

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 42

Short Title: Rowan-Salisbury Bd. of Ed. Election Method. (Local)

Sponsors: Representative Warren.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Elections and Ethics Law

February 7, 2017

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A REFERENDUM TO CHANGE THE ELECTION METHOD OF
THE ROWAN-SALISBURY BOARD OF EDUCATION FROM NONPARTISAN TO
PARTISAN.

The General Assembly of North Carolina enacts:

PART I. CHANGE TO PARTISAN ELECTION IF REFERENDUM VOTE HELD IN 2017

SECTION 1.1. Sections C and D of Article V of A PLAN FOR MERGER OF THE
ROWAN COUNTY SCHOOL AND THE SALISBURY CITY SCHOOLS, as approved by the
State Board of Education on December 3, 1987, and filed with the Secretary of State in accordance
with G.S. 115C-67 on December 21, 1987, and as amended by Section 2 of Chapter 890 of the
1987 Session Laws, are repealed.

SECTION 1.2. Beginning in 2018, the Rowan-Salisbury Board of Education shall
consist of seven members who shall be elected one each from a single-member residency district,
as described in Section 1.3 of this act, on a partisan basis at the time of the general election by the
qualified voters of the entire county in each even-numbered year as terms expire. Only a person
residing in a residency district, as described in Section 1.3 of this act, shall be eligible as a
candidate in the election for the seat apportioned to that district. The primary and election shall be
held and conducted in accordance with the general laws governing primaries and elections for
county officers, except as otherwise provided herein. Members elected shall take office and
qualify on the first Monday in December of the year of their election, and the terms of their
predecessors shall expire at that same time. Members shall serve until a successor has been elected
and qualified.

As the terms of the members of the Rowan-Salisbury Board of Education elected or
appointed to terms beginning in 2014 or 2016 expire, beginning with the primary and election to
be held in 2018 and quadrennially thereafter, members for Seats 1, 2, 4, and 6 shall be elected for
four-year terms, and beginning with the primary and election to be held in 2020 and quadrennially
thereafter, members for Seats 3, 5, and 7 shall be elected for four-year terms.

SECTION 1.3. The seven residency districts for the Rowan-Salisbury Board of
Education are as follows:

- Seat 1: The North Rowan High School attendance zone, except for that portion
included in the district for Seat 6.
- Seat 2: The South Rowan High School attendance zone.
- Seat 3: The East Rowan High School attendance zone.
- Seat 4: The West Rowan High School attendance zone.



1 Seat 5: The Salisbury High School attendance zone, except for that portion
2 included in the district for Seat 6.

3 Seat 6: All of the East Spencer, East Ward II, and West Ward III precincts; the
4 portion of East Ward I precinct between Main Street and I-85; the portion of
5 South Ward precinct between Main Street and I-85 and bordered on the
6 south by the Southern Railroad line running from Harrison Street to I-85;
7 the portion of West Ward I precinct north of a line consisting of Wilson
8 Road, Taylor Street, Harrison Street, Fulton Street, and Monroe Street; and
9 the portion of Milford Hills precinct between the Southern Railroad line and
10 Highway 70 (Statesville Boulevard) west of Jake Alexander Boulevard and
11 within the Salisbury city limits.

12 Seat 7: The Southeast Rowan High School attendance zone, except for that portion
13 included in the district for Seat 6.

14 The Rowan-Salisbury Board of Education may revise the residency districts set forth in
15 this section if an adjustment is required for a change in the attendance zones to accommodate a
16 new school, closure of a school, or consolidation of one or more schools.

17 **SECTION 1.4.** The Rowan-Salisbury Board of Education shall be organized as
18 provided under G.S. 115C-41 and with members compensated as provided under G.S. 115C-38. In
19 the case of a vacancy of a member elected in 2014 or 2016 to the Rowan-Salisbury Board of
20 Education, the vacancy shall be filled in accordance with G.S. 115C-37. Beginning with members
21 elected in 2018, vacancies shall be filled as provided in G.S. 115C-37.1. To be eligible for
22 appointment to fill a vacancy, the person must reside in the residency district where the vacancy
23 exists.

