SESSION 1999

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HOUSE BILL 767 Committee Substitute Reported Without Prejudice 4/29/99

Short Title: Divide District 7.

Sponsors:

Referred to:

March 31, 1999

		A BILL TO BE ENTITLED			
AN AC	Г ТО DIVIDE	DISTRICT COURT DISTRICT 7 AND PROSECUTORIA	۱L		
DIST	RICT 7 INTO	DISTRICTS 7A AND 7B.			
The Gen	eral Assembly	of North Carolina enacts:			
	•				
District	Judges	County			
	e	,			
1	4	Camden			
		Chowan			
		Currituck			
		Dare			
		Gates			
		Pasquotank			
		Perquimans			
2	3 Martin	*			
	DIST The Gen "(a) following District	DISTRICT 7 INTO I The General Assembly of Section 1. G.S. "(a) Each district of following table: District Judges 1 4	AN ACT TO DIVIDE DISTRICT COURT DISTRICT 7 AND PROSECUTORIA DISTRICT 7 INTO DISTRICTS 7A AND 7B. The General Assembly of North Carolina enacts: Section 1. G.S. 7A-133(a) reads as rewritten: "(a) Each district court district shall have the numbers of judges as set forth in t following table: District Judges County 1 4 Camden Chowan Currituck Dare Gates Pasquotank Perquimans		

2

(Local)

1 2 3				Beaufort Tyrrell Hyde
4	2 4	5	D:44	Washington
5	3A	5 5	Pitt	
6	3B	3	Craven	Domline
7				Pamlico
8	4	7	C	Carteret
9	4	7	Sampson	D 1
10				Duplin
11				Jones
12	~	(NT TT	Onslow
13	5	6	New Hanover	
14		•	TT 110	Pender
15	6A	2	Halifax	
16	6B	3	Northampton	D
17				Bertie
18				Hertford
19	7 <u>7A</u>	7 <u>3</u>	Nash	
20	7B		<u>4</u>	Edgecombe
21				Wilson
22	8	6	Wayne	
23				Greene
24				Lenoir
25	9	4	Granville	
26				(part of Vance
27				see subsection (b))
28				Franklin
29	9A	2	Person	
30				Caswell
31	9B	1	Warren	
32				(part of Vance
33				see subsection (b))
34	10	13	Wake	
35	11	7	Harnett	
36				Johnston
37				Lee
38	12	9	Cumberland	
39	13	5	Bladen	
40				Brunswick
41				Columbus
42	14		6	Durham
43	15A	3	Alamance	

1	15B	4	Orange	Chatland
2 3	16A	3	Scotland	Chatham
4	10/1	5	Scotland	Hoke
5	16B	5	Robeson	
6	17A	2		
7	17B	3	Stokes	
8				Surry
9	18		Guilford	
10	19A		Cabarrus	
11	19B	6	Montgomery	
12				Moore
13	100	4	D	Randolph
14	19C	4	Rowan	
15	20	7	Stanly	Luion
16 17				Union
17 18				Anson Richmond
18 19	21	8	Forsyth	Kichinonu
20	21	8	Alexander	
20		0	Thexander	Davidson
22				Davie
23				Iredell
24	23	4	Alleghany	
25			e y	Ashe
26				Wilkes
27				Yadkin
28	24	4	Avery	
29				Madison
30				Mitchell
31				Watauga
32		~	P 1	Yancey
33	25	8	Burke	A 1 1 11
34				Caldwell
35	26	15	Maalilaulaana	Catawba
36	26		Mecklenburg	
37	27A 27B	5 4	Gaston Cleveland	
38 39	2/D	4	Cievelaliu	Lincoln
39 40	28	5	Buncombe	
40	28	6	Henderson	
42		0		McDowell
43				Polk
-				-

1		Rutherford						
2		Transylvania						
3	30 4 C	herokee						
4		Clay						
5		Graham						
6		Haywood						
7		Jackson						
8		Macon						
9		Swain."						
10		on 2. The district court judges	_	-				
11	1 of this act shall be filled by the district court judges from current District 7 who reside							
12		The terms of two of the judg						
13	-	cember of 2000. Those judge						
14	election. The terms of one of the judges residing in Nash County expires the first							
15	•	cember of 2002. That judge'	s successor shall b	be elected in the 2002				
16	election.							
17		on 3. The district court judges	-	-				
18		all be filled by the district court						
19	0	and Wilson Counties. The		, e e				
20	-	d one of the judges residing in	• •	÷				
21		000. Those judges' successors						
22		the judges residing in Edgeco	• 1	-				
23		002. That judge's successor sha		2002 election.				
24		on 4. G.S. $7A-60(a1)$ reads as r						
25		counties of the State are organ	-					
26		counties and the number of full-	-time assistant distri	ict attorneys set forth in				
27	the following ta	ible:						
28								
29 20	Data a ser 4 a mi a 1			No. of Full-Time				
30	Prosecutorial	association Attorneous		Asst. District				
31 32		ounties Attorneys	0					
32 33	1	Camden, Chowan, Currituck,						
33 34		Dare, Gates, Pasquotank, Perquimans)					
34 35	2	Beaufort, Hyde, Martin, 5						
33 36	Σ.	Tyrrell, Washington						
30 37	3A	Pitt 9						
37	3A 3B	Carteret, Craven, Pamlico	10					
38 39	3B 4	Duplin, Jones, Onslow, 14	10					
40	т	Sampson						
41	5	New Hanover, Pender 13						
42	6A	Halifax 4						
43	6B	Bertie, Hertford, 4						
	00							

