

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 870
Committee Substitute Favorable 4/25/13
Third Edition Engrossed 5/9/13
Senate Rules and Operations of the Senate Committee Substitute Adopted 7/17/13

Short Title: Duplin County Boards of Comms. and Educ.

(Local)

Sponsors:

Referred to:

April 15, 2013

A BILL TO BE ENTITLED

AN ACT TO DECREASE THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY TO A FIVE-MEMBER BOARD, TO ESTABLISH REVISED DISTRICTS FOR THOSE BOARDS, AND TO CONFIRM THAT REDISTRICTING REQUIREMENTS FOLLOWING EACH FEDERAL CENSUS APPLY TO THOSE BOARDS.

The General Assembly of North Carolina enacts:

SECTION 1. S.L. 2011-112 is repealed.

SECTION 2. Section 1 of Chapter 966 of the 1987 Session Laws reads as rewritten:

"Section 1. ~~Except as provided in Section 4 of this act following the 1988 elections the~~ Effective the first Monday in December of 2014, the Duplin County Board of Commissioners and Board of Education shall each consist of six-five members elected in partisan elections elections, one each from the six-five districts described in Section 8. Only voters who reside in a district may vote in the party primaries and general elections for that district."

SECTION 3. Section 5 of Chapter 966 of the 1987 Session Laws reads as rewritten:

"Sec. 5. ~~In 1990 and every four years thereafter, one commissioner each shall be elected from Districts II and III. In 1992 and every four years thereafter, one commissioner each shall be elected from Districts I, IV, V and VI. In 2014, one commissioner shall be elected from District II to a four-year term of office. In 2016, one commissioner shall be elected from District III to a two-year term of office, and one commissioner each shall be elected from Districts I, IV, and V to a four-year term of office. In 2018, and every four years thereafter, one commissioner each shall be elected from District II and District III. In 2020, and every four years thereafter, one commissioner each shall be elected from Districts I, IV, and V.~~"

SECTION 4. Section 6 of Chapter 966 of the 1987 Session Laws reads as rewritten:

"Sec. 6. ~~In 1988 and every four years thereafter, three members shall be elected to the Board of Education, one each from Districts I, V and VI. The three other members of the Board of Education shall be elected in 1990 and every four years thereafter. In those years one member each shall be elected from Districts II, III and IV. In 2014, and every four years thereafter, one member each shall be elected from Districts II and III. In 2016, and every four years thereafter, one member each shall be elected from Districts I, IV, and V.~~"



1 **SECTION 5.** Section 8 of Chapter 966 of the 1987 Session Laws reads as
2 rewritten:

3 "Sec. 8. The election districts for the Duplin County Board of Commissioners and Board of
4 Education are as follows:

5 ~~**District I**—The area within the following boundary running counterclockwise from
6 the intersection of Highway 403 with the Sampson County line: East on Highway 403 to the
7 Faison town limits, southeast along the town limits to the intersection with Highway 117, south
8 on 117 to State Road 1342, southwest on State 1342 (including the residences on both sides of
9 the road) to State Road 1340, south on 1340 (including the residences on both sides of the road)
10 to State Road 1341, southeast on 1341 (including the residences on both sides of the road) to
11 the Warsaw town limits, continuing in a straight line southeast within Warsaw to the
12 intersection with the Seaboard Coast Line railroad tracks, east on the railroad tracks to Front
13 Street, south on Front to College Street, east on College to Pine Crest Drive, southeast on Pine
14 Crest to the town limits, east and north along the town limits to the intersection at the eastern
15 town limit with State Road 1300, east on 1300 to State Road 1375, south on 1375 to Highways
16 50 and 24, east on 50/24 to the Kenansville town limits, north along the Kenansville town
17 limits to a point directly west of and opposite Allen Street (now Cooper Street), from that point
18 east to Allen (Cooper) Street, east on Allen (Cooper) to Stokes Street, south on Stokes to the
19 intersection with Seminary Street, then along a straight line from the intersection of Stokes and
20 Seminary south to the intersection of Mallard Street and Main Street, across that intersection
21 and then along a straight line directly south from the intersection of Mallard and Main streets to
22 the town limits, east and North along the town limits to the intersection at the eastern town
23 limits with Highway 24, east on 24 to the Northeast Cape Fear River, north along the river (the
24 township line dividing Kenansville and Smith Townships) to Goshen Swamp, then west along
25 Goshen Swamp to the Sampson County line (Goshen Swamp being the township line dividing
26 Kenansville and Glisson Townships and dividing Faison and Wolfscrape Townships up to a
27 point just south of State Road 1357), then south along the county line to the starting point at
28 Highway 403.~~

