

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 892  
Committee Substitute Favorable 4/23/97

Short Title: Beaufort Initiatives.

(Local)

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Sponsors:

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Referred to:

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April 7, 1997

A BILL TO BE ENTITLED

AN ACT TO GIVE THE VOTERS OF BEAUFORT COUNTY THE SAME RIGHT TO PETITION FOR CHANGES TO THE STRUCTURE OF THE BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION THAT THE GENERAL LAW PROVIDES FOR CITY RESIDENTS AS TO THEIR CITY COUNCIL.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

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

19 "**§ 115C-37.2. Alteration by voter initiative.**

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

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

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

4        (b) This section applies to the Beaufort County School Administrative Unit only."  
5        Section 3. This act is effective when it becomes law.