

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1997

SESSION LAW 1998-88  
HOUSE BILL 1540

AN ACT TO CONFORM THE CHARTER OF THE CITY OF HAVELOCK TO GENERAL LAW BY PROVIDING FOR AN ELECTION TO FILL THE REMAINDER OF THE UNEXPIRED TERM OF A COUNCIL MEMBER WHEN THE VACANCY OCCURS DURING THE FIRST TWO YEARS OF A FOUR-YEAR TERM.

The General Assembly of North Carolina enacts:

Section 1. Section 3(c) of the Charter of the City of Havelock, being Chapter 952 of the 1959 Session Laws, as rewritten by Chapter 152 of the 1977 Session Laws, reads as rewritten:

"(c) If a vacancy, for any reason, occurs on the board of commissioners, the remaining members shall, within 30 days, appoint a qualified person to fill the vacancy as provided herein. If the vacancy occurs in the first two years of a four-year term, and more than ~~30 days~~ three days before the end of the filing period for that office as provided by the General Statutes prior to the regular municipal election, the person appointed shall serve until the next statutory organizational meeting of the board after the election. At the regular municipal election, ~~a person shall be elected for the unexpired term,~~ the candidate for commissioner who receives the next highest number of votes after the candidates for commissioner who are elected for full terms pursuant to subsection (a) of this section is elected to the unexpired term, said term to begin on the date of the organizational meeting. A voter may vote for no more than the number of full and unexpired terms to be filled at the election. A vacancy occurring otherwise shall be filled for the unexpired term."

Section 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 11th day of August, 1998.

s/ Dennis A. Wicker  
President of the Senate

s/ Harold J. Brubaker  
Speaker of the House of Representatives