vote "yes" or "no".
- Pub. Laws 1913 (Ex. Sess.), ch. 81. Repealing obsolete transitional (1868) provisions of judicial article. Rejected 11/3/1914 by 62,728 to 54,414. Ballot statement: "Amendment to Article IV, Sections 20, 26, 33, Removing obsolete sections from Constitution"; the voter could "yes" or "no".
- Pub. Laws. 1913 (Ex. Sess.), ch. 81. Revising finance article. Rejected 11/3/1914 by 68,148 to 50,520. Ballot statement: "Striking out Article V, and Section 9 of Article VII, and substituting therefor an Article to Revise and Reform the System of Revenue and Taxation"; the voter could vote "yes" or "no".
- Pub. Laws. 1913 (Ex. Sess.), ch. 81. Prohibiting special act corporate charters. Rejected 11/3/1914 by 63,201 to 54,358. Ballot statement: "Amendment to Article VIII, Section 1, To prevent special charters to corporations by the General Assembly"; the voter could vote "yes" or "no".
- Pub. Laws. 1913 (Ex. Sess.), ch. 81. Requiring the General Assembly to provide by general law for organization of municipalities. Rejected 11/3/1914 by 63,027 to 53,887. Ballot statement: "Amendment to Article VIII, Section 4, To prevent special charters to towns, cities, and incorporated villages"; the voter could vote "yes" or "no".
- Pub. Laws. 1913 (Ex. Sess.), ch. 81. Extending the school term from four to six months. Rejected 11/3/1914 by 61,317 to 59,519. Ballot statement: "Amendment to Article IX, Section 3, To require six months Public School term"; the voter could vote "yes" or "no".
- Pub. Laws 1915, ch. 99. Restricting local, private, and special legislation. Ratified 11/7/1916 by 57,465 to 22,171. Ballot statement: "Amendment to Article II (new section). Restricting local, private and special legislation"; the voter could vote "yes" or "no".
- Pub. Laws 1915, ch. 99. Providing for special and emergency judges. Ratified 11/7/1916 by 56,345 to 22,250. Ballot statement: "Amendment to Article VIII, Section 1. To prevent special charters to corporations by the General Assembly"; the voter could vote "yes" or "no".
- Pub. Laws 1915, ch. 99. Prohibiting special act corporate charters. Ratified 11/7/1916 by 56,345 to 22,250. Ballot statement: "Amendment to Article VIII, Section 1. To prevent special charters to corporations by the General Assembly"; the voter could vote "yes" or "no".

- Pub. Laws 1915, ch. 99. Requiring the General Assembly to provide by general law for organization of municipalities. Ratified 11/7/1916 by 55,783 to 22,681. Ballot statement: "Amendment to Article VIII, Section 4. To prevent special charters to towns, cities and incorporated villages"; the voter could vote "yes" or "no".
- Pub. Laws 1917, ch. 119. Exempting from taxation notes secured by mortgages on homes of debtors. Ratified 11/5/1918 by 79,946 to 19,846. Ballot issue: "For Exemption from Taxation of Homestead Notes" or "Against Exemption from Taxation of Homestead Notes".
- Pub. Laws 1917, ch. 192. Extending school term from four to six months. Ratified 11/5/1918 by 122,062 to 20,095. Ballot issue: "For six months school term" or "Against six months school term".
- Pub. Laws 1919, ch. 129, rewritten by Pub. Laws 1920 (Ex. Sess.), ch. 93 Amending the revenue article with respect to income tax rates and exemptions, capitation taxes, and maximum state and county property tax rate. Ratified 11/2/1920 by 262,873 to 81,109. Ballot issue: "For Amendments to Limit Rate of State and County Taxes, and Amount of Poll Tax, and to Authorize Income Tax" or "Against Amendments to Limit Rate of State and County Taxes, and Amount of Poll Tax, and to Authorize Income Tax".
- Pub. Laws 1919, ch. 129, rewritten by Pub. Laws 1920 (Ex. Sess.), ch. 93. Reducing residence period for voting from two years to one year and eliminating poll tax payment as voting prerequisite. Ratified 11/2/1920 by 235,608 to 83,366. Ballot issue: "For Amendments to Change Requirement of Two Years Residence in the State, and Payment of Poll Tax as Qualification for Voting" or "Against Amendments to Change Requirement of Two Years Residence in the State, and Payment of Poll Tax as Qualification for Voting".
- Pub. Laws 1921, ch. 200. Increasing legislators' compensation. Rejected 11/7/1922 by 138,765 to 72,297. Ballot issue: "For increase of pay of legislators" or "Against increase of pay of legislators".
- [Pub. Laws 1923, ch. 118; repealed by Pub. Laws 1923, ch. 186. Making statutes providing for sinking funds irrepealable.]
- [Pub. Laws 1923, ch. 223; repealed by Pub. Laws 1924 (Ex. Sess.), ch. 29. Making statutes providing for sinking funds irrepealable.]
- Pub. Laws 1923, ch. 145. Revising limitations on State debt. Ratified 11/4/1924 by 127,937 to 43,026. Ballot issue: "For Amendment Limiting State Debt" or "Against Amendment Limiting State Debt".
- [Pub. Laws 1923, ch. 240; repealed by Pub. Laws 1924 (Ex. Sess.), ch. 122. Exempting from taxation notes secured by mortgages on homes of debtors.]
- Pub. Laws 1924 (Ex. Sess.), ch. 31. Increasing legislators' compensation. Rejected 11/2/1924 by 112,606 to 97,248. Ballot issue: "For Increase of Pay of Legislators" or "Against Increase of Pay of Legislators".

- Pub. Laws 1924 (Ex. Sess.), ch. 91. Protecting state sinking fund from diversion by General Assembly. Ratified 11/4/1924 by 109,434 to 50,571. Ballot issue: "For Sinking Fund Amendment" or "Against Sinking Fund Amendment".
- Pub. Laws 1924 (Ex. Sess.), ch. 115. Exempting from taxation notes secured by mortgages on homes of debtors. Ratified 11/4/1924 by 149,151 to 46,827. Ballot issue: "For Exemption from Taxation of Homes and Homestead Notes" or "Against Exemption from Taxation of Homes and Homestead Notes".
- Pub. Laws 1925, ch. 88. Revising procedure for canvassing results of elections for State executive officers. Ratified 11/2/1926 by 47,618 to 24,800. Ballot issue: "For Constitutional Amendment Relating to Election Returns for Officers of the Executive Department" or "Against Constitutional Amendment Relating to Election Returns for Officers of the Executive Department".
- Pub. Laws 1927, ch. 99. Providing for 24 solicitorial districts independent of judicial districts. Rejected 11/6/1928 by 150,061 to 123,249. Ballot issue: "For Amendment Providing for Solicitorial Districts" or "Against Amendment Providing for Solicitorial Districts".
- Pub. Laws 1927, ch. 203. Increasing legislators' compensation. Ratified 11/6/1928 by 147,946 to 147,734. Ballot issue: "For fixing salaries of members and presiding officers of the General Assembly at six hundred dollars and seven hundred dollars, respectively, and providing additional per diem for extra session" or "Against fixing salaries of members and presiding officers of the General Assembly at six hundred dollars and seven hundred dollars, respectively, and providing additional per diem for extra session".
- Pub. Laws 1927, ch. 216. Authorizing legislative classification of intangible personal property. Rejected 11/6/1928 by 158,354 to 124,894. Ballot issue: "For amendments to Constitution of North Carolina authorizing classification of intangible personal property" or "Against amendments to Constitution of North Carolina authorizing classification of intangible personal property".
- Pub. Laws 1929, ch. 108. Authorizing legislative classification of property for purposes of taxation. Rejected 11/4/1930 by 152,760 to 120,264. Ballot issue: "for constitutional amendments authorizing classification of property" and "against constitutional amendments authorizing classification of property".
- Pub. Laws 1929, ch. 140. Providing for 20 solicitorial districts. Rejected 11/4/1930 by 153,332 to 102,705. Ballot issue: "For Amendment Providing for Solicitorial Districts" or "Against Amendment Providing for Solicitorial Districts".