29 ~~**District II**—The area within the following boundary running counterclockwise
30 from the intersection of Goshen Swamp with the Sampson County line: Southeast along
31 Goshen Swamp to Northeast Cape Fear River, south along the river to Highway 24, east on 24
32 to the Beulaville city limits, north and east along the city limits to the intersection of Highway
33 241 with the northern city limits, north on 241 to Limestone Creek, northeast along the creek
34 and the township line between Smith and Limestone Townships to the Jones County line, then
35 north and west along the county line back to the starting point.~~

36 ~~**District III**—The area included within the following boundary running
37 counterclockwise from the intersection of the Limestone Township line with the Jones County
38 line: Southwest along the township line dividing Smith and Limestone Townships to
39 Limestone Creek, southwest along the creek to Highway 241, south on 241 to the Beulaville
40 town limits, west and south along the town limits to the intersection at the western town limits
41 with Highway 24, east on Highway 24 (Main Street) to Jackson Street, south on Jackson to
42 Cavanaugh Street, then directly east from Cavanaugh for 125 yards, south from that point to
43 Turner Road (excluding Mercer Court apartments from this district), east on Turner to Old
44 Chinquapin Road, south on Old Chinquapin Road to the town limits, west along the town limits
45 to Highway 41, south on Highway 41 (including the residences on both sides of the highway in
46 this district) to the intersection with State Road 1967, south on Highway 41 from that point to
47 the intersection with Highway 111 (formerly State Road 1001), southeast along a straight line
48 from that intersection to Cypress Creek just west of where the creek crosses State Road 1816,
49 southwest along Cypress Creek to the point where it crosses Highway 50 and west with the
50 creek from that point to State Road 1970, north on 1970 to the intersection with Highway 50,
51 then counterclockwise in the shape of a rectangle around Chinquapin (to include all of~~

1 Chinquapin in this district) to a point on Highways 50 and 41 west of Chinquapin, west from
2 that point to State Road 1964, north on 1964 to the intersection with State Road 1800, then
3 north and west from that intersection along a line curving north of Hallsville (to include all of
4 Hallsville in this district) to a point west of Hallsville on the township line dividing Kenansville
5 and Limestone Townships, south along that township line to the intersection of Highway 50
6 and State Road 1961, south on Highway 50 to State Road 1953, southwest on 1953 to the
7 Greenevers town limits, southwest along the southern boundary of the Greenevers town limits
8 to State Road 1949, south on 1949 to State Road 1953, south on 1953 to State Road 1947,
9 southeast on 1947 to the intersection with Highway 41, west on Highway 41 to Island Creek,
10 south along the creek to the Northeast Cape Fear River, south along the Northeast Cape Fear
11 River to the county line, then east and north along the county line back to the starting point.

