

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 982

Short Title: Campaign Reform/Election Study.

(Public)

Sponsors: Senator Plexico.

Referred to: Judiciary II/Election Laws

May 4, 1995

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE CAMPAIGN REFORM AND ELECTION LAWS
REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. (a) There is created a Campaign Reform and Election Laws Review
Commission to be composed of 18 members appointed as follows:

(1) The President Pro Tempore of the Senate shall appoint six members;

(2) The Speaker of the House of Representatives shall appoint six members;
and

(3) The Governor shall appoint six members.

As used in this act and unless otherwise clearly indicated, "Commission" shall refer to the
Campaign Reform and Election Laws Review Commission.

(b) The President Pro Tempore of the Senate and the Speaker of the House of
Representatives shall each designate a cochair of the Commission from their appointees.
Either cochair may call the first meeting of the Commission.

(c) Members shall serve until the termination of the Commission or, in the case of
a State legislator member, until the member either does not file for reelection to the
General Assembly or is not reelected, whichever occurs first. Vacancies shall be filled in
the same manner as the original appointments were made.

Sec. 2. (a) The Commission shall study thoroughly:

- 1 (1) The regulation of campaigns, including the financing of campaigns and
2 the conduct of campaigns, the appropriateness of sanctions for
3 violations, and the appropriate handling and disposition of campaign
4 contributions;
 - 5 (2) The election laws, policies, and procedures of the State;
 - 6 (3) The administration of those laws, policies, and procedures at the State
7 and local levels and the responsibilities of those administering these
8 laws; and
 - 9 (4) Federal and State case rulings impinging on these laws, policies, and
10 practices.
- 11 (b) The Commission shall recommend changes to the law that will:
- 12 (1) Address the problems of money in politics and the decline of civility in
13 politics;
 - 14 (2) Clarify the present election laws by removing inconsistencies and
15 outdated provisions, including those of dubious constitutionality;
 - 16 (3) Incorporate in the law any desirable uncodified procedures, practices,
17 and rulings of a general nature that have been implemented by the State
18 Board of Elections and its Executive Secretary-Director;
 - 19 (4) Conform the law to State and federal case law and to any requirements
20 of federal statutory law and regulation;
 - 21 (5) Ensure the efficient and effective administration of elections in this
22 State;
 - 23 (6) Continue the impartial, professional administration of elections, which
24 the citizens of the State expect and demand; and
 - 25 (7) Recodify the election laws, as necessary, to produce a comprehensive
26 current statement of law and practice of elections in North Carolina.

27 Sec. 3. With the prior approval of the Legislative Services Commission, the
28 Legislative Administrative Officer shall assign professional and clerical staff to assist in
29 the work of the Election Laws Review Commission. Clerical staff shall be furnished to
30 the Commission through the Offices of the House of Representatives and Senate
31 Supervisors of Clerks. The expenses of employment of the clerical staff shall be borne
32 by the Commission. With the prior approval of the Legislative Services Commission, the
33 Election Laws Review Commission may hold its meetings in the State Legislative
34 Building or the Legislative Office Building.

35 Sec. 4. The Commission shall submit a final written report of its findings and
36 recommendations on or before the convening of the 1997 General Assembly. The
37 Commission may submit a written report to the 1996 Regular Session of the 1995
38 General Assembly. All reports shall be filed with the President Pro Tempore of the
39 Senate and the Speaker of the House of Representatives, the Principal Clerks of the
40 Senate and the House of Representatives, and the Legislative Librarian. Upon filing its
41 final report, the Commission shall terminate.

42 Sec. 5. Members of the Commission shall be paid per diem, subsistence, and
43 travel allowances as follows:

- 1 (1) Commission members who are also members of the General Assembly,
2 at the rate established in G.S. 120-3.1;
- 3 (2) Commission members who are officials or employees of the State or
4 local government agencies, at the rate established in G.S. 138-6;
- 5 (3) All other Commission members, at the rate established in G.S. 138-5.
- 6 Sec. 6. The State Board of Elections and its Executive Secretary-Director,
7 local boards of elections, all other State departments and agencies, and local governments
8 and their subdivisions shall cooperate with the Commission and, upon request, shall
9 furnish to the Commission and its staff any information in their possession or available to
10 them.
- 11 Sec. 7. From the appropriations to the General Assembly for studies, the
12 Legislative Services Commission may allocate funds to conduct the work of the Election
13 Laws Review Commission.
- 14 Sec. 8. This act is effective upon ratification.