- Pub. Laws 1929, ch. 142. Enlarging Supreme Court from five to seven members. Rejected 11/4/1930 by 180,950 to 96,062. Ballot issue: "For amendment increasing the Supreme Court from five to seven members" or "Against amendment increasing the Supreme Court from five to seven members".
- Pub. Laws 1931, ch. 47. Extending term of sheriff and coroner from two to four years. Rejected 11/8/1932 by 275,458 to 187,834. Ballot issue: "For amendment making term of office of sheriffs and coroners four years instead of two" or "Against amendment making term of office of sheriffs and coroners four years instead of two".
- Pub. Laws 1931, ch. 104. Permitting General Assembly to submit amendments to the people at a general or special election. Rejected 11/8/1932 by 226,252 to 162,598. Ballot issue: Not prescribed by ch. 104.
- Pub. Laws 1931, ch. 262. Exempting insurance policy on life of insured for sole benefit of his wife and children from claims of his creditors during life of insured. Ratified 11/8/1932 by 304,885 to 145,448. Ballot issue: "For Amendment to Constitution to Protect Insurance for Widows and Children Against Creditors of Insured" or "Against Amendment to Constitution to Protect Insurance for Widows and Children Against Creditors of Insured".
- Pub. Laws 1931, ch. 367. Providing for 20 solicitorial districts. Rejected 11/8/1930 by 199,903 to 150,881. Ballot issue: "For Amendment Providing for Solicitorial Districts" or "Against Amendment Providing for Solicitorial Districts".
- [Pub. Laws 1933, ch. 383. Proposed Constitution of 1933. (Never submitted to voters, due to adverse advisory opinion from Supreme Court Justices.) Ballot issue: "For Amendment Amending the Preamble and the Several Articles of the Constitution" or "Against Amendment Amending the Preamble and the Several Articles of the Constitution".]
- Pub. Laws 1935, ch. 248. Authorizing legislative classification of property for purposes of taxation. Ratified 11/3/1936 by 242,899 to 152,516. Ballot issue: "For Classification of Property" or "Against Classification of Property".
- Pub. Laws 1935, ch. 248. Increasing maximum income tax rate from six to ten per cent. Ratified 11/3/1936 by 242,492 to 178,373. Ballot issue: "For Increasing Limitation of Income Tax to ten per cent (10%)" or "Against Increasing Limitation of Income Tax to ten per cent (10%)".
- Pub. Laws 1935, ch. 248. Revising state and local debt limitations. Ratified 11/3/1936 by 255,416 to 149,086. Ballot issue: "For Limitations upon the Increase of Public Debt" or "Against Limitations Upon the Increase of Public Debt".

- Pub. Laws 1935, ch. 444. Authorizing General Assembly to enlarge Supreme Court from five to seven members. Ratified 11/3/1936 by 257,980 to 168,496. Ballot issue: "For amendment to the Judicial Section of the Constitution" or "Against amendment to the Judicial Section of the Constitution".
- Pub. Laws 1935, ch. 444. Authorizing General Assembly to exempt from taxation up to \$1,000 in value of homestead. Ratified 11/3/1936 by 312,976 to 166,752. Ballot issue: "For exemption from taxation of homes to the value of one thousand dollars (\$1,000.00)" or "Against exemption from taxation of homes to the value of one thousand dollars (\$1,000.00)".
- Pub. Laws 1937, ch. 241. Increasing term of sheriff and coroner from two to four years. Ratified 11/8/1938 by 206,069 to 197,593. Ballot issue: "For Amendment Making Term of Office of Sheriff and Coroner Four Years" or "Against Amendment Making Term of Office of Sheriff and Coroner Four Years".
- Pub. Laws 1937, ch. 447. Authorizing General Assembly to establish Department of Justice. Ratified 11/8/1938 by 172,583 to 145,103. Ballot issue: "For a Department of Justice" or "Against a Department of Justice".
- Pub. Laws 1941, ch. 151. Reorganizing State Board of Education. Ratified 11/3/1942 by 148,517 to 109,798. Ballot issue: "For State Board of Education Amendments" or "Against State Board of Education Amendments".
- Pub. Laws 1941, ch. 261. Providing for 21 solicitorial districts. Ratified 11/3/1942 by 107,702 to 92,883. Ballot issue: "For Amendment Providing for Solicitorial Districts which need not be the same as the Judicial Districts of the State" or "Against Amendment Providing for Solicitorial Districts which need not be the same as the Judicial Districts of the State".
- Sess. Laws 1943, ch. 57. Making Commissioners of Agriculture, Labor, and Insurance constitutional officers. Ratified 11/7/1944 by 234,683 to 106,321. Ballot issue: "For making Commissioner of Agriculture, Commissioner of Labor, and Commissioner of Insurance constitutional officers and members of the Council of State" or "Against making Commissioner of Agriculture, Commissioner of Labor, and Commissioner of Insurance constitutional officers and members of the Council of State".
- Sess. Laws 1943, ch. 432. Exempting notaries public from double office holding prohibition. Ratified 11/7/1944 by 205,373 to 127,965. Ballot issue: "For Amendment Exempting Notaries Public from Prohibition against Double Office Holding" or "Against Amendment Exempting Notaries Public from Prohibition against Double Office Holding".
- Sess. Laws 1943, ch. 468. Reorganizing State Board of Education. Ratified 11/7/1944 by 164,723 to 107,742. Ballot issue: "For State Board of Education Amendment" or "Against State Board of Education Amendment".

Sess. Laws 1943, ch. 497. Authorizing General Assembly to fix pay of Lieutenant Governor. Ratified 11/7/1944 by 181,083 to 140,477. Ballot issue: "For amendment authorizing General Assembly to provide compensation for Lieutenant Governor" or "Against amendment authorizing General Assembly to provide compensation for Lieutenant Governor".

Sess. Laws 1943, ch. 662. Eliminating private examination of wife upon sale of homestead. Ratified 11/7/1944 by 183,802 to 155,359. Ballot issue: "For Amendment Abolishing Constitutional Requirement of Private Examination of Wife for Sale of Homestead" or "Against Amendment Abolishing Constitutional Requirement of Private Examination of Wife for Sale of Homestead".

Sess. Laws 1945, ch. 634. Altering certain constitutional references to males. Ratified 11/5/1946 by 186,540 to 133,396. Ballot issue: "For Amendments Making the Constitution Equally Applicable to Men and Women" or "Against Amendments Making the Constitution Equally Applicable to Men and Women".

Sess. Laws 1945, ch. 1042. Providing expense allowance for members of General Assembly. Rejected 11/5/1946 by 143,918 to 143,021. Ballot issue: "For amendment allowing limited necessary expenses of members of the General Assembly" or "Against amendment allowing limited necessary expenses of members of the General Assembly".

Sess. Laws 1947, ch. 34. Providing that in necessary expense referenda, a majority of those voting on the issue shall determine the outcome. Ratified 11/2/1948 by 287,350 to 141,858. Ballot issue: "For determining results of special elections by majority vote" or "Against determining results of special elections by majority vote".

