

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 733

Short Title: Beaufort Vacancies.

(Local)

---

Sponsors: Representative Hardy.

---

Referred to: Ways and Means.

---

April 1, 1997

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT IN FILLING VACANCIES IN THE OFFICE OF  
2 REGISTER OF DEEDS, SHERIFF, OR COUNTY COMMISSIONER IN  
3 BEAUFORT COUNTY, IF THE VACATING MEMBER WAS ELECTED AS THE  
4 NOMINEE OF A POLITICAL PARTY, THE APPOINTING AUTHORITY SHALL  
5 APPOINT FROM A LIST RECOMMENDED BY THAT POLITICAL PARTY IF  
6 TWO OR MORE NAMES ARE SUBMITTED ON A TIMELY BASIS.

7 The General Assembly of North Carolina enacts:

8 Section 1. (a) G.S. 161-5(a1) reads as rewritten:

9 "(a1) When a vacancy occurs from any cause in the office of register of deeds, the  
10 board of county commissioners shall fill such vacancy by the appointment of a successor  
11 for the unexpired term, who shall qualify and give bond as required by law. If the  
12 register of deeds was elected as the nominee of a political party, the county manager shall  
13 notify by first-class mail the county chairman of that political party of the existence of the  
14 vacancy. ~~the~~The board of county commissioners shall consult the county executive  
15 committee of that political party before filling the vacancy and shall appoint ~~the person~~  
16 recommended by that committee, if the party makes a recommendation within 30 days of the  
17 occurrence of the vacancy. ~~from a list of two or more persons recommended by that~~  
18 committee, if the party makes a recommendation within 30 days of the mailing of the  
19 notification. If the list is not so provided, the board of county commissioners shall  
20

1 appoint a person who was registered to vote as a member of that party on the date of the  
2 most recent county general election."

3 (b) This section applies to Beaufort County only.

4 Section 2. (a) The second sentence of G.S. 162-5.1 reads as rewritten:

5 "If the sheriff were elected as a nominee of a political party, the county manager shall  
6 notify by first-class mail the county chairman of that political party of the existence of the  
7 vacancy. ~~the~~ The board of commissioners shall consult the county executive committee of  
8 that political party before filling the vacancy, and shall elect the person recommended by the  
9 county executive committee of that party, if the party makes a recommendation within 30 days of  
10 the occurrence of the vacancy. and shall appoint from a list of two or more persons  
11 recommended by that committee, if the party makes a recommendation within 30 days of  
12 the mailing of the notification. If the list is not so provided, the board of county  
13 commissioners shall appoint a person who was registered to vote as a member of that  
14 party on the date of the most recent county general election."

15 (b) This section applies to Beaufort County only.

16 Section 3. (a) G.S. 153A-27.1(d) reads as rewritten:

17 "(d) If the member who vacated the seat was elected as a nominee of a political  
18 party, the county manager shall notify by first-class mail the county chairman of that  
19 political party of the existence of the vacancy. ~~the~~ The board of commissioners, the  
20 chairman of the board, or the clerk of superior court, as the case may be, shall consult the  
21 county executive committee of the appropriate political party before filling the vacancy,  
22 and shall appoint the person recommended by the county executive committee of the political  
23 party of which the commissioner being replaced was a member, if the party makes a  
24 recommendation within 30 days of the occurrence of the vacancy. and shall appoint from a list  
25 of two or more persons recommended by that committee, if the party makes a  
26 recommendation within 30 days of the mailing of the notification. If the list is not so  
27 provided, the board of county commissioners shall appoint a person who was registered  
28 to vote as a member of that party on the date of the most recent county general election."

29 (b) This section applies to Beaufort County only.

30 Section 4. This act is effective when it becomes law.