

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

D

SENATE DRS55293-RR-85A (05/07)

Short Title: Judicial Elections.

(Public)

Sponsors: Senator Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE AN APPROPRIATION FOR THE FUND TO SUPPORT
NONPARTISAN ELECTION OF APPELLATE JUDGES; AND TO MAKE
CERTAIN CHANGES TO THE LAW GOVERNING THE NONPARTISAN
JUDICIAL ELECTION PROCESS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-278.62 reads as rewritten:

"(12) Office. – A ~~position on~~ specified seat on either the North Carolina Court of Appeals or North Carolina Supreme Court."

SECTION 2. G.S. 163-278.64 is amended by adding a new subsection to

read:

"(f) Participation for More Than One Office. – A candidate may not receive funds for more than one office in an election year."

SECTION 3. G.S. 163-278.65(c) reads as rewritten:

"(c) Method of Fund Distribution. – The Board, in consultation with the State Treasurer and the State Controller, shall develop a rapid, reliable method of conveying funds to certified candidates. In all cases, the Board shall distribute funds to certified candidates in a manner that is expeditious, ensures accountability, and safeguards the integrity of the Fund. If the money in the Fund is insufficient to fully fund all certified candidates, then the available money shall be distributed proportionally, according to each candidate's eligible funding. The State Board of Elections will have the option to allow certified candidates in the general election to raise funds, in the same manner as a noncertified candidate, to replace eligible funding not received because of insufficient revenue in the Fund."

SECTION 4. G.S. 163-278.68(b) reads as rewritten:

"(b) Advisory Council for the Public Campaign Financing Fund. – There is established under the Board the Advisory Council for the Public Campaign Financing

1 Fund to advise the Board on the rules, procedures, and opinions it adopts for the
2 enforcement and administration of this Article and on the funding needs and operation
3 of the Public Campaign Financing Fund. The Advisory Council shall consist of five
4 members to be appointed as follows:

5 (1) The Governor shall name two members from a list of individuals
6 nominated by the State Chair of the political party with which the
7 greatest number of registered voters is affiliated. The State Chair of
8 that party shall submit to the Governor the names of five nominees.

9 (2) The Governor shall name two members from a list of individuals
10 nominated by the State Chair of the political party with which the
11 second greatest number of registered voters is affiliated. The State
12 Chair of that party shall submit to the Governor the names of five
13 nominees.

14 (3) The Board shall name one member by unanimous vote of all members
15 of the Board. If the Board cannot reach unanimity on the appointment
16 of that member, the Advisory Council shall consist of the remaining
17 members.

18 No individual shall be eligible to be a member of the Advisory Council who would
19 be ineligible to serve on a county board of elections in accordance with G.S. 163-30.
20 The initial members shall be appointed by December 1, 2002. Of the initial appointees,
21 two are appointed for one-year terms, two are appointed for two-year terms, and one is
22 appointed for a three-year term according to random lot. Thereafter, appointees are
23 appointed to serve four-year terms. An individual may not serve more than two full
24 ~~terms~~ terms, except that regardless of the time of appointment each term shall end on
25 December 31. A member shall continue on the Advisory Council beyond the expired
26 term until a successor is appointed. The appointed members receive the legislative per
27 diem pursuant to G.S. 120-3.1. One of the Advisory Council members shall be elected
28 by the members as Chair. A vacancy during an unexpired term shall be filled in the
29 same manner as the regular appointment for that term, but a vacancy appointment is
30 only for the unexpired portion of the term."

31 **SECTION 5.** There is appropriated from the General Fund to the State
32 Board of Elections for the 2004-2005 fiscal year the sum of one million dollars
33 (\$1,000,000) for the purpose of administering Article 22D of Chapter 163 of the
34 General Statutes.

35 **SECTION 6.** Section 5 of this act becomes effective July 1, 2004. The
36 remainder of this act is effective when this act becomes law.