Sess. Laws 1947, ch. 361. Increasing pay of members of General Assembly. Rejected 11/2/1948 by 248,786 to 235,535. Ballot issue: "For fixing salaries of Members of the General Assembly at twelve hundred dollars (\$1,200.00) and Presiding Officers at fifteen hundred dollars (\$1,500.00) and fixing salaries for Extra Sessions at two hundred and fifty dollars (\$250.00) and three hundred dollars (\$300.00) respectively" or "Against fixing salaries of Members of the General Assembly at twelve hundred dollars (\$1,200.00) and Presiding Officers at fifteen hundred dollars (\$1,500.00) and fixing salaries for Extra Sessions at two hundred and fifty dollars (\$250.00) and three hundred dollars (\$300.00) respectively".

- Sess. Laws 1947, ch. 421. Increasing general purpose county and state property tax limitation to 25¢. Rejected 11/2/1948 by 374,154 to 90,414. Ballot issue: "For amendment increasing the amount of total State and county tax which may be levied on property, by changing the limitation on said tax from fifteen (15) cents on the one hundred dollars (\$100.00) valuation to twenty-five (25) cents on the one hundred dollars (\$100.00) valuation" or "Against amendment increasing the amount of total State and county tax which may be levied on property, by changing the limitation on said tax from fifteen (15) cents on the one hundred dollars (\$100.00) valuation to twenty-five (25) cents on the one hundred dollars (\$100.00) valuation".
- Sess. Laws 1947, ch. 784. Repealing state and local constitutional debt limitations. Rejected 11/2/1948 by 273,409 to 164,063. Ballot issue: "For amendment removing debt limitation upon State, counties, and municipalities for necessary expenses" or "Against amendment removing debt limitation upon the State, counties, and municipalities for necessary expenses".
- Sess. Laws 1949, ch. 393. Allowing election of more than one Superior Court Judge in a district. Ratified 11/7/1950 by 213,922 to 88,664. Ballot issue: "For permitting the General Assembly to prescribe the number of regular Superior Court judges in each judicial district, provided each district has at least one" or "Against permitting the General Assembly to prescribe the number of regular Superior Court judges in each judicial district, provided each district has at least one".
- Sess. Laws 1949, ch. 579. Permitting waiver of indictment in non-capital cases. Ratified 11/7/1950 by 213,156 to 92,205. Ballot issue: "For permitting any person, when represented by counsel, to waive indictment in all except capital cases" or "Against permitting any person, when represented by counsel, to waive indictment in all except capital cases".
- Sess. Laws 1949, chs. 775 and 1194. Transferring duty of assigning judges, etc., from Governor to Chief Justice. Ratified 11/7/1950 by 207,153 to 91,743. Ballot issue: "For transferring to the Chief Justice of the Supreme Court the authority now exercised by the Governor in the assignment of judges and the calling of special terms of court, and empowering the Legislature to define the jurisdiction of the special judges" or "Against transferring to the Chief Justice of the Supreme Court the authority now exercised by the Governor in the assignment of judges and the calling of special terms of court, and empowering the Legislature to define the jurisdiction of the special judges".
- Sess. Laws 1949, ch. 821. Prohibiting diversion of funds of Teachers' and State Employees' Retirement System. Ratified 11/7/1950 by 299,187 to 65,512. Ballot issue: "For amendment securing and safeguarding the funds of the Teachers' and State Employees' Retirement System" or "Against amendment securing and safeguarding the funds of the Teachers' and State Employees' Retirement System".

Sess. Laws 1949, ch. 1267. Increasing pay of members of General Assembly. Ratified 11/7/1950 by 215,269 to 108,672. Ballot issue: "For amendment allowing limited necessary compensation of members of the General Assembly" or "Against amendment allowing limited necessary compensation of members of the General Assembly".

Sess. Laws 1951, ch. 142. Increasing general purpose county and state property tax limitation to 20¢. Ratified 11/4/1952 by 449,900 to 355,602. Ballot issue: "For limiting the amount of total State and county tax which may be levied on property to twenty cents (20¢) on the one hundred dollars (\$100.00) valuation" or "Against limiting the amount of total State and county tax which may be levied on property to twenty cents (20¢) on the one hundred dollars (\$100.00) valuation".

Sess. Laws 1951, ch. 1003. Providing for filling legislative vacancies by appointment of Governor. Ratified 11/4/1952 by 460,856 to 251,395. Ballot issue: "For amendment to fill a vacancy occurring in the General Assembly by death, resignation or otherwise by immediate appointment of the Governor, upon the recommendation of the executive committee of the county in which the deceased or resigned member was resident, being the executive committee of the political party with which the deceased or resigned member was affiliated at the time of his election" or "Against amendment to fill a vacancy occurring in the General Assembly by death, resignation or otherwise by immediate appointment of the Governor, upon the recommendation of the executive committee of the county in which the deceased or resigned member was resident, being the executive committee of the political party with which the deceased or resigned member was affiliated at the time of his election".

Sess. Laws 1953, ch. 1082. Providing that persons appointed to judicial vacancies by Governor hold until next regular election for members of General Assembly that is held more than 30 days after vacancy occurs. Ratified 11/4/1952 by 474,602 to 204,488. Ballot issue: "For amendment providing a uniform method for filling vacancies in certain State offices" or "Against amendment providing a uniform method for filling vacancies in certain State offices".

Sess. Laws 1953, ch. 611. Authorizing retirement and recall to duty of Supreme Court Justices. Ratified 11/2/1954 by 205,788 to 137,086. Ballot issue: "For Amendment Vesting the General Assembly with Authority to Provide for the Retirement of Members of the Supreme Court and for the Recall of Such Retired Members to Serve on Said Court in Lieu of Any Active Member Who for Any Cause is Temporarily Incapacitated" or "Against Amendment Vesting the General Assembly with Authority to Provide for the Retirement of Members of the Supreme Court and for the Recall of Such Retired Members to Serve on Said Court in Lieu of Any Active Member Who for Any Cause is Temporarily Incapacitated".

- Sess. Laws 1953, ch. 621. Transferring parole authority from Governor to Board of Paroles. Ratified 11/4/1954 by 213,088 to 124,797. Ballot issue: "For amendment authorizing the General Assembly to establish a Board of Paroles with complete authority to grant, revoke and terminate paroles" or "Against amendment authorizing the General Assembly to establish a Board of Paroles with complete authority to grant, revoke and terminate paroles".
- Sess. Laws 1953, ch. 803. Limiting any county to a maximum of one Senator. Rejected 11/2/1954 by 200,436 to 147,588. Ballot issue: "For constitutional amendment providing that where one county constitutes a senatorial district, such county shall be limited to one senator in the General Assembly of the State" or "Against constitutional amendment providing that where one county constitutes a senatorial district, such county shall be limited to one senator in the General Assembly of the State".
- Sess. Laws 1953, ch. 972. Reducing precinct residence period for voting from four months to thirty days. Ratified 11/2/1954 by 195,474 to 148,698. Ballot issue: "For amendment reducing the length of residence for voting in a precinct from four months to thirty days preceding an election" or "Against amendment reducing the length of residence for voting in a precinct from four months to thirty days preceding an election".
- Sess. Laws 1953, ch. 1033. Abolishing short terms of office for elected state executive and judicial officers. Ratified 11/2/1954 by 190,098 to 135,683. Ballot issue: "For amendment abolishing the requirement for an election for short term offices occurring between the date of the General Election and the following January first" or "Against amendment abolishing the requirement for an election for short term offices occurring between the date of the General Election and the following January first".
- Sess. Laws 1955, ch. 1169. Increasing compensable service period and authorizing expense allowances for members of General Assembly. Ratified 9/8/1956 by 343,351 to 137,944. Ballot issue: "For amendment allowing limited necessary compensation of members of the General Assembly" or "Against amendment allowing limited necessary compensation of members of the General Assembly".
- Sess. Laws 1955, ch. 1245. Empowering married woman to execute power of attorney given by husband. Ratified 9/8/1956 by 412,655 to 70,316. Ballot issue: "For amendment authorizing married woman to exercise powers of attorney conferred upon her by her husband" or "Against amendment authorizing married woman to exercise powers of attorney conferred upon her by her husband".
- Sess. Laws 1955, ch. 1253. Moving General Assembly's convening date to February. Ratified 9/8/1956 by 382,968 to 84,695. Ballot issue: "For constitutional amendment changing the date for convening the General Assembly from January to February" or "Against constitutional amendment changing the date for convening the General Assembly from January to February".

