

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 788

Short Title: Chowan School Election.

(Local)

Sponsors: Representatives R. Thompson; and James.

Referred to: Government.

March 22, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE ELECTION OF THE EDENTON-CHOWAN BOARD OF EDUCATION FROM THREE TWO-MEMBER DISTRICTS AND WITH ONE MEMBER ELECTED AT-LARGE.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 974, Session Laws of 1973, reads as rewritten:

"Section 1. The Edenton-Chowan Board of Education shall consist of seven members who shall serve for terms of six years each. In the primary-general election to be held for county officers in 1976~~1990~~, and biennially thereafter, there shall be ~~nominated and~~ elected members of the Edenton-Chowan Board of Education to take the place of the members whose terms next expire. ~~Each of said members shall be residents and qualified voters of the townships according to the membership allocations set forth in Section 2 of Chapter 30, 1967 Session Laws. The members shall be elected by the voters of the county at large.~~ They shall be elected in accordance with this act and Chapter 30, Session Laws of 1967, to the extent that that act does not conflict with this act, and said election shall be non-partisan."

Sec. 2. Chapter 974, Session Laws of 1973, is amended by adding the following new sections:

"Sec. 1.1. (a) For the purpose of electing members of the Edenton-Chowan Board of Education, Chowan County shall elect one member at-large.

(b) For the purpose of electing members of the Edenton-Chowan Board of Education, Chowan County is divided into three districts, each of which shall elect two members as follows:

1 District 1 consists of Townships 2 and 3.

2 District 2 consists of Township 4 and the following areas of Township 1:
3 ED128A, 127, BNA9901 blocks 103, 124, 127, 309, 610-618, and BNA9902 blocks
4 114-120 and 201-203.

5 District 3 consists of the remainder of Township 1 not in District 2.

6 Sec. 1.2. All townships and census units referred to in this act are delineated
7 as designated by the United States Bureau of the Census for the 1980 Census.

8 Sec. 1.3. The qualified voters of the county shall elect a member who resides
9 in the county for the seat apportioned to the county at-large. The qualified voters of
10 each district established by this act shall elect a member who resides in that district for
11 the seat apportioned to that district.

12 Sec. 1.4. All candidates shall file notice of candidacy during the period
13 beginning at noon on the last Friday in June and ending at noon on the last Friday in
14 July.

15 Sec. 1.5. In 1990 and each six years thereafter, one member shall be elected
16 from seat 1 of District 2 and one member from seat 1 of District 3, for six-year terms.
17 In 1992 and each six years thereafter, one member shall be elected from seat 1 of
18 District 1 and one member from seat 2 of District 3, for six-year terms. In 1994 and
19 each six years thereafter, one member shall be elected from seat 2 of District 1, one
20 member from seat 2 of District 2, and one member at-large, for six-year terms.

21 Sec. 1.6. (a) Notwithstanding their place of residence within Chowan
22 County, until the expiration of their current terms, Paul Chappell and Glorius Elliot
23 shall hold seats 1 and 2, respectively, for District 1, J.M. Parrish and Alice Jones shall
24 hold seats 1 and 2, respectively, for District 2, and Cecil Fry and Frank Cox shall hold
25 seats 1 and 2, respectively, for District 3.

26 (b) Until the expiration of his current term, John Mitchener shall be the at-large
27 school board member.

28 (c) If any person listed in subsection (c) of this section vacates his seat on the
29 county board of education before the expiration of his current term, his successor must
30 reside within that district.

31 Sec. 1.7. (a) Any vacancy in a district seat on the Edenton-Chowan Board of
32 Education which occurs:

33 (1) After the beginning of the filing period for candidates in the election
34 preceding the election in which a person is to be elected for a full term
35 shall be filled by appointment by the remaining members of the board
36 for the remainder of the unexpired term;

37 (2) Prior to the time specified in subdivision (1) of this section but after 60
38 days prior to the beginning of that filing period shall be filled for the
39 remainder of the term at the next election, with the person taking office
40 upon certification of the results of the election;

41 (3) Prior to the time specified in subdivision (2) of this section but after
42 the beginning of the filing period for the election following the
43 election in which a person was elected for a full term, shall be filled by
44 appointment by the remaining members of the board to serve until the

1 election preceding the election at which a person shall be elected for
2 the full term, at which time a person shall be elected to serve the
3 remainder of the unexpired term;

4 (4) Prior to the time specified in subdivision (3) of this section but after 60
5 days prior to the beginning of the filing period shall be filled for the
6 remainder of the term at the next election, with the person taking office
7 upon certification of the results of the election; or

8 (5) Prior to that time specified in subdivision (4) of that section shall be
9 filled by appointment by the remaining members of the board to serve
10 until the election following the election at which a person was elected
11 for the full term, at which time a person shall be elected to serve the
12 remainder of the unexpired term.

13 The person filling the vacancy must be a resident and registered voter in that district.

14 (b) Any vacancy in an at-large seat on the Edenton-Chowan Board of Education
15 which occurs:

16 (1) After the beginning of the filing period for candidates in the election
17 preceding the election in which a person is to be elected for a full term
18 shall be filled by appointment by the remaining members of the board
19 for the remainder of the unexpired term;

20 (2) Prior to the time specified in subdivision (1) of this section but after 60
21 days prior to the beginning of that filing period shall be filled for the
22 remainder of the term at the next election, with the person taking office
23 upon certification of the results of the election;

24 (3) Prior to the time specified in subdivision (2) of this section but after
25 the beginning of the filing period for the election following the
26 election in which a person was elected for a full term, shall be filled by
27 appointment by the remaining members of the board to serve until the
28 election preceding the election at which a person shall be elected for
29 the full term, at which time a person shall be elected to serve the
30 remainder of the unexpired term;

31 (4) Prior to the time specified in subdivision (3) of this section but after 60
32 days prior to the beginning of the filing period shall be filled for the
33 remainder of the term at the next election, with the person taking office
34 upon certification of the results of the election; or

35 (5) Prior to that time specified in subdivision (4) of that section shall be
36 filled by appointment by the remaining members of the board to serve
37 until the election following the election at which a person was elected
38 for the full term, at which time a person shall be elected to serve the
39 remainder of the unexpired term.

40 The person filling the vacancy must be a resident and registered voter in Chowan
41 County."

42 Sec. 3. This act is effective upon ratification.