

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL 27

Short Title: Partisan Elections for Soil & Water/Union Co. (Local)

Sponsors: Senator Johnson (Primary Sponsor).

Referred to: Rules and Operations of the Senate

January 27, 2023

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT SOIL AND WATER CONSERVATION DISTRICT  
ELECTIONS IN UNION COUNTY BE CONDUCTED ON A PARTISAN BASIS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 139-6 reads as rewritten:

"§ 139-6. **District board of supervisors – elective members; certain duties.**

After the issuance of the certificate of organization of the soil and water conservation district by the Secretary of State, an election shall be held in each county of the district to elect the members of the soil and water conservation district board of supervisors as herein provided.

The district board of supervisors shall consist of three elective members to be elected in each county of the district, and that number of appointive members as provided in G.S. 139-7. Upon the creation of a district, the first election of the members shall be held at the next succeeding election for county officers.

All elections for members of the district board of supervisors shall be held at the same time as the primary and regular election for county officers beginning in ~~November 1974.~~ 2024. The election shall be ~~nonpartisan and no primary election shall be held.~~ The election shall be partisan and held and conducted by the county board of elections.

Candidates shall file their notice of candidacy on forms prescribed by the county board of elections. The notice of candidacy must be filed ~~no earlier than noon on the second Monday in June and no later than noon on the first Friday in July preceding the election.~~ in accordance with the time for filing under G.S. 163-106.2(b). The candidate shall pay a filing fee of five dollars (\$5.00) at the time of filing the notice of candidacy.

~~Beginning with the election to be held in November 1974, the two candidates receiving the highest number of votes shall be elected for a term of four years, and the candidate receiving the next highest number of votes shall be elected for a term of two years; thereafter, as their terms expire, their successors~~ Members of the district board of supervisors shall be elected for terms of four years. If the position of district supervisor is not filled by failure to elect, then the office shall be deemed vacant upon the expiration of the term of the incumbent, and the office shall be filled as provided in G.S. 139-7. If a vacancy occurs in the office of supervisor, the Commission shall consult the county executive committee of that political party before filling the vacancy and shall appoint the person recommended by the county executive committee of that party if the party makes a recommendation within 30 days of the occurrence of the vacancy.

The persons elected in ~~1974~~ 2024 and thereafter shall take office on the first Monday in December following their election.



1       ~~The terms of the present members of the soil and water conservation districts, both elective~~  
2 ~~and appointive members, are hereby extended to or terminated on the first Monday in December~~  
3 ~~1974.~~

4       All qualified voters of the district shall be eligible to vote in the election. Except as provided  
5 in this Chapter, the election shall be held in accordance with the applicable provisions of Articles  
6 23 and 24 of Chapter 163 of the General Statutes.

7       The district board of supervisors, after the appointment of the appointive members has been  
8 made, shall select from its members a chairman, a vice-chairman and a secretary. It shall be the  
9 duty of the district board of supervisors to perform those powers, duties, and authority conferred  
10 upon supervisors under this Chapter; to develop annual county and district goals and plans for  
11 soil conservation work therein; to request agencies, whose duties are such as to render assistance  
12 in soil and water conservation, to set forth in writing what assistance they may have available in  
13 the county and district."

14       **SECTION 2.** G.S. 139-7 reads as rewritten:

15 **"§ 139-7. District board of supervisors – appointive members; organization of board;**  
16 **certain powers and duties.**

17       The governing body of a soil and water conservation district shall consist of the three elective  
18 supervisors from the county or counties in the district, together with the appointive members  
19 appointed by the Soil and Water Conservation Commission pursuant to this section, and shall be  
20 known as the district board of supervisors. When a district is composed of less than four counties,  
21 the board of supervisors of each county shall on or before October 31, 1978, and on or before  
22 October 31 as the terms of the appointive supervisors expire, recommend in writing two persons  
23 from the district to the Commission to be appointed to serve with the elective supervisors. If the  
24 names are not submitted to the Commission as required, the office shall be deemed vacant on the  
25 date the term is set to expire and the Commission shall appoint two persons of the district to the  
26 district board of supervisors to serve with the elected supervisors. The Commission shall make  
27 its appointments prior to or at the November meeting of the Commission. Appointive supervisors  
28 shall take office on the first Monday in December following their appointment. Such appointive  
29 supervisors shall serve for a term of four years, and thereafter, as their terms expire, their  
30 successors shall serve for a term of four years. The terms of office of all appointive supervisors  
31 who have heretofore been lawfully appointed for terms the final year of which presently extends  
32 beyond the first Monday in December are hereby terminated on the first Monday in December  
33 of the final year of appointment. Vacancies for any reason in the appointive supervisors shall be  
34 filled for the unexpired term by the appointment of a person by the Commission from the district  
35 in which the vacancy occurs. Vacancies for any reason in the elected supervisors shall be filled  
36 for the unexpired term by appointment by the Commission of a person from the county in the  
37 district in which the vacancy ~~occurs~~ occurs in accordance with G.S. 139-6.

38       ...."

39       **SECTION 3.** In applying this act, a candidate's party affiliation or unaffiliated status  
40 shall be based on the party affiliation or unaffiliated status under which the candidate registered  
41 at the general election immediately preceding the candidate's filing for office pursuant to this act.

42       **SECTION 4.** This act applies to Union County Soil and Water Conservation District  
43 only.

44       **SECTION 5.** This act is effective with respect to primaries and elections held on or  
45 after January 1, 2024.