HOUSE BILL 1057:
Red Springs Charter Amendment.

2017-2018 General Assembly

Committee:	Senate Rules and Operations of the Senate	**Date:**	June 28, 2018
Introduced by:	Rep. Pierce	**Prepared by:**	Brad Krehely
Analysis of:	Third Edition		Committee Co-Counsel

OVERVIEW: House Bill 1057 would authorize the board of commissioners for the Town of Red Springs to set its own compensation and the compensation of the mayor and other elected town officers and would make conforming changes to the qualifications for holding office in the Town.

CURRENT LAW: Officers for the Town of Red Springs consist of a mayor and a board of six commissioners. Elections are conducted on a nonpartisan basis on the Tuesday after the first Monday in November (G.S. 163A-1585), and the results are determined using the plurality method in G.S. 163A-1616. The mayor serves for a two-year term, and commissioners serve staggered four-year terms.[1]

The Charter for the Town of Red Springs provides that the mayor is to receive a salary of $200.00 per year, and commissioners are to receive a salary of $25.00 per year, until changed by ordinance. No ordinance fixing or changing the salary of the mayor or commissioners will be effective during their current term of office.

The Charter also provides that the office of mayor or commissioner is immediately vacated upon conviction of a crime involving moral turpitude and is to be filled for the remainder of the unexpired term by a majority vote of the remaining commissioners.

BILL ANALYSIS: House Bill 1057 would amend the Charter of the Town of Red Springs as follows:

- Authorize the board of commissioners to set their own compensation and the compensation of the mayor and other elected town officers and eliminate the specified salary amount and the prohibition on any salary changes becoming effective during the current term of office. However, under G.S. 160A-64(a), the salary of an elected officer, other than town commissioner's salary, could not be reduced during the current term of office unless the elected officer agrees.
- Provide that the office of mayor or commissioner is immediately vacated if the mayor or commissioner ceases to possess any of the qualifications for office set out in Article VI of the North Carolina Constitution.[2]

[1] This bill would make a conforming change to the original charter, being Chapter 1252 of the 1949 Session Laws, to reflect that a subsequent local act changed the board of commissioner terms from two to four years. That change, being Section 3 of Chapter 457 of the 1957 Session Laws, was not incorporated into the original charter but is nevertheless the current law.
[2] Article VI, Sec. 6, of the Constitution states the requirements for eligibility to elective office. Article VI, Sec. 8, of the Constitution states the disqualifications for office.

EFFECTIVE DATE: Effective when it becomes law.

Jessica Sammons and Trina Griffin, Staff Attorneys for the Legislative Analysis Division, substantially contributed to this summary.