- Sess. Laws 1956 (Ex. Sess.), ch. 1. Authorizing education expense grants and local option school closing. Ratified 9/8/1956 by 471,657 to 101,767. Ballot issue: "FOR constitutional amendment authorizing education expense grants for private education and authorizing local vote to suspend local schools" or "AGAINST constitutional amendment authorizing education expense grants for private education and authorizing local vote to suspend local schools".
- Sess. Laws 1957, ch. 908. Increasing civil jurisdiction of justices of the peace. Rejected 11/4/1958 by 301,090 to 199,240. Ballot issue: "For amendment increasing jurisdiction of justices of the peace" or "Against amendment increasing jurisdiction of justices of the peace".
- [S.B. 99 (1959). Rewriting Constitution of North Carolina. Postponed indefinitely in House of Representatives. Ballot issue: "For amendment and alteration of the Constitution of North Carolina" or "Against amendment and alteration of the Constitution of North Carolina".]
- Sess. Laws 1961, ch. 313. Revising judicial article. Ratified 11/6/1962 by 357,067 to 232,774. Ballot issue: "FOR constitutional amendments revising the structure and functioning of the Judicial Department of North Carolina" or "Against constitutional amendments revising the structure and functioning of the Judicial Department of North Carolina".
- Sess. Laws 1961, ch. 459. Providing for automatic decennial reapportionment of House of Representatives. Ratified 11/6/1962 by 311,586 to 231,329. Ballot issue: "For amendment providing for automatic and mandatory reapportionment of the members of the House of Representatives of the General Assembly after the return of every enumeration by order of Congress" or "Against amendment providing for automatic and mandatory reapportionment of the members of the House of Representatives of the General Assembly after the return of every enumeration by order of Congress".
- Sess. Laws 1961, ch. 466. Providing for succession to elective state executive offices. Ratified 11/6/1962 by 321,423 to 223,670. Ballot issue: "FOR constitutional amendments concerning succession to office of Governor, providing methods for determining incapacity of Governor, concerning appointment of acting officers to perform duties of elected state executive officers in certain cases, authorizing General Assembly to provide a method for determining incapacity of elected state executive officers other than Governor, and fixing the permanent seat of government at Raleigh" or "AGAINST constitutional amendments concerning succession to office of Governor, providing methods for determining incapacity of Governor, concerning appointment of acting officers to perform duties of elected state executive officers in certain cases, authorizing General Assembly to provide a method for determining incapacity of elected state executive officers other than Governor, and fixing the permanent seat of government at Raleigh".

Sess. Laws 1961, ch. 591. Authorizing reduction in residence period for presidential voters. Ratified 11/6/1962 by 332,731 to 223,898. Ballot issue: "FOR amendment permitting General Assembly to reduce time of residence for persons to vote for Presidential and Vice-Presidential Electors, if otherwise qualified" or "AGAINST amendment permitting General Assembly to reduce time of residence for persons to vote for Presidential and Vice-Presidential Electors, if otherwise qualified".

Sess. Laws 1961, ch. 840. Permitting increase in compensation of elected state executive officers during term. Ratified 11/6/1962 by 296,440 to 252,393. Ballot issue: "For greater legislative authority over the salaries of the State Executive Officers" or "Against greater legislative authority over the salaries of the State Executive Officers".

Sess. Laws 1961, ch. 1169. Requiring uniform statewide legislative action in classifying and exempting property for tax purposes. Ratified 11/6/1962 by 300,518 to 244,529. Ballot issue: "For Constitutional amendment providing that the power of the General Assembly to classify and exempt property for taxation be exercised only on a State-wide basis" or "Against Constitutional amendment providing that the power of the General Assembly to classify and exempt property for taxation be exercised only on a State-wide basis".

Sess. Laws 1963, ch. 1209. Enlarging rights of married women to deal with their own property. Ratified 1/14/1964 by 274,291 to 66,676. Ballot issue: "FOR the constitutional amendments empowering the General Assembly to make the rights of husband and wife the same in each other's separate property" or "AGAINST the constitutional amendments empowering the General Assembly to make the rights of husband and wife the same in each other's separate property".

Sess. Laws 1963 (Ex. Sess.), ch. 2. Enlarging Senate and apportioning Representatives one per county. Rejected 1/14/1964 by 224,488 to 125,334. Ballot issue: "FOR constitutional amendment increasing membership of Senate from fifty (50) to seventy (70), providing for compulsory redistricting of Senate, and reducing number of Representatives from one hundred twenty (120) to one hundred (100)" or "AGAINST constitutional amendment increasing membership of Senate from fifty (50) to seventy (70), providing for compulsory redistricting of Senate, and reducing number of Representatives from one hundred twenty (120) to one hundred (100)".

Sess. Laws 1965, ch. 877. Authorizing General Assembly to establish a Court of Appeals. Ratified 11/2/1965 by 227,917 to 81,701. Ballot issue: "FOR constitutional amendments authorizing the General Assembly to create a Court of Appeals in the Appellate Division of the General Court of Justice" or "Against constitutional amendments authorizing the General Assembly to create a Court of Appeals in the Appellate Division of the General Court of Justice".

Sess. Laws 1967, ch. 391. Authorizing General Assembly to fix compensation of its members. Ratified 11/5/1968 by 573,289 to 465,225. Ballot issue: "FOR constitutional amendment establishing procedure for fixing compensation of members and officers of the General Assembly, and denying benefit of any increase in compensation to members of session which enacts it" or "AGAINST constitutional amendment establishing procedure for fixing compensation of members and officers of the General Assembly, and denying benefit of any increase in compensation to members of session which enacts it".

Sess. Laws 1967, ch. 640. Revising legislative apportionment provisions. Ratified 11/5/1968 by 582,633 to 373,395. Ballot issue: "FOR constitutional amendments continuing present system of representation in the General Assembly" or "AGAINST constitutional amendments continuing present system of representation in the General Assembly".

