

February 2, 2009

S 25. HORTON INDEPENDENT REDISTRICTING COMM. Filed 2/2/09. *TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH THE HAMILTON C. HORTON JR. INDEPENDENT REDISTRICTING COMMISSION.*

Subject to approval by the voters at the statewide primary election in 2010, enacts a new Section 25 to Article II of the North Carolina Constitution, effective upon certification by the Board of Elections to the Secretary of State, to establish an 11-member Commission as title indicates. Sets forth general composition and eligibility requirements, including prohibiting membership, within five years of appointment, individuals who have done any of the following: (1) been a candidate or served in any elective office; (2) been an officer or executive committee member of a political party, or served as an officer, paid employee, or paid consultant of a candidate's campaign committee; or (3) been a registered lobbyist. Makes the following ineligible for appointment as a Commission member: (1) legislative and congressional staff and consultants; (2) individuals under contract with the General Assembly; (3) individuals with a financial or extended family relationship with the Governor; (4) a General Assembly member; or (5) a US Congress member. Describes the selection process, terms of office, vacancies, and election of a chair. Requires the Commission to adopt plans for revising senate and representative districts, as well as a district plan for election of members to the US House of Representatives, no later than October 1 of the year following each decennial census of population taken by the order of Congress. Prohibits the Commission from considering the following factors in preparing or adopting its plans: (1) the political affiliation of voters; (2) voting data from previous elections; (3) the location of incumbents' residences; or (3) demographic data from sources other than the US Census Bureau. Requires a minimum 45 day public comment period before adoption. Allows the General Assembly to assign the Commission with the duty to adopt districting and redistricting plans for any county, town, special district, and other governmental subdivision upon request by the governing board of a unit or a court of competent jurisdiction. Makes conforming changes to Section 3 and Section 5 of Article II by removing the authorization of the General Assembly to revise districts, setting forth goals for the Commission, and prohibiting the splitting of precincts in the preparation of a plan. Makes conforming changes to Section 22(5) of Article II.

Enacts a new Article 17A in GS Chapter 163, which provides for a selection process for the Commission, including screening and appointment, as well as a procedure for filling vacancies.

Intro. by Brunstetter.

GS 163, CONST