March 12, 2009

H 586. EXPAND VOTER-OWNED ELECTIONS. Filed 3/12/09. *TO EXPAND THE VOTER-OWNED ELECTIONS ACT TO COVER ADDITIONAL COUNCIL OF STATE POSITIONS AND TO MAKE TECHNICAL CHANGES TO THE ACT.*

Amends Article 22J of Chapter 163, the Voter-Owned Elections Act, to allow more elected officials to utilize the public financing mechanisms provided for in Article 22J. Beginning with the 2012 election, the Secretary of State, Attorney General, Treasurer, Commissioner of Agriculture, and the Commissioner of Labor would be allowed to utilize the public campaign funds. Under current law, the funds are available only to candidates for Auditor, Superintendent of Public Instruction, and Commissioner of Insurance.

Amends GS 163-278.96(4) to provide that a write-in candidate may not become a certified candidate, which means that write-in candidates are not eligible for the public campaign funds.

Amends the definitions of *qualifying contribution* and *maximum qualifying contribution* in GS 163-278.96(10) and (15), which is significant because a candidate must obtain qualifying contributions from a certain number of registered voters in order to receive the public campaign funds. Sets the maximum qualifying contributions at $100 times the minimum number of qualifying contributions (was, 100 times the filing fee) for a candidate with no primary and $200 times the minimum number of qualifying contributions (was, 200 times the filing fee) for a candidate with a contested primary. Amends GS 163-278.98(e)(2) to limit the total amount of contributions from a single contributor to $200. Amends GS 163-278.98(e)(4a) to provide that up to $200 of a contribution from a member of the candidate's family (spouse, parent, child, brother, and sister) may be treated as a qualifying contribution.

Amends GS 163-278.98(b) to increase the number of required contributions from 750 to 900. In addition, requires qualifying contributions from more registered voters if the grant of public campaign funds exceeds $300,000.

Amends GS 163-278.98(b), which provides that no payment, gift, or anything of value may be given in exchange for a qualifying contribution, to include a prohibition on providing the opportunity to win anything of value.

Amends GS 163-278.99B(b) to provide that matching funds may be provided before the primary only to (1) a certified candidate with an opponent in the primary or (2) a certified candidate who is the subject of campaign-related expenditures targeted at opposing him or her. When such expenditures are made by noncertified candidates or other entities, they must be reported to the State Board of Elections pursuant to GS 163-278.99A(a). Adds new GS 163-278.99B(f) to provide that matching funds are not available in response to communication that supports or opposes all candidates for the same office.

Adds new GS 163-278.99D.1 to outline the administration and enforcement process for the Voter-Owned Elections Act. Directs the State Board of Elections, in consultation with the Advisory Council on the Public Campaign Fund, to adopt procedures governing the administration of the Act. Provides that the Executive Director of the Board makes initial decisions concerning qualification, certification, and distribution of funds and that appeals of such decisions go before the full Board. Establishes appeal procedures. Directs the Advisory Council for the Public Campaign Fund to issue reports every two years evaluating the implementation of the Act and offering recommendations as appropriate.

Amends GS 163-278.99E to provide that a candidate's entire entry in the Voter Guide must be limited to 250 words.

Makes technical changes to GS 163-278.99(b), GS 163-278.99A, and GS 163-278.99E.

Intro. By Glazier, Ross, Rapp, Martin. GS 163