Constitution of 1971

- Sess. Laws 1969, ch. 827. Reassigning benefits of escheats. Ratified 11/3/1970 by 362,097 to 248,451. Ballot issue: "FOR constitutional amendment providing that after June 30, 1971, the escheats shall be used to aid North Carolina residents enrolled in any public institution of higher education in this State" or "AGAINST constitutional amendment providing that after June 30, 1971, the escheats shall be used to aid North Carolina residents enrolled in any public institution of higher education in this State".
- Sess. Laws 1969, ch. 872. Authorizing General Assembly to fix personal income tax exemptions. Ratified 11/3/1970 by 336,660 to 282,697. Ballot issue: "FOR constitutional amendment authorizing General Assembly to fix personal exemptions for income tax purposes" or "AGAINST constitutional amendment authorizing General Assembly to fix personal exemptions for income tax purposes".
- Sess. Laws 1969, ch. 932. Executive reorganization amendment. Ratified 11/3/1970 by 400,892 to 248,795. Ballot issue: "FOR constitutional amendment to require General Assembly to reduce number of State administrative departments to 25 and to authorize Governor to reorganize administrative departments, subject to legislative approval" or "AGAINST constitutional amendment to require General Assembly to reduce number of State administrative departments to 25 and to authorize Governor to reorganize administrative departments, subject to legislative approval".
- Sess. Laws 1969, ch. 1004. Repealing literacy requirement for voting. Rejected 11/3/1970 by 355,347 to 279,132. Ballot issue: "FOR constitutional amendment abolishing literacy requirement for voting" or "AGAINST constitutional amendment abolishing literacy requirement for voting".
- Sess. Laws 1969, ch. 1200. Revising finance article. Ratified 11/3/1970 by 323,131 to 281,087. Ballot issue: "FOR constitutional amendment revising those portions of the present or proposed State Constitution concerning State and local finance" or "AGAINST constitutional amendment revising those portions of the present or proposed State Constitution concerning State and local finance".
- Sess. Laws 1969, ch. 1258. Revising Constitution of North Carolina. Ratified 11/3/1970 by 393,759 to 251,132. Ballot issue: "FOR revision and amendment of the Constitution of North Carolina" or "AGAINST revision and amendment of the Constitution of North Carolina".
- Sess. Laws 1969, ch. 1270. Authorizing calling of extra legislative sessions on petition of legislators. Ratified 11/3/1970 by 332,981 to 285,581. Ballot issue: "FOR constitutional amendment permitting three-fifths of the members of the General Assembly to convene extra sessions of the General Assembly" or "AGAINST constitutional amendment permitting three-fifths of the members of the General Assembly to convene extra sessions of the General Assembly".

- Sess. Laws 1971, ch. 201. Lowering voting age to 18. Ratified 11/7/1972 by 762,651 to 425,708. Ballot issue: "FOR State constitutional amendment reducing the voting age to 18 years and providing that only persons 21 years of age or older shall be eligible for elective office" or "AGAINST State constitutional amendment reducing the voting age to 18 years and providing that only persons 21 years of age or older shall be eligible for elective office".
- Sess. Laws 1971, ch. 451. Requiring legislative age limit for justices and judges. Ratified 11/7/1972 by 811,440 to 304,489. Ballot issue: "FOR constitutional amendment to require the General Assembly to prescribe maximum age limits for service as a justice or judge" or "AGAINST constitutional amendment to require the General Assembly to prescribe maximum age limits for service as a justice or judge".
- Sess. Laws 1971, ch. 560. Authorizing legislative provision for censure or removal of justices and judges. Ratified 11/7/1972 by 807,960 to 272,470. Ballot issue: "FOR constitutional amendment authorizing the General Assembly to prescribe procedures for the censure and removal of Justices and Judges of the General Court of Justice" or "AGAINST constitutional amendment authorizing the General Assembly to prescribe procedures for the censure and removal of Justices and Judges of the General Court of Justice".
- Sess. Laws 1971, ch. 630. Declaring state policy to conserve and protect natural resources. Ratified 11/7/1972 by 976,581 to 146,895. Ballot issue: "FOR constitutional amendment to conserve and protect North Carolina's natural resources" or "AGAINST constitutional amendment to conserve and protect North Carolina's natural resources".
- Sess. Laws 1971, ch. 857. Limiting the incorporation of towns near existing towns. Ratified 11/7/1972 by 694,921 to 374,184. Ballot issue: "FOR constitutional amendment limiting incorporation of cities and towns" or "AGAINST constitutional amendment limiting incorporation of cities and towns".
- Sess. Laws 1973, ch. 394. Changing title of Solicitor to District Attorney. Ratified 11/5/1974 by 474,199 to 249,452. Ballot issue: "FOR constitutional amendment changing the title of the constitutional office of 'Solicitor' to 'District Attorney'" or "AGAINST constitutional amendment changing the title of the constitutional office of 'Solicitor' to 'District Attorney'".
- Sess. Laws 1973 (1974 sess.), ch. 1222. Authorizing legislation to provide for tax-exempt industrial revenue bonds. Rejected 11/5/1974 by 376,269 to 317,285. Ballot issue: "FOR constitutional amendment to create jobs and employment opportunities and to protect the environment by authorizing the issuance of revenue bonds to finance industrial pollution control facilities among others for industry and the ratification, validation, confirmation and approval of Chapter 633 of the 1971 Session Laws as amended by Chapter 476 of the 1973 Session Laws of the General Assembly which implements the foregoing and of the proceedings taken pursuant thereto by any county of the State in the creation of a county pollution abatement and industrial

facilities financing authority and all proceedings by an authority so created in authorizing the financing of industrial and pollution control facilities" or "AGAINST constitutional amendment to create jobs and employment opportunities and to protect the environment by authorizing the issuance of revenue bonds to finance industrial pollution control facilities among others for industry and the ratification, validation, confirmation and approval of Chapter 633 of the 1971 Session Laws as amended by Chapter 476 of the 1973 Session Laws of the General Assembly which implements the foregoing and of the proceedings taken pursuant thereto by any county of the State in the creation of a county pollution abatement and industrial facilities financing authority and all proceedings by an authority so created in authorizing the financing of industrial and pollution control facilities".

Sess. Laws 1975, ch. 641. Authorizing the issuance of revenue bonds to finance or refinance health care facility projects. Ratified 3/23/76 by 382,091 to 311,300. Ballot issue: "FOR constitutional amendment to permit the General Assembly to enact general laws to authorize the State, counties, cities or towns, and other State and local governmental entities to issue revenue bonds to finance or refinance for any such governmental entity or any nonprofit private corporation, regardless of any church or religious relationship, the cost of acquiring, constructing and financing health care facility projects, such bonds to be payable from the revenues, gross or net, of any such projects and any other health care facilities of any such governmental entity or nonprofit private corporation pledged therefor" or "AGAINST constitutional amendment to permit the General Assembly to enact general laws to authorize the State, counties, cities or towns, and other State and local governmental entities to issue revenue bonds to finance or refinance for any such governmental entity or any nonprofit private corporation, regardless of any church or religious relationship, the cost of acquiring, constructing and financing health care facility projects, such bonds to be payable from the revenues, gross or net, of any such projects and any other health care facilities of any such governmental entity or nonprofit private corporation pledged therefor".

Sess. Laws 1975, ch. 826. Authorizing the issuance of revenue bonds to finance industrial development and pollution control projects for industry, and pollution control projects for public utilities. Ratified 3/23/76 by 373,033 to 304,938. Ballot issue: "FOR Constitutional amendment to permit the General Assembly to enact general laws to authorize counties to create authorities to issue revenue bonds to finance, but not to refinance, the cost of capital projects consisting of industrial, manufacturing and pollution control facilities for industry and pollution control facilities for public utilities, and to refund such bonds, such bonds to be secured by and payable only from revenues or property derived from private parties and in no event to be secured by or payable from any public moneys whatsoever" or "AGAINST Constitutional amendment to permit the General Assembly to enact general laws to authorize counties to create authorities to issue revenue bonds to finance, but not to refinance, the cost of capital projects consisting of industrial, manufacturing and

pollution control facilities for industry and pollution control facilities for public utilities, and to refund such bonds, such bonds to be secured by and payable only from revenues or property derived from private parties and in no event to be secured by or payable from any public moneys whatsoever".

