

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-389
HOUSE BILL 866

AN ACT TO PROVIDE THAT FIVE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED FROM THE SAME DISTRICTS AS ARE THE MEMBERS OF THE BOARD OF COMMISSIONERS AND THE REMAINING THREE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED AT LARGE, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM, AND TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS, AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS.

The General Assembly of North Carolina enacts:

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

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

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

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

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

"[] FOR [] AGAINST

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

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

Section 3. Notwithstanding any provision of Section 1(d) of this act, Chapter 882 of the 1967 Session Laws, or Chapter 442 of the 1977 Session Laws, the members of the Moore County Board of Education shall be elected on a partisan basis at the same time as county officers. To the extent that they do not conflict with this act, Chapter 882 of the 1967 Session Laws, or Chapter 442 of the 1977 Session Laws, the elections shall be conducted in accordance with Chapters 115C and 163 of the General Statutes. Vacancies on the Board of Education for positions elected on a nonpartisan basis in 1994 and 1996 shall be filled in accordance with G.S. 115C-37(f). Vacancies on the Board of Education for positions elected on a partisan basis shall be filled in accordance with G.S. 115C-37.1.

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

"[] FOR [] AGAINST
Election of the Moore County Board of Education on a partisan basis."

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

Section 5. (a) Effective July 1, 1998, the Board of Education of Carteret County consists of seven members.

(b) One member of the Carteret County Board of Education shall be elected each from Districts 1, 2, 4, 5, and 6 as established for the Carteret County Board of Commissioners by Chapter 113 of the Session Laws of 1993, and two members of the Carteret County Board of Education shall be elected from District 3 as established for the Carteret County Board of Commissioners by Chapter 113 of the Session Laws of 1993.

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

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

Section 6. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 13th day of August, 1997.

s/ Dennis A. Wicker

President of the Senate

s/ Harold J. Brubaker

Speaker of the House of Representatives