Short Title: Tyrrell Cumulative Voting. (Local)

Sponsors: Representative Culpepper.

Referred to: Judiciary I.

April 7, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH CUMULATIVE VOTING AS THE METHOD OF
3 ELECTION OF THE TYRRELL COUNTY BOARD OF COMMISSIONERS AND
4 BOARD OF EDUCATION, TO BE SUBMITTED TO THE UNITED STATES
5 DISTRICT COURT.
6 The General Assembly of North Carolina enacts:
7 Section 1. The Board of Commissioners of Tyrrell County shall consist of five
8 members elected for staggered four-year terms in partisan elections, as follows:
9 (a) Two commissioners shall be elected in 1998. Any eligible citizen in the
10 county may file to be a candidate for those two seats. If more than two candidates file in
11 either party, a primary shall be held on the date provided in G.S. 163-1(b) for that party to
12 decide its nominees for the general election. All candidates in the party primary shall be
13 listed together on the ballot. Instructions on the ballot shall state that each voter may cast
14 up to two votes and may distribute those votes in any combination, including both votes
15 for one candidate. Any ballot marked with more than two votes shall not be discarded.
16 The two candidates receiving the most votes in the primary shall be nominated as the
17 party's candidates in the general election, with no second primary. In the general election,
18 the nominees of both parties and any other candidate who has qualified to run shall be
19 listed together on a single ballot. Instructions on the ballot shall state that each voter may
20 cast up to two votes and may distribute those votes in any combination, including both

1 votes for one candidate. Any ballot marked with more than two votes shall not be
2 counted. The two candidates receiving the most votes shall be elected. The same
3 procedure shall be followed in 2002 and every four years thereafter.
4   (b)   The same procedure as in subsection (a) of this section shall be followed
5 in 2000 and every four years thereafter when the other three seats on the Board of
6 Commissioners are filled by election, except that each voter shall have up three votes to
7 distribute in any combination. The three candidates receiving the most votes shall be
8 nominated and elected.
9   Section 2. The Tyrrell County Board of Education shall consist of five
10 members elected for staggered four-year terms in nonpartisan elections, as follows:
11   (a)   As previously scheduled, three members of the Board of Education shall
12 be elected in 1998. Any eligible citizen of the county may file to be a candidate for those
13 three seats. All candidates in the election shall be listed together on the ballot.
14 Instructions on the ballot shall state that each voter may cast up to three votes and may
15 distribute those votes in any combination, including all three votes for one candidate.
16 Any ballot marked with more than three votes shall not be counted. The two candidates
17 receiving the most votes shall be elected, without any runoffs.
18   (b)   The same procedure shall be followed in 2000 and every four years
19 thereafter, when the two other seats on the Board of Education are filled by election,
20 except that each voter shall have up to two votes to distribute in any combination. The
21 two candidates receiving the most votes shall be nominated and elected.
22   Section 3. Except as provided in those sections, the primaries and elections
23 provided for in Sections 1 and 2 of this act shall be conducted according to general State
24 law governing elections.
25   Section 4. The Tyrrell County Board of Commissioners shall submit the
26 provisions of this act to the U.S. District Court for the Eastern District of North Carolina
27 pursuant to the case of Gloria Rowsom, et al, v. Tyrrell County Board of Commissioners.
28   Section 5. This act becomes effective upon the approval of its provisions by the
29 U.S. District Court for the Eastern District of North Carolina pursuant to the case of
30 Gloria Rowsom, et al, v. Tyrrell County Board of Commissioners.