



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 200

AMENDMENT NO. 45
(to be filled in by
Principal Clerk)

H200-AST-18 [v.3]

Comm. Sub. [NO]
Amends Title [NO]
Third Edition

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Date 5/3, 2011

withdrawn

Representative Starnes

1 moves to amend the bill on page 230, lines 21-22 by inserting the following between those
2 lines:
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4
5 **"REPEAL PUBLIC FINANCING**

6 **SECTION 26.2.(a)** Article 22D of Chapter 163 of the General Statutes is repealed.

7 **SECTION 26.2.(b)** Article 22J of Chapter 163 of the General Statutes is repealed.

8 **SECTION 26.2.(c)** G.S. 84-34 reads as rewritten:

9 **"§ 84-34. Membership fees and list of members.**

10 Every active member of the North Carolina State Bar shall, prior to the first day of July of
11 each year, pay to the secretary-treasurer an annual membership fee in an amount determined by
12 the Council but not to exceed three hundred dollars (\$300.00), ~~plus a surcharge of fifty dollars~~
13 ~~(\$50.00) for the implementation of Article 22D of Chapter 163 of the General Statutes,~~ and
14 every member shall notify the secretary-treasurer of the member's correct mailing address. Any
15 member who fails to pay the required dues by the last day of June of each year shall be subject
16 to a late fee in an amount determined by the Council but not to exceed thirty dollars (\$30.00).
17 All dues for prior years shall be as were set forth in the General Statutes then in effect. The
18 membership fee shall be regarded as a service charge for the maintenance of the several
19 services authorized by this Article, and shall be in addition to all fees required in connection
20 with admissions to practice, and in addition to all license taxes required by law. The fee shall
21 not be prorated: Provided, that no fee shall be required of an attorney licensed after this Article
22 shall have gone into effect until the first day of January of the calendar year following that in
23 which the attorney was licensed; but this proviso shall not apply to attorneys from other states
24 admitted on certificate. The fees shall be disbursed by the secretary-treasurer on the order of the
25 Council. ~~The fifty dollar (\$50.00) surcharge shall be sent on a monthly schedule to the State~~
26 ~~Board of Elections.~~ The secretary-treasurer shall annually, at a time and in a law magazine or
27 daily newspaper to be prescribed by the Council, publish an account of the financial
28 transactions of the Council in a form to be prescribed by it. The secretary-treasurer shall
29 compile and keep currently correct from the names and mailing addresses forwarded to the
30 secretary-treasurer and from any other available sources of information a list of members of the
31 North Carolina State Bar and furnish to the clerk of the superior court in each county, not later
32 than the first day of October in each year, a list showing the name and address of each attorney
33 for that county who has not complied with the provisions of this Article. The name of each of



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1 the active members who are in arrears in the payment of membership fees shall be furnished to
2 the presiding judge at the next term of the superior court after the first day of October of each
3 year, by the clerk of the superior court of each county wherein the member or members reside,
4 and the court shall thereupon take action that is necessary and proper. The names and addresses
5 of attorneys so certified shall be kept available to the public. The Secretary of Revenue is
6 hereby directed to supply the secretary-treasurer, from records of license tax payments, with
7 any information for which the secretary-treasurer may call in order to enable the
8 secretary-treasurer to comply with this requirement.

9 The list submitted to several clerks of the superior court shall also be submitted to the
10 Council at its October meeting of each year and it shall take the action thereon that is necessary
11 and proper."

12 **SECTION 26.2.(d)** G.S. 105-159.2 is repealed.

13 **SECTION 26.2.(e)** G.S. 163-278.5 reads as rewritten:

14 **"§ 163-278.5. Scope of Article; severability.**

15 The provisions of this Article apply to primaries and elections for North Carolina offices
16 and to North Carolina referenda and do not apply to primaries and elections for federal offices
17 or offices in other States or to non-North Carolina referenda. Any provision in this Article that
18 regulates a non-North Carolina entity does so only to the extent that the entity's actions affect
19 elections for North Carolina offices or North Carolina referenda.

20 The provisions of this Article are severable. If any provision is held invalid by a court of
21 competent jurisdiction, the invalidity does not affect other provisions of the Article that can be
22 given effect without the invalid provision.

23 This section applies to Articles 22B, ~~22D~~, ~~22E~~, ~~22F~~, 22G, 22H, ~~22J~~, and 22M of the
24 General Statutes to the same extent that it applies to this Article."

25 **SECTION 26.2.(f)** G.S. 163-278.13(e) reads as rewritten:

26 "(e) Except as provided in ~~subsections (e2), (e3), and (e4)~~ subsection (e3) of this section,
27 this section shall not apply to any national, State, district or county executive committee of any
28 political party. For the purposes of this section only, the term "political party" means only those
29 political parties officially recognized under G.S. 163-96.

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- 1 **SECTION 26.2.(g)** G.S. 163-278.13(e2) is repealed.
2 **SECTION 26.2.(h)** G.S. 163-278.13(e4) is repealed.
3 **SECTION 26.2.(i)** The balances of the North Carolina Public Campaign Fund and
4 the North Carolina Voter-Owned Elections Fund upon this act becoming law are transferred to
5 the General Fund, except that any unexpended funds from the tax on attorneys under
6 G.S. 163-278.63(b)(7) and G.S. 84-34 shall be retained by the State Board of Elections for use
7 in printing voter guides."

SIGNED Edgar V. Starnb
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

Withdrawn