

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 866*
Committee Substitute Favorable 4/10/97

Short Title: Carteret and Moore School Board Election.

(Local)

Sponsors:

Referred to:

April 7, 1997

A BILL TO BE ENTITLED

1 AN ACT TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION
2 FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE THAT THEIR
3 DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS,
4 SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN
5 ELECTIONS, SUBJECT TO A REFERENDUM; AND TO PROVIDE THAT FIVE
6 MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED
7 FROM THE SAME DISTRICTS AS ARE THE MEMBERS OF THE BOARD OF
8 COMMISSIONERS AND THE REMAINING THREE MEMBERS OF THE
9 MOORE COUNTY BOARD OF EDUCATION BE ELECTED AT LARGE,
10 SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN
11 ELECTIONS, SUBJECT TO A REFERENDUM.
12

13 The General Assembly of North Carolina enacts:

14 PART I. CARTERET COUNTY BOARD OF EDUCATION

15 Section 1. (a) Effective July 1, 1998, the Board of Education of Carteret County
16 consists of seven members.

17 (b) One member of the Carteret County Board of Education shall be elected each
18 from Districts 1, 2, 4, 5, and 6 as established for the Carteret County Board of
19 Commissioners by Chapter 113 of the Session Laws of 1993, and two members of the

1 Carteret County Board of Education shall be elected from District 3 as established for the
2 Carteret County Board of Commissioners by Chapter 113 of the Session Laws of 1993.

3 (c) Of the existing members, Roger Newby is assigned to District 2, Rodney
4 Kemp and Kim Willis are assigned to District 3, Ellen Piner is assigned to District 5, and
5 June Fulcher is assigned to District 6. In 1998, one member shall be elected from each of
6 Districts 1, 3, 5, and 6 for a four-year term, and one member from District 4 for a two-
7 year term. In 2000 and quadrennially thereafter, one member shall be elected from
8 Districts 2, 3, and 4 for a four-year term. In 2002 and quadrennially thereafter, one
9 member shall be elected from Districts 1, 3, 5, and 6 for a four-year term.

10 (d) Members shall reside in and represent the districts, but all members are elected
11 by the voters of the county at large in nonpartisan plurality elections at the time of the
12 primary election and take office on July 1 of the year of election, all as previously
13 provided by law.

14 Section 2. The Carteret County Board of Elections shall conduct an election
15 on November 4, 1997, on the question of approval of Section 1 this act. The question on
16 the ballot shall be:

17 **"[] FOR [] AGAINST**

18 Expansion of the Carteret County Board of Education to seven members and election
19 from the same districts as the Carteret County Board of Commissioners."

20 If a majority of the votes cast are FOR the question, then Section 1 of this act
21 becomes effective. If less than a majority of the votes cast are FOR the question, then
22 Section 1 of this act does not become effective.

23 Section 3. Notwithstanding any provision of Section 1(d) of this act or Chapter
24 774 of the 1991 Session Laws, the members of the Carteret County Board of Education
25 shall be elected on a partisan basis at the same time as county officers. To the extent that
26 they do not conflict with this act and that act, the elections shall be conducted in
27 accordance with Chapters 115C and 163 of the General Statutes. Vacancies on the Board
28 of Education for positions elected on a nonpartisan basis in 1994 and 1996 shall be filled
29 in accordance with G.S. 115C-37(f). Vacancies on the Board of Education for positions
30 elected on a partisan basis shall be filled in accordance with G.S. 115C-37.1. Beginning
31 in 1998 members elected shall take office and qualify on the first Monday in December
32 of the year of their election, and the terms of their predecessors shall expire at that same
33 time.

34 Section 4. The Carteret County Board of Elections shall conduct an election
35 on November 4, 1997, on the question of approval of Section 3 of this act. The question
36 on the ballot shall be:

37 **"[] FOR [] AGAINST**

38 Election of the Carteret County Board of Education on a partisan basis."

39 If a majority of the votes cast are FOR the question, then Section 3 of this act
40 becomes effective. If less than a majority of the votes cast are FOR the question, then
41 Section 3 of this act does not become effective.

42 PART II. MOORE COUNTY BOARD OF EDUCATION

1 Section 5. (a) The Board of Education of Moore County consists of eight
2 members.

3 (b) One member of the Moore County Board of Education shall be elected each
4 from Electoral Districts 1, 2, 3, 4, and 5 for members of the Moore County Board of
5 Commissioners as those districts existed on January 1, 1997 and three members of the
6 Moore County Board of Education shall be elected from the County at large.

7 (c) Of the existing Moore County Board of Education members, Mike Ritter is
8 assigned to District 1, Ken Baer is assigned to District 2, Bill Garner is assigned to
9 District 3, and Linda McCaskill is assigned to District 4, and Dianne Lawrence is
10 assigned to District 5. In 1998 and quadrennially thereafter, a member shall be elected
11 from District 3 and three members shall be elected from the county at large for four year
12 terms. In 2000 and quadrennially thereafter, members shall be elected from Districts 1, 2,
13 4, and 5 for four year terms.

14 (d) Members shall reside in and represent the districts, but all members are
15 elected by the voters of the county at large by the nonpartisan primary and election
16 method, all as previously provided by law.

17 Section 6. The Moore County Board of Elections shall conduct an election on
18 November 4, 1997, on the question of approval of Section 5 of this act. The question on
19 the ballot shall be:

20 **"[] FOR [] AGAINST**

21 Providing that five of the Moore County Board of Education members have the same
22 districts as the Moore County Board of County Commissioners and that three of the
23 Moore County Board of Education members be elected at large."

24 If a majority of the votes cast are FOR the question, then Section 5 of this act
25 becomes effective. If less than a majority of the votes cast are FOR the question, then
26 Section 5 of this act does not become effective.

27 Section 7. Notwithstanding any provision of Section 5(d) of this act, Chapter
28 882 of the 1967 Session Laws, or Chapter 442 of the 1977 Session Laws, the members of
29 the Moore County Board of Education shall be elected on a partisan basis at the same
30 time as county officers. To the extent that they do not conflict with this act, Chapter 882
31 of the 1967 Session Laws, or Chapter 442 of the 1977 Session Laws, the elections shall
32 be conducted in accordance with Chapters 115C and 163 of the General Statutes.
33 Vacancies on the Board of Education for positions elected on a nonpartisan basis in 1994
34 and 1996 shall be filled in accordance with G.S. 115C-37(f). Vacancies on the Board of
35 Education for positions elected on a partisan basis shall be filled in accordance with G.S.
36 115C-37.1.

37 Section 8. Moore County Board of Elections shall conduct an election on
38 November 4, 1997, on the question of approval of Section 7 of this act. The question on
39 the ballot shall be:

40 **"[] FOR [] AGAINST**

41 Election of the Moore County Board of Education on a partisan basis."

- 1 If a majority of the votes cast are FOR the question, then Section 7 of this act
2 becomes effective. If less than a majority of the votes cast are FOR the question, then
3 Section 7 of this act does not become effective.
4 Section 9. This act is effective when it becomes law.