

H. B. 29

CHAPTER 459

AN ACT TO AMEND SECTION 5 OF ARTICLE II OF THE CONSTITUTION OF NORTH CAROLINA FOR THE PURPOSE OF PROVIDING AN AUTOMATIC REAPPORTIONMENT OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. The Constitution of the State of North Carolina is amended by striking out Section 5 of Article II of said Constitution and by re-writing and inserting in lieu thereof the following:

“Sec. 5. Regulations in relation to apportionment of Representatives. The House of Representatives shall be composed of 120 Representatives, biennially chosen by ballot, to be elected by the counties respectively, according to their population, and each county shall have at least one Representative in the House of Representatives, although it may not contain the requisite ratio of representation. This apportionment shall be made by the Speaker of the House of Representatives at the first regular Session of the General Assembly convening after the return of every enumeration by order of Congress. The formula set out in Section 6 of this Article shall be applied by the Speaker and the new apportionment entered on the Journal of the House of Representatives on or before the 60th calendar day of the Session. When so entered, the new apportionment shall have the same force and effect as an Act of the General Assembly, and shall become effective at the next election for members of the General Assembly.”

Sec. 2. Section 1 of this Act shall be submitted at the next general election to the qualified voters of the State in the same way and manner and under the same rules and regulations governing general elections in this State.

Sec. 3. In such election the electors favoring the amendment in Section 1 of this Act shall vote ballots on which shall be printed or written the words: “For amendment providing for automatic and mandatory reapportionment of the members of the House of Representatives of the General Assembly after the return of every enumeration by order of Congress”, and those opposed shall vote ballots on which shall be written or printed the words “Against amendment providing for automatic and mandatory reapportionment of the members of the House of Representatives of the General Assembly after the return of every enumeration by order of Congress.”

Sec. 4. The election upon this amendment shall be conducted in the same manner and under the same rules and regulations as provided by the laws governing general elections, and if a majority of the votes cast be in favor of this amendment it shall be the duty of the Governor of the State to certify the amendment under the Seal of the State to the Secretary of State, who shall enroll said amendment so certified among the

permanent records of his office, and the amendment so certified shall be in full force and every part thereof, from and after the date of such certification.

Sec. 5. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 6. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 19th day of May, 1961.

H. B. 224

CHAPTER 460

AN ACT TO AMEND THE NORTH CAROLINA DRIVERS' POINT SYSTEM SO AS TO REVISE THE POINT VALUES FOR CERTAIN OFFENSES; TO INCREASE TO THREE YEARS THE PERIOD DURING WHICH THE MAXIMUM NUMBER OF POINTS CAN BE ACCUMULATED; AND TO PROVIDE FOR CONSIDERATION OF OUT-OF-STATE CONVICTIONS IN DRIVER POINT ACCUMULATIONS.

The General Assembly of North Carolina do enact:

Section 1. G. S. 20-16 (a) 1959 Cumulative Supplement is hereby amended by rewriting Subdivision "5" thereof to read as follows:

"5. Has, under the provisions of Subsection (c) of this Section, within a three-year period, accumulated twelve (12) or more points, or eight (8) or more points in the three-year period immediately following the reinstatement of a license which has been suspended or revoked because of a conviction for one or more traffic offenses;"

Sec. 2. G. S. 20-16 (c) is hereby amended by striking out all of that subsection preceding the "No" at the beginning of line twenty-four (24) thereof, and inserting in lieu thereof the following:

"(c) The Department shall maintain a record of convictions of every person licensed or required to be licensed under the provisions of this Article as an operator or chauffeur and shall enter therein records of all convictions of such persons for any violation of the motor vehicle laws of this State and shall assign to the record of such person, as of the date of commission for the offense, a number of points for every such conviction in accordance with the following schedule of convictions and points, except that points shall not be assessed for convictions resulting in suspensions or revocations under other provisions of laws:

"Schedule of Point Values

Passing stopped school bus	5
Reckless driving	4
Hit and run, property damage only	4
Following too close	4
Driving on wrong side of road	4
Illegal passing	4
Running through stop sign	3