Sess. Laws 1977, ch. 80. Extending the benefit of the homestead exemption to surviving spouses of either sex. Ratified 11/8/77 by 517,366 to 59,714. Ballot issue: "FOR constitutional amendment extending to a married man (as a married woman now has) the right to receive the homestead exemption, so that the exemption is available to the surviving spouse of the owner of a homestead, if the owner dies leaving no minor children and the surviving spouse does not own a separate homestead" or "AGAINST constitutional amendment extending to a married man (as a married woman now has) the right to receive the homestead exemption, so that the exemption is available to the surviving spouse of the owner of a homestead, if the owner dies leaving no minor children and the surviving spouse does not own a separate homestead".

Sess. Laws 1977, ch. 115. Permitting any person (not only a husband) to insure his or her own life for the benefit of his or her spouse or children or both, free from claims of creditors of the insured or of the insured's estate. Ratified 11/8/77 by 513,526 to 57,835. Ballot issue: "FOR constitutional amendment allowing every person the right to insure his or her life for the benefit of his or her spouse or children or both, free from all claims of the representatives or creditors of the insured or his or her estate" or "AGAINST constitutional amendment allowing every person the right to insure his or her life for the benefit of his or her spouse or children or both, free from all claims of the representatives or creditors of the insured or his or her estate".

Sess. Laws 1977, ch. 363. Empowering the voters to elect the Governor and Lieutenant Governor for two consecutive terms. Ratified 11/8/77 by 307,754 to 278,013. Ballot issue: "FOR constitutional amendment empowering the qualified voters of the State to elect the Governor and Lieutenant Governor to a second successive term of the same office" or "AGAINST constitutional amendment empowering the qualified voters of the State to elect the Governor and Lieutenant Governor to a second successive term of the same office".

Sess. Laws 1977, ch. 528. Permitting municipalities that generate or distribute electric power to own and operate generating and distribution facilities jointly with public or private entities engaged in that business. Ratified 11/8/77 by 349,935 to 180,624. Ballot issue: "FOR Constitutional amendment to permit municipalities owning or operating electrical generation, transmission or distribution facilities and joint agencies composed of such municipalities to own, operate and maintain generation and transmission facilities with any person, firm, association or corporation, public or private, engaged in the generation, transmission or distribution of electric power and energy for resale (each, respectively, 'a co-owner') within this State or any state contiguous to this State, and to issue electric

revenue bonds to finance the cost of the ownership share of such municipalities or joint agencies, such bonds to be secured by and payable only from the electric revenues of such municipalities or joint agencies and providing that no money or property of such municipalities or joint agencies shall be credited or applied to the account of any such co-owner" or "AGAINST Constitutional amendment to permit municipalities owning or operating electrical generation, transmission or distribution facilities and joint agencies composed of such municipalities to own, operate and maintain generation and transmission facilities with any person, firm, association or corporation, public or private, engaged in the generation, transmission or distribution of electric power and energy for resale (each, respectively, 'a co-owner') within this State or any state contiguous to this State, and to issue electric revenue bonds to finance the cost of the ownership share of such municipalities or joint agencies, such bonds to be secured by and payable only from the electric revenues of such municipalities or joint agencies and providing that no money or property of such municipalities or joint agencies shall be credited or applied to the account of any such co-owner".

Sess. Laws 1977, ch. 690. Requiring that the State budget be balanced at all times. Ratified 11/8/77 by 443,453 to 104,935. Ballot issue: "FOR constitutional amendment requiring that the total expenditures of the State for the fiscal period covered by the State budget shall not exceed the total of revenues raised during that fiscal period and any surplus remaining in the State Treasury at the beginning of the period, and requiring the Governor to effect the necessary economies in State expenditures whenever he determines that a deficit is threatened" or "AGAINST constitutional amendment requiring that the total expenditures of the State for the fiscal period covered by the State budget shall not exceed the total of revenues raised during that fiscal period and any surplus remaining in the State Treasury at the beginning of the period, and requiring the Governor to effect the necessary economies in State expenditures whenever he determines that a deficit is threatened".

Sess. Laws 1979, ch. 638. Providing that only persons authorized to practice law in the courts of this State are eligible to be justices and judges of the General Court of Justice. Ratified 11/4/80 by 888,634 to 352,714. Ballot issue: "FOR constitutional amendment requiring Justices and Judges of the Supreme Court, Court of Appeals, Superior Court and District Court to be duly authorized to practice law prior to election or appointment" or "AGAINST constitutional amendment requiring Justices and Judges of the Supreme Court, Court of Appeals, Superior Court and District Court to be duly authorized to practice law prior to election or appointment".

Sess. Laws 1981, ch. 504. Increasing the terms of State Senators and Representatives from two to four years. Rejected 6/29/82 by 522,181 to 163,058. Ballot issue: "FOR constitutional amendment making the term of members of the General Assembly four years, beginning with members elected in 1982; and conforming amendments concerning the election of other officers and the filling of vacancies" or "AGAINST constitutional amendment making the term of members of the General

Assembly four years, beginning with members elected in 1982; and conforming amendments concerning the election of other officers and the filling of vacancies".

Sess. Laws 1981, ch. 513. Authorizing legislation to provide for the recall of retired State Supreme Court Justices and Court of Appeals Judges to serve temporarily on either court. Ratified 6/29/82 by 356,895 to 295,638. Ballot issue: "FOR constitutional amendment authorizing General Assembly to provide for temporary recall of retired Supreme Court Justices or Court of Appeals Judges to serve temporarily on either appellate court" or "AGAINST constitutional amendment authorizing General Assembly to provide for temporary recall of retired Supreme Court Justices or Court of Appeals Judges to serve temporarily on either appellate court".

Sess. Laws 1981, ch. 803. Authorizing legislation to grant the State Supreme Court jurisdiction to review on direct appeal a final order or decision of the North Carolina Utilities Commission. Ratified 6/29/82 by 392,886 to 253,629. Ballot issue: "FOR constitutional amendment giving the Supreme Court authority to review, when authorized by law, direct appeals from the N.C. Utilities Commission" or "AGAINST constitutional amendment giving the Supreme Court authority to review, when authorized by law, direct appeals from the N.C. Utilities Commission".

Sess. Laws 1981, ch. 808. Authorizing legislation to empower public bodies, in order to develop North Carolina seaports and airports, to acquire, construct, finance, refinance, sell, or lease lands and facilities, and to finance for private interests seaport, airport, and other related commercial facilities. Rejected 6/29/82 by 342,567 to 292,031. Ballot issue: "FOR Constitutional amendment to permit the General Assembly to grant to appropriate public bodies additional powers to develop new and existing seaports and airports, including powers to finance and refinance for public and private parties seaport and airport and related commercial, industrial, manufacturing, processing, mining, transportation, distribution, storage, marine, aviation and environmental facilities and improvements" or "AGAINST Constitutional amendment to permit the General Assembly to grant to appropriate public bodies additional powers to develop new and existing seaports and airports, including powers to finance and refinance for public and private parties seaport and airport and related commercial, industrial, manufacturing, processing, mining, transportation, distribution, storage, marine, aviation and environmental facilities and improvements".

Sess. Laws 1981, ch. 887. Authorizing legislation to permit the State to issue tax-exempt revenue bonds to finance or refinance the acquisition and construction of facilities for private institutions of higher education. Rejected 6/29/82 by 338,650 to 303,292. Ballot issue: "FOR constitutional amendment to permit the General Assembly to enact general laws to authorize the State, or any state entity to issue revenue bonds to finance or refinance the cost of acquiring, constructing and financing higher education facilities for any non-profit private corporation, regardless of any church or religious

relationship, such bonds to be payable from any revenues or assets of any such nonprofit private corporation pledged therefor" or "AGAINST constitutional amendment to permit the General Assembly to enact general laws to authorize the State, or any state entity to issue revenue bonds to finance or refinance the cost of acquiring, constructing and financing higher education facilities for any nonprofit private corporation, regardless of any church or religious relationship, such bonds to be payable from any revenues or assets of any such nonprofit private corporation pledged therefor".

