

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 892

Short Title: Beaufort Initiatives.

(Local)

Sponsors: Representative Hardy.

Referred to: Ways and Means.

April 7, 1997

A BILL TO BE ENTITLED

1 AN ACT TO GIVE THE VOTERS OF BEAUFORT COUNTY THE SAME RIGHT TO
2 PETITION FOR CHANGES TO THE STRUCTURE OF THE BOARD OF
3 COUNTY COMMISSIONERS AND BOARD OF EDUCATION THAT THE
4 GENERAL LAW PROVIDES FOR CITY RESIDENTS AS TO THEIR CITY
5 COUNCIL.
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7 The General Assembly of North Carolina enacts:

8 Section 1. Part 4 of Article 4 of Chapter 153A of the General Statutes is
9 amended by adding a new section to read:

10 "**§ 153A-60.1. Initiative petitions for charter amendments.**

11 (a) The people may initiate a referendum on proposed alterations authorized by
12 this Part. An initiative petition shall bear the signatures and resident addresses of a
13 number of qualified voters of the county equal to at least ten percent (10%) of the whole
14 number of voters who are registered to vote in the county according to the most recent
15 figures certified by the State Board of Elections or 5,000, whichever is less. The petition
16 shall set forth the proposed amendments by describing them briefly but completely and
17 with reference to the pertinent provisions of G.S. 153A-58, but it need not contain the
18 precise text of the resolution necessary to implement the proposed changes. The petition
19 may not propose changes in the alternative, or more than one integrated set of alterations.
20 Upon receipt of a valid initiative petition, the board of county commissioners shall call a

1 special election on the question of adopting the alterations proposed therein and shall
2 give public notice thereof in accordance with G.S. 163-287. The date of the special
3 election shall be fixed at not more than 120 nor fewer than 60 days after receipt of the
4 petition. If a majority of the votes cast in the special election shall be in favor of the
5 proposed changes, the board of commissioners shall adopt a resolution to put them into
6 effect. No initiative petition may be filed (i) within one year and six months following
7 the effective date of a resolution of the board of commissioners adopting alterations
8 pursuant to this Part, nor (ii) within one year and six months following the date of any
9 election on alterations that were defeated by the voters.

10 The restrictions imposed by this section on filing initiative petitions shall apply only
11 to petitions concerning the same subject matter.

12 Nothing in this section shall be construed to prohibit the submission of more than one
13 proposition for alterations on the same ballot so long as no proposition offers a different
14 plan under the same option as another proposition on the same ballot.

15 (b) This section applies to Beaufort County only."

16 Section 2. Article 5 of Chapter 160A of the General Statutes is amended by
17 adding the following section to read:

18 "**§ 115C-37.2. Alteration by voter initiative.**

19 (a) The people may initiate a referendum on proposed alterations to the manner of
20 election of the board of education, with the same options available as under G.S. 160A-
21 101(4), (5), (6), and (7) as are authorized for cities. An initiative petition shall bear the
22 signatures and resident addresses of a number of qualified voters of the school
23 administrative unit equal to at least ten percent (10%) of the whole number of voters who
24 are registered to vote in the school administrative unit according to the most recent
25 figures certified by the State Board of Elections or 5,000, whichever is less. The petition
26 shall set forth the proposed amendments by describing them briefly but completely and
27 with reference to the pertinent provisions of G.S. 160A-101, but it need not contain the
28 precise text of the resolution necessary to implement the proposed changes. The petition
29 may not propose changes in the alternative, or more than one integrated set of alterations.
30 Upon receipt of a valid initiative petition, the board of education shall call a special
31 election on the question of adopting the alterations proposed therein, and the board of
32 elections shall give public notice thereof in accordance with G.S. 163-287. The date of
33 the special election shall be fixed at not more than 120 nor fewer than 60 days after
34 receipt of the petition. If a majority of the votes cast in the special election shall be in
35 favor of the proposed changes, the board of education shall adopt a resolution to put them
36 into effect. No initiative petition may be filed within one year and six months following
37 the date of any election on alterations that were defeated by the voters.

38 The restrictions imposed by this section on filing initiative petitions shall apply only
39 to petitions concerning the same subject matter.

40 Nothing in this section shall be construed to prohibit the submission of more than one
41 proposition for alterations on the same ballot so long as no proposition offers a different
42 plan under the same option as another proposition on the same ballot.

43 (b) This section applies to the Beaufort County School Administrative Unit only."

1 Section 3. This act is effective when it becomes law.