24 **SECTION 1.5.** G.S. 115C-37.1(d) reads as rewritten:

25 "(d) This section shall apply only in the following counties: Alleghany, Brunswick,
26 Cherokee, Clay, Davie, Graham, Guilford, Harnett, Iredell, Lee, New Hanover, Rowan,
27 Rutherford, Stanly, Vance, and Washington."

28 **SECTION 1.6.** This act does not affect the terms of office of any person elected in
29 2014 or 2016 to the Rowan-Salisbury Board of Education. The members of the Rowan-Salisbury
30 Board of Education elected in 2014 or 2016, or any member appointed to fill a vacancy of a
31 member elected in 2014 or 2016 until the next election for the members of the Board of Education,
32 shall serve until a successor has been elected and qualified.

33 **SECTION 1.7.** Sections 1.1 through 1.6 of this act become effective only if approved
34 by a majority of the qualified voters of the County of Rowan in a referendum. If the Rowan
35 County Board of Elections conducts a county-wide election in the County of Rowan prior to
36 January 1, 2018, a referendum shall be placed on the ballot at the time of the county-wide election
37 with the following question:

38 " FOR AGAINST

39 Candidates for the Rowan-Salisbury Board of Education to be elected as candidates
40 who are affiliated with a political party, thereby changing the election method of the members of
41 the Rowan-Salisbury Board of Education from nonpartisan to partisan, beginning in 2018, with all
42 current members completing their terms of office."

43 **SECTION 1.8.** Sections 1.1 through 1.6 of this act become effective upon ratification
44 of the approval by the voters of the referendum set forth in Section 1.7 of this Part.

45 **SECTION 1.9.** If the Rowan County Board of Elections conducts a county-wide
46 election in the County of Rowan prior to January 1, 2018, and a referendum is placed on the ballot
47 at the time of the county-wide election, as required by Section 1.7 of this act, Part II of this act is
48 repealed, effective December 31, 2017.

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50 **PART II. CHANGE TO PARTISAN ELECTION IF REFERENDUM VOTE HELD IN**
51 **2018**

1 **SECTION 2.1.** Sections C and D of Article V of A PLAN FOR MERGER OF THE
2 ROWAN COUNTY SCHOOL AND THE SALISBURY CITY SCHOOLS, as approved by the
3 State Board of Education on December 3, 1987, and filed with the Secretary of State in accordance
4 with G.S. 115C-67 on December 21, 1987, and as amended by Section 2 of Chapter 890 of the
5 1987 Session Laws, are repealed.

6 **SECTION 2.2.** Beginning in 2020, the Rowan-Salisbury Board of Education shall
7 consist of seven members who shall be elected one each from a single-member residency district,
8 as described in Section 2.3 of this act, on a partisan basis at the time of the general election by the
9 qualified voters of the entire county in each even-numbered year as terms expire. Only a person
10 residing in a residency district, as described in Section 2.3 of this act, shall be eligible as a
11 candidate in the election for the seat apportioned to that district. The primary and election shall be
12 held and conducted in accordance with the general laws governing primaries and elections for
13 county officers, except as otherwise provided herein. Members elected shall take office and
14 qualify on the first Monday in December of the year of their election, and the terms of their
15 predecessors shall expire at that same time. Members shall serve until a successor has been elected
16 and qualified.

17 As the terms of the members of the Rowan-Salisbury Board of Education elected or
18 appointed to terms beginning in 2016 or 2018 expire, beginning with the primary and election to
19 be held in 2020 and quadrennially thereafter, members for Seats 1, 2, 4, and 6 shall be elected for
20 four-year terms, and beginning with the primary and election to be held in 2022 and quadrennially
21 thereafter, members for Seats 3, 5, and 7 shall be elected for four-year terms.