12 **District IV**—The area within the following boundary running counterclockwise
13 from the intersection of Highway 117 with the northern town limits of Magnolia: West, south
14 and east along the Magnolia town limits to the point where Highway 117 intersects with the
15 southern town limits of Magnolia, south on 117 to First Street in Rose Hill, west on First Street
16 to the Seaboard Coast Line railroad track, south along the railroad track to the southern town
17 limits of Rose Hill, east along the town limits to the intersection with Highway 117, south on
18 117 to the town limits of Teachey, then east, south and west along the Teachey town limits
19 (excluding all of Teachey from this district) to the intersection of Highway 117 with the
20 southern town limits of Teachey, south on 117 to the Wallace town limits, then west, south and
21 east along the Wallace town limits (including all of Wallace in this district) to the intersection
22 of Highway 117 with the southern town limits of Wallace, south on 117 to Rockfish Creek
23 (which is the county line), east along Rockfish Creek to the Northeast Cape Fear River, north
24 along the Northeast Cape Fear River to Island Creek (the boundary for District III), northwest
25 along the creek to the point where it crosses Highway 41, east on Highway 41 to State Road
26 1947, north on 1947 to the intersection with State Road 1946, southwest along a straight line
27 running from that intersection to the intersection of State Roads 1944 and 1945, west from that
28 intersection along State Road 1944 to Highway 11, west on Highway 11 to State Road 1150,
29 west on 1150 to the line where Interstate Highway 40 is to be constructed, north along the
30 Interstate 40 construction line to the point where it crosses State Road 1162, west on 1162 to
31 State Road 1935, north on 1935 to State Road 1148, east on 1148 to State Road 1933, north on
32 1933 to State Road 1102, west on 1102 to State Road 1932, north on 1932 to State Road 1996,
33 northwest on 1996 to State Road 1141, northwest on 1141 to State Road 1915, northwest on
34 1915 to State Road 1911, then east, north and northwest on 1911 to a point midway between
35 State Roads 1161 and 1912, then along a straight line from that point northwest to the southeast
36 corner of the Magnolia town limits, then north and west along the town limits to the starting
37 point where Highway 117 intersects with the northern town limits.

38 **District V**—The area within the following boundary running counterclockwise
39 from the intersection of College Street and South Pine Street in Warsaw: South on South Pine
40 (U.S. 117) to the Warsaw city limits, south on 117 to the Magnolia town limits, east and south
41 along the town limits to the southeastern corner of the town limits, then southeast along a
42 straight line to a point on State Road 1911 midway between State Roads 1161 and 1912, south
43 on 1911 to State Road 1915, southeast on 1915 to State Road 1141, southeast on 1141 to State
44 Road 1996, southeast on 1996 to State Road 1932, south on 1932 to State Road 1102, east on
45 1102 to State Road 1933, south on 1933 to State Road 1148, west on 1148 to State Road 1935,
46 south on 1935 to State Road 1162, east on 1162 to the construction line for Interstate 40, south
47 along the I 40 construction line to State Road 1150, east on 1150 to Highway 11, northeast on
48 11 to State Road 1944, east on 1944 to its intersection with State Road 1945, then northeast
49 along a straight line from the intersection of 1944 and 1945 to the intersection of State Roads
50 1946 and 1947, northwest on 1947 to State Road 1948, northeast on 1948 to State Road 1953,
51 northeast on 1953 to State Road 1949, east and north on 1949 to the Greenevers town limits,