Sess. Laws 1981 (1982 sess.), ch. 1241. Providing that the terms of State Senators and Representatives shall begin 1 January next after their election. Ratified 11/2/82 by 690,218 to 276,432. Ballot issue: "FOR constitutional amendment providing that the term of office of members of the General Assembly begins on the first day of January following their election" or "AGAINST constitutional amendment providing that the term of office of members of the General Assembly begins on the first day of January following their election".

Sess. Laws 1981 (1982 sess.), ch. 1247. Authorizing legislation to permit municipalities to issue tax increment bonds. Rejected 11/2/82 by 810,565 to 182,147. Ballot issue: "FOR Constitutional amendment permitting the General Assembly to enact general laws permitting issuance of tax increment bonds, without voter approval" or "AGAINST Constitutional amendment permitting the General Assembly to enact general laws permitting issuance of tax increment bonds, without voter approval".

Sess. Laws 1983, ch. 298. Providing that only persons authorized to practice law in the courts of this State are eligible to be Attorney General or a District Attorney. Ratified 11/6/84 by 1,159,460 to 357,796. Ballot issue: "FOR constitutional amendment requiring Attorney General and District Attorneys to be duly authorized to practice law prior to election or appointment" or "AGAINST constitutional amendment requiring Attorney General and District Attorneys to be duly authorized to practice law prior to election or appointment".

Sess. Laws 1983, ch. 765. Authorizing legislation to permit the issuance by the State of tax-exempt revenue bonds to finance and refinance agricultural capital facilities. Ratified 5/8/84 by 420,405 to 360,009. Ballot issue: "FOR Constitutional amendment to permit the General Assembly to enact general laws to authorize the creation of an agency to issue revenue bonds to finance the cost of capital projects consisting of agricultural facilities, and to refund such bonds, such bonds to be secured by and payable only from revenues or property derived from private parties and in no event to be secured by or payable from any public moneys whatsoever" or "AGAINST Constitutional amendment to permit the General Assembly to enact general laws to authorize the creation of an agency to issue revenue bonds to finance the cost of capital projects consisting of agricultural facilities, and to refund such bonds, such bonds to be secured by and payable only from revenues or property derived from private parties and in no event to be secured by or payable from any public moneys whatsoever".

[Sess. Laws 1985, ch. 61. Authorizing legislation to prohibit future Governors and Lieutenant Governors from succeeding themselves except for the present Governor and Lieutenant Governor. Ballot issue: "FOR A constitutional amendment prohibiting future Governors and Lieutenant Governors from succeeding themselves, except that the present Governor and Lieutenant Governor may be re-elected in the 1988 General Election" or "AGAINST A constitutional amendment prohibiting future Governors and Lieutenant Governors from succeeding themselves, except that the present Governor and Lieutenant Governor may be re-elected in the 1988 General Election". This proposed amendment was repealed by Sess. Laws 1985 (1986 sess.), c. 1010, and therefore did not go to a vote of the people.]

Sess. Laws 1985, ch. 768. Authorizing legislation to provide for election of State and county officers in odd-numbered years. Rejected 5/6/86 by 547,076 to 230,159. Ballot issue: "FOR constitutional amendments providing for election of State and county officers in odd-numbered years" or "AGAINST constitutional amendments providing for election of State and county officers in odd-numbered years".

Sess. Laws 1985 (1986 sess.), ch. 814. Permitting the General Assembly to enact laws to allow revenue bonds to be issued to finance or refinance higher education facilities for private nonprofit institutions. Ratified 11/4/86 by 675,587 to 448,845. Ballot issue: "FOR constitutional amendment to permit the General Assembly to enact general laws to authorize the State, or any State entity to issue revenue bonds to finance or refinance the cost of acquiring, constructing and financing higher education facilities for any nonprofit private corporation, regardless of any church or religious relationship, such bonds to be payable from any revenues or assets of any such nonprofit private corporation pledged therefor" or "AGAINST constitutional amendment to permit the General Assembly to enact general laws to authorize the State, or any State entity to issue revenue bonds to finance or refinance the cost of acquiring, constructing and financing higher education facilities for any nonprofit private corporation, regardless of any church or religious relationship, such bonds to be payable from any revenues or assets of any such nonprofit private corporation pledged therefor".

Sess. Laws 1985 (1986 sess.), ch. 920. Providing for elections to be held to fill the remainder of an unexpired term if vacancy occurs 60 days before next election. Ratified 11/4/86 by 740,241 to 365,959. Ballot issue: "FOR constitutional amendment providing that an election shall be held to fill the remainder of the unexpired term if the vacancy occurs more than 60 days before the next election, rather than 30 days as is presently provided" or "AGAINST constitutional amendment providing that an election shall be held to fill the remainder of the unexpired term if the vacancy occurs more than 60 days before the next election, rather than 30 days as is presently provided".

Sess. Laws 1985 (1986 sess.), ch. 933. Permitting the General Assembly to assist in the development of new and existing seaports and airports. Ratified 11/4/86 by 688,911 to 391,908. Ballot issue: "FOR

Constitutional amendment to assist in the development of new and existing seaports and airports without creating a debt secured by the faith and credit of the State or any other public body by permitting the General Assembly to grant to the State and other public bodies additional powers to develop new and existing seaports and airports, including powers to finance and refinance for public and private parties seaport and airport related commercial, industrial, manufacturing, processing, mining, transportation, distribution, storage, marine, aviation and environmental facilities and improvements" or "AGAINST Constitutional amendment to assist in the development of new and existing seaports and airports without creating a debt secured by the faith and credit of the State or any other public body by permitting the General Assembly to grant to the State and other public bodies additional powers to develop new and existing seaports and airports, including powers to finance and refinance for public and private parties seaport and airport related commercial, industrial, manufacturing, processing, mining, transportation, distribution, storage, marine, aviation and environmental facilities and improvements".

Sess. Laws 1993, ch. 497. Authorizing counties and cities to issue tax increment bonds without voter approval. Rejected 11/2/1993 by 651,190 to 197,762. Ballot issue: "FOR constitutional amendment permitting the General Assembly to enact general laws permitting issuance of bonds without a referendum to finance public projects associated with private industrial and commercial economic development projects, with the bonds to be secured in whole or in part by the additional revenues from taxes levied on the incremental value of the property in the territorial area" or "AGAINST constitutional amendment permitting the General Assembly to enact general laws permitting issuance of bonds without a referendum to finance public projects associated with private industrial and commercial economic development projects, with the bonds to be secured in whole or in part by the additional revenues from taxes levied on the incremental value of the property in the territorial area."

Sess. Laws 1995, ch. 5. Authorizing the Governor to veto ordinary statewide legislation, subject to being overridden by the General Assembly. Ratified 11/5/1996 by 1,652,294 to 544,335. Ballot issue: FOR or AGAINST "Constitutional amendments granting veto power to the Governor."

Sess. Laws 1995, ch. 429. Adding to constitutionally authorized punishments for crime. Ratified 11/5/1996 by 1,889,620 to 303,596. Ballot issue: FOR or AGAINST "Constitutional amendment to provide that probation, restitution, community service, work programs, and other restraints on liberty are punishments that may be imposed on a person convicted of a criminal offense."

Sess. Laws 1995, ch. 438. Establishing rights for victims of crime, as defined by the General Assembly. Ratified 11/5/1996 by 1,714,872 to 488,805. Ballot issue: FOR or AGAINST "Constitutional amendment adding Victims' Rights Amendment, giving crime victims basic rights to participate in the criminal justice system."