22 **SECTION 2.3.** The seven residency districts for the Rowan-Salisbury Board of
23 Education are as follows:

- 24 Seat 1: The North Rowan High School attendance zone, except for that portion
25 included in the district for Seat 6.
26 Seat 2: The South Rowan High School attendance zone.
27 Seat 3: The East Rowan High School attendance zone.
28 Seat 4: The West Rowan High School attendance zone.
29 Seat 5: The Salisbury High School attendance zone, except for that portion
30 included in the district for Seat 6.
31 Seat 6: All of the East Spencer, East Ward II, and West Ward III precincts; the
32 portion of East Ward I precinct between Main Street and I-85; the portion of
33 South Ward precinct between Main Street and I-85 and bordered on the
34 south by the Southern Railroad line running from Harrison Street to I-85;
35 the portion of West Ward I precinct north of a line consisting of Wilson
36 Road, Taylor Street, Harrison Street, Fulton Street, and Monroe Street; and
37 the portion of Milford Hills precinct between the Southern Railroad line and
38 Highway 70 (Statesville Boulevard) west of Jake Alexander Boulevard and
39 within the Salisbury city limits.
40 Seat 7: The Southeast Rowan High School attendance zone, except for that portion
41 included in the district for Seat 6.

42 The Rowan-Salisbury Board of Education may revise the residency districts set forth in
43 this section if an adjustment is required for a change in the attendance zones to accommodate a
44 new school, closure of a school, or consolidation of one or more schools.

45 **SECTION 2.4.** The Rowan-Salisbury Board of Education shall be organized as
46 provided under G.S. 115C-41 and with members compensated as provided under G.S. 115C-38. In
47 the case of a vacancy of a member elected in 2016 or 2018 to the Rowan-Salisbury Board of
48 Education, the vacancy shall be filled in accordance with G.S. 115C-37. Beginning with members
49 elected in 2020, vacancies shall be filled as provided in G.S. 115C-37.1. To be eligible for
50 appointment to fill a vacancy, the person must reside in the residency district where the vacancy
51 exists.

1 **SECTION 2.5.** G.S. 115C-37.1(d) reads as rewritten:

2 "(d) This section shall apply only in the following counties: Alleghany, Brunswick,
3 Cherokee, Clay, Davie, Graham, Guilford, Harnett, Iredell, Lee, New Hanover, Rowan,
4 Rutherford, Stanly, Vance, and Washington."

5 **SECTION 2.6.** This act does not affect the terms of office of any person elected in
6 2016 or 2018 to the Rowan-Salisbury Board of Education. The members of the Rowan-Salisbury
7 Board of Education elected in 2016 or 2018, or any member appointed to fill a vacancy of a
8 member elected in 2016 or 2018 until the next election for the members of the Board of Education,
9 shall serve until a successor has been elected and qualified.

10 **SECTION 2.7.** Sections 2.1 through 2.6 of this act become effective only if approved
11 by a majority of the qualified voters of the County of Rowan in a referendum held in accordance
12 with this section. If the Rowan County Board of Elections did not conduct a county-wide election
13 prior to January 1, 2018, with a referendum placed on the ballot as required by Section 1.7 of this
14 act, the Rowan County Board of Elections shall conduct an election on November 6, 2018, with
15 the following question on the ballot:

16 " FOR AGAINST

17 Candidates for the Rowan-Salisbury Board of Education to be elected as candidates
18 who are affiliated with a political party, thereby changing the election method of the members of
19 the Rowan-Salisbury Board of Education from nonpartisan to partisan, beginning in 2020, with all
20 current members completing their terms of office."

21 **SECTION 2.8.** Sections 2.1 through 2.6 of this act become effective upon ratification
22 of the approval by the voters of the referendum set forth in Section 2.7 of this Part.

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24 **PART III. EFFECTIVE DATE**

25 **SECTION 3.** Except as otherwise provided in this act, this act is effective when it
26 becomes law.