1 east along the southern town limits of Greener to State Road 1953, northeast on 1953 to
2 Highway 50, northwest on 50 to the intersection with State Road 1961, northeast along the
3 township line dividing Kenansville and Limestone Townships to a point midway between
4 Persimmons Branch and State Road 1982, east from that point above Hallsville (excluding all
5 of Hallsville from this district) and curving across State Road 1961 to the intersection of State
6 Roads 1800 and 1964, south on 1964 to Highway 50, east on 50 about 2/10 mile to a point just
7 west of Chinquapin, then north, east, south and west along a rectangle around Chinquapin
8 (excluding all of Chinquapin from this district) to the intersection of Highway 50 and State
9 Road 1970, south on 1970 to Cypress Creek, southeast along the creek to Highway 50 just west
10 of Maready, then further along the creek northwest to a point just west of State Road 1816, then
11 northwest in a straight line from that point to the intersection of Highway 41 and 111 (formerly
12 State Road 1001), north on 41 to State Road 1967, then north on 41 (excluding the residences
13 on both sides of 41 from this district) to the Beulaville town limits, east along the town limits to
14 Old Chinquapin Road, north on Old Chinquapin Road to Turner Road, west on Turner to a
15 point 125 yards from Highway 41, north from that point along a straight line parallel to 41 to a
16 point opposite Cavanaugh Street (including in this district the Mercer Court apartments), west
17 to the intersection of Cavanaugh and Jackson Street, north on Jackson to Highway 24 (Main
18 Street), west on 24 to the Kenansville city limits, south and west along the city limits to a point
19 directly south of the intersection of Mallard Street and Main Street, directly north on a straight
20 line to the intersection of Mallard and Main, then along a straight line from that intersection to
21 the intersection of Seminary Street and Stokes Street, northwest on Stokes to Allen (Cooper)
22 Street, west on Allen (Cooper) to the town limits (Mill Branch), south along the town limits to
23 Highway 24, west on 24 to State Road 1375, north and west on 1375 to State Road 1300, west
24 on 1300 to the Warsaw city limits, then south and west along the town limits to Pine Crest
25 Drive, northwest on Pine Crest to College Street, west on College to the starting point at South
26 Pine Street.

27 **District VI**—The area within the following boundary running counterclockwise
28 from the intersection of Highway 403 with the Sampson County line. South and east along the
29 county line to Highway 117 south of Wallace, north on 117 to the Wallace city limits, then
30 west, north and east along the Wallace city limits to Highway 117 north of Wallace (excluding
31 all of the town of Wallace from this district), north on 117 to the Teachey town limits, then
32 east, north and west along the town limits to 117 (including all of Teachey in this district),
33 north on 117 to the Rose Hill city limits, west along the city limits to the Seaboard Coast Line
34 railroad tracks, north along the railroad tracks to First Street, east on First to Highway 117,
35 north on 117 to the Magnolia town limits, then west, north and east along the town limits to
36 Highway 117 (excluding all of Magnolia from this district), north on 117 to the Warsaw city
37 limits and into Warsaw where 117 becomes Pine Street, north on Pine to College Street, west
38 on College to Front Street, north on Front to the Seaboard Coast Line railroad tracks, west
39 along the railroad tracks to the city limits, northwest from that point along State Road 1341
40 (excluding residences on both sides of the road from this district) to State Road 1340, northwest
41 on 1340 (excluding residences on both sides of the road from this district) to State Road 1342,
42 northeast on 1342 (excluding residences on both sides of the road from this district) to
43 Highway 117, north on 117 to the Faison town limits, then west and north along the town limits
44 to Highway 403, west on 403 to the starting point at the Sampson County line.

45 When the description of a district states that residences on both sides of a highway
46 are to be included in a district, the residences on the side of the highway away from the main
47 body of the district that are considered within the district are those homes which are on lots
48 bordering the highway or are on lots directly connected to the highway by a driveway or similar
49 roadway and are located within two hundred yards of the highway.

1 The district boundaries above are the same as those ordered by the court. The
2 descriptions have been rewritten, however, to provide additional detail and to correct several
3 minor errors in directions.

4 (a) Districts. –

5 **District I:** Duplin County: VTD: CALY, VTD: FAIS: Block(s) 0610902001009,
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1 (b) Boundaries. – The names and boundaries of voting tabulation districts specified in
2 this section are as shown on the 2010 Census Redistricting TIGER/Line Shapefiles. If any
3 voting tabulation district boundary is changed, that change shall not change the boundary of a
4 district, which shall remain the same as it is depicted by the 2010 Census Redistricting
5 TIGER/Line Shapefiles."

6 **SECTION 6.** G.S. 153A-22 applies to the Duplin County Board of Commissioners.
7 G.S. 115C-37(i) applies to the Duplin County Board of Education.

8 **SECTION 7.** This act is effective when it becomes law.