Appendix 1

NORTH CAROLINA STATE
 CONSTITUTIONAL PROPOSITIONS
 VOTED ON BY THE PEOPLE, 1868-1996

<u>Year of Vote</u>	<u>Ratified</u>	<u>Rejected</u>	<u>Year of Vote</u>	<u>Ratified</u>	<u>Rejected</u>
1868	1	0	1946	1	1
1873	8	0	1948	1	3
1876	1	0	1950	5	0
1880	2	0	1952	3	0
1888	1	0	1954	4	1
1892	0	1	1956	4	0
1900	1	0	1958	0	1
1914	0	10	1962	6	0
1916	4	0	1964	1	1
1918	2	0	1966	1	0
1920	2	0	1968	2	0
1922	0	1	1970	6	1
1924	3	1	1972	5	0
1926	1	0	1974	1	1
1928	1	2	1976	2	0
1930	0	3	1977	5	0
1932	1	3	1980	1	0
1936	5	0	1982	3	4
1938	2	0	1984	2	0
1942	2	0	1986	3	1
1944	5	0	1993	0	1
			1996	<u>3</u>	<u>0</u>
			Total	101	36

In the above table, each issue on which the people have voted is counted as one, whether it involved only a single section (as was often the case), a whole article (as in the case of the 1900 suffrage amendment and the 1962 court amendment), or a revision and restatement of the entire Constitution (as in 1868 and 1970).

Appendix 2AMENDMENTS TO THE
CONSTITUTION OF NORTH CAROLINA
1835

[In force, 1836-1868]

"ARTICLE IV.

"Section I.

"1. No Convention of the People shall be called by the General Assembly, unless by the concurrence of two-thirds of all the members of each House of the General Assembly.

"2. No part of the Constitution of this State shall be altered, unless a Bill to alter the same shall have been read three times in each House of the General Assembly, and agreed to by three-fifths of the whole number of members of each House respectively; nor shall any alteration take place until the bill so agreed to shall have been published six months previous to a new election of members to the General Assembly. If, after such publication, the alteration proposed by the preceding General Assembly, shall be agreed to in the first session thereafter, by two-thirds of the whole Representation in each House of the General Assembly, after the same shall have been read three times on three several days, in each House, then the said General Assembly shall prescribe a mode by which the Amendment or Amendments may be submitted to the qualified voters of the House of Commons throughout the State; and if, upon comparing the votes given in the whole State, it shall appear that a majority of the voters have approved thereof, then, and not otherwise, the same shall become a part of the Constitution."¹

1. Journal of the Convention. . . 1835, 100 (Raleigh: J. Gales & Son, 1835).

CONSTITUTION OF NORTH CAROLINA
1868

[In force, 1868-1876]

"ARTICLE XIII.

"Amendments

"Section 1. No Convention of the people shall be called by the General Assembly unless by the concurrence of two thirds of all the members of each House of the General Assembly.

"Sec. 2. No part of the Constitution of this State shall be altered, unless a bill to alter the same shall have been read three times in each house of the General Assembly and agreed to by three fifths of the whole number of members of each House, respectively; nor shall any alteration take place until the bill, so agreed to, shall have been published six months previous to a new election of members to the General Assembly. If after such publication the alteration proposed by the preceding General Assembly shall be agreed to, in the first session thereafter by two thirds of the whole representation in each house of the General Assembly, after the same shall have been read three times on three several days, in each House, then the said General Assembly shall prescribe a mode by which the amendment or amendments may be submitted to the qualified voters of the house of Representatives throughout the State; and if, upon comparing the votes given in the whole State, it shall appear that a majority of the voters voting thereon, have approved thereof, then, and not otherwise, the same shall become a part of the Constitution."²

2. Enrolled Constitution of North Carolina, 1868, MS in Secretary of State's Office.

CONSTITUTION OF NORTH CAROLINA

As Amended by the
Convention of 1875

[In force, 1877-1971]

"ARTICLE XIII.

"Amendments

"Section 1. No Convention of the people of this State shall ever be called by the General Assembly unless by the concurrence of two-thirds of all the members of each House of the General Assembly, and except the proposition, Convention or No Convention, be first submitted to the qualified voters of the whole State, at the next general election, in a manner to be prescribed by law. And should a majority of the votes cast be in favor of said Convention, it shall assemble on such day as may be prescribed by the General Assembly.

"Sec. 2. No part of the Constitution of this State shall be altered unless a bill to alter the same shall have been agreed to by three-fifths of each House of the General Assembly. And the amendment or amendments so agreed to shall be submitted at the next general election to the qualified voters of the whole State, in such manner as may be prescribed by law. And in the event of their adoption by a majority of the votes cast, such amendment or amendments shall become a part of the Constitution of this State."³

3. Amendments to the Constitution of North Carolina, Proposed by the Constitutional Convention of 1875 . . ., C. 29, pp. 25-26 (Raleigh: Josiah Turner, 1875). These amendments were ratified by the people at an election held in November 1876.

CONSTITUTION OF NORTH CAROLINA

1971

[In force, 1971-]

"ARTICLE XIII

"CONVENTIONS; CONSTITUTIONAL AMENDMENT
AND REVISION

"Section 1. Convention of the People. No Convention of the people of this State shall ever be called unless by the concurrence of two-thirds of all the members of each house of the General Assembly, and unless the proposition "Convention or No Convention" is first submitted to the qualified voters of the State at the time and in the manner prescribed by the General Assembly. If a majority of the votes cast upon the proposition are in favor of a Convention, it shall assemble on the day prescribed by the General Assembly. The General Assembly shall, in the act submitting the convention proposition, propose limitations upon the authority of the Convention; and if a majority of the votes cast upon the proposition are in favor of a Convention, those limitations shall become binding upon the Convention. Delegates to the Convention shall be elected by the qualified voters at the time and in the manner prescribed in the act of submission. The Convention shall consist of a number of delegates equal to the membership of the House of Representatives of the General Assembly that submits the convention proposition and the delegates shall be apportioned as is the House of Representatives. A Convention shall adopt no ordinance not necessary to the purpose for which the Convention has been called.

"Sec. 2. Power to revise or amend Constitution reserved to people. The people of this State reserve the power to amend this Constitution and to adopt a new or revised Constitution. This power may be exercised by either of the methods set out hereinafter in this Article, but in no other way.

"Sec. 3. Revision or amendment by Convention of the People. A Convention of the People of this State may be called pursuant to Section 1 of this Article to propose a new or revised Constitution or to propose amendments to this Constitution. Every new or revised Constitution and every constitutional amendment adopted by a Convention shall be submitted to the qualified voters of the State at the time and in the manner prescribed by the Convention. If a majority of the votes cast thereon are in favor of ratification of the new or revised Constitution or the constitutional amendment or amendments, it or they shall become effective January first next after ratification by the qualified voters unless a different effective date is prescribed by the Convention.

"Sec. 4. Revision or amendment by legislative initiation. A proposal of a new or revised Constitution or an amendment or amendments to this Constitution may be initiated by the General Assembly, but only if three-fifths of all the members of each house shall adopt an act submitting the proposal to the qualified voters of the State for their ratification or rejection. The proposal shall be submitted at the time and in the manner prescribed by the General Assembly. If a majority of the votes cast thereon are in favor of the proposed new or revised Constitution or constitutional amendment or amendments, it or they shall become effective January first next after ratification by the voters unless a different effective date is prescribed in the act submitting the proposal or proposals to the qualified voters."⁴

4. Enrolled Constitution of North Carolina, 1971, typescript in Secretary of State's Office.

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