1		Northampton	
2	7 <u>7A</u>	Edgecombe, Nash, Wilson <u>Nash</u>	<u> 15-6</u>
3	<u>7B</u>	Edgecombe, Wilson 9	
4	8	Greene, Lenoir, Wayne 11	
5	9	Franklin, Granville, 10	
6		Vance, Warren	
7	9A	Person, Caswell 4	
8	10	Wake	28
9	11	Harnett, Johnston, Lee 14	
10	12	Cumberland 17	
11	13	Bladen, Brunswick, Columbus 9	
12	14	Durham 13	
13	15A	Alamance 7	
14	15B	Orange, Chatham 7	
15	16A	Scotland, Hoke 5	
16	16B	Robeson 9	
17	17A	Rockingham 5	
18	17B	Stokes, Surry 5	
19	18	Guilford 26	
20	19A		
21	19B	Montgomery, Moore, Randolph 11	
22	19C	Rowan 5	
23	20	Anson, Richmond, 14	
24		Stanly, Union	
25	21	Forsyth 17	
26	22	Alexander, Davidson, Davie, 16	
27		Iredell	
28	23	Alleghany, Ashe, Wilkes, 5	
29		Yadkin	
30	24	Avery, Madison, Mitchell, 4	
31		Watauga, Yancey	
32	25	Burke, Caldwell, Catawba 14	
33	26	Mecklenburg 32	
34	20 27A	Gaston 12	
35	27B	Cleveland, 8	
36	2,0	Lincoln	
37	28	Buncombe 10	
38	20	Henderson, McDowell, Polk, 11	
39		Rutherford, Transylvania	
40	30	Cherokee, Clay, Graham, 8	
41	50	Haywood, Jackson, Macon,	
42		Swain."	
74			

1 Section 5. The district attorney position established for District 7B by Section 2 4 of this act shall be filled by the district attorney from current District 7 who resides in 3 Edgecombe County. The district attorney position established for District 7A by Section 4 of this act shall be filled by appointment by the Governor. That district attorney's term 5 expires on December 1, 2000. A successor shall be elected in the 2000 election.

6 Section 6. The six assistant district attorney positions established for District 7 7A by Section 4 of this act shall be filled by six assistant district attorneys currently 8 serving Nash County in District 7. The nine assistant district attorney positions 9 established for District 7B by Section 4 of this act shall be filled by nine assistant district 10 attorneys currently serving Edgecombe and Wilson Counties in District 7.

Section 7. G.S. 7A-69 reads as rewritten:

12 "§ 7A-69. Investigatorial assistants.

11

The district attorney in prosecutorial districts 1, 3B, 4, 6B, 7, 7B, 8, 10, 11, 12, 13, 14, 15A, 15B, 18, 19B, 20, 21, 24, 25, 26, 27A, 27B, 28, 29, and 30 is entitled to one investigatorial assistant to be appointed by the district attorney and to serve at his pleasure.

17 It shall be the duty of the investigatorial assistant to investigate cases preparatory to 18 trial and to perform such other duties as may be assigned by the district attorney. The 19 investigatorial assistant is entitled to reimbursement for his subsistence and travel 20 expenses to the same extent as State employees generally."

Section 8. There is appropriated from the General Fund to the Judicial Department the sum of two hundred ten thousand dollars (\$210,000) for the 1999-2000 fiscal year and the sum of two hundred eighty thousand dollars (\$280,000) for the 2000-24 2001 fiscal year to implement the provisions of this act.

25 Section 9. Sections 1 through 3 of this act become effective January 1, 2000, 26 or the date upon which those sections are approved under Section 5 of the Voting Rights 27 Act of 1965, whichever is later. Sections 4 through 8 of this act become effective 28 January 1, 2000. The remainder of this act is effective when it becomes law.