

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1074

Short Title: Butner Advisory Council.

(Public)

Sponsors: Representative Crawford.

Referred to: Rules, Calendar, and Operations of the House.

April 10, 2003

A BILL TO BE ENTITLED

1 AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY
2 COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE
3 MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE
4 THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE
5 LEGISLATION IN OTHER NEEDED WAYS.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 122C-413 reads as rewritten:

9 "**§ 122C-413. Butner Advisory Council; created.**

10 (a) There is created a Butner Advisory Council to consist of seven members, to
11 be elected by the residents of the territorial jurisdiction established by G.S.
12 122C-408(a), as the boundaries of that jurisdiction existed on January 1, 2003, as shown
13 on a map produced April 3, 2003, by the Information Systems Division of the North
14 Carolina General Assembly and kept on file in the office of the Butner Town Manager
15 and in the office of the Granville County Board of Elections. The Butner Advisory
16 Council shall be elected at a nonpartisan election pursuant to G.S. 163-292 administered
17 by the Granville County Board of Elections to be set after preclearance from the federal
18 Department of Justice, held in the first odd-numbered year after preclearance under
19 Section 5 of the Voting Rights Act of 1965 is obtained. The Granville County Board of
20 Elections may change the dates of the candidate-filing period for the first election if
21 preclearance is not obtained before the statutory filing period begins.

22 (b) ~~Members~~ All members of the Butner Advisory Council shall be elected at
23 ~~large, large in one multiseat race,~~ and the election shall be held in accordance with all
24 applicable federal and State constitutional and statutory provisions, including the Voting
25 Rights Act of 1965. For the purpose of elections under this Part, the jurisdiction shall be
26 considered a city under Chapters 160A and 163 of the General Statutes. In accordance
27 with North Carolina law, a candidate for the Butner Advisory Council must be a
28 registered voter and a resident of the territorial jurisdiction established by G.S.
29 ~~122C-408(a).~~ 122C-408(a) as the boundaries of that jurisdiction existed on January 1,

1 2003, as shown on a map produced April 3, 2003, by the Information Systems Division
2 of the North Carolina General Assembly and kept on file in the office of the Butner
3 Town Manager and in the office of the Granville County Board of Elections.

4 (c) The candidates for the Butner Advisory Council shall file their notices of
5 candidacy with the Granville County Board of Elections. Absentee voting by qualified
6 voters residing in the territorial jurisdiction shall be in accordance with G.S. 163-302.
7 The filing fee shall be the minimum set by G.S. 163-294.2(e).

8 (d) The seven candidates receiving the highest numbers of votes shall be elected
9 ~~for the following terms:~~ four-year terms.

10 (1) ~~If the election is held in an even-numbered year, the four candidates~~
11 ~~receiving the highest numbers of votes shall be elected for terms of~~
12 ~~four years, and the three candidates receiving the next highest numbers~~
13 ~~of votes shall be elected for terms of two years.~~

14 (2) ~~If the election is held in an odd-numbered year, the four candidates~~
15 ~~receiving the highest numbers of votes shall be elected for terms of~~
16 ~~five years, and the three candidates receiving the next highest numbers~~
17 ~~of votes shall be elected for terms of three years.~~

18 ~~Biennially thereafter, in each even-numbered year, the members whose terms expire~~
19 ~~shall be elected to four-year terms.~~

20 (d1) The Department of Health and Human Services shall reimburse the Granville
21 County Board of Elections for the actual cost of administering the election of the Butner
22 Advisory Council according to the provisions of G.S. 163-284 as if Butner were a city.

23 (e) The Chair of the Butner Advisory Council shall be elected from among its
24 members, shall serve a one-year term, may be reelected, and shall serve at the pleasure
25 of the council.

26 (f) The Butner Advisory Council shall comply with the applicable and relevant
27 provisions of Parts 1, 2, and 3 of Article 5 of Chapter 160A of the General Statutes with
28 respect to the filling of vacancies and the organization and procedures of the council as
29 if it were a city."

30 **SECTION 2.** This act is effective when it becomes law.