

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 103
HOUSE BILL 788

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:

District 1 consists of Townships 2 and 3.

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

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

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

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

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

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

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

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

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

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

- (1) After the beginning of the filing period for candidates in the election preceding the election in which a person is to be elected for a full term shall be filled by appointment by the remaining members of the board for the remainder of the unexpired term;
- (2) Prior to the time specified in subdivision (1) of this section but after 60 days prior to the beginning of that filing period shall be filled for the remainder of the term at the next election, with the person taking office upon certification of the results of the election;
- (3) Prior to the time specified in subdivision (2) of this section but after the beginning of the filing period for the election following the election in which a person was elected for a full term, shall be filled by appointment by the remaining members of the board to serve until the election preceding the election at which a person shall be elected for the full term, at which time a person shall be elected to serve the remainder of the unexpired term;
- (4) Prior to the time specified in subdivision (3) of this section but after 60 days prior to the beginning of the filing period shall be filled for the remainder of the term at the next election, with the person taking office upon certification of the results of the election; or
- (5) Prior to that time specified in subdivision (4) of that section shall be filled by appointment by the remaining members of the board to serve until the election following the election at which a person was elected

for the full term, at which time a person shall be elected to serve the remainder of the unexpired term.

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

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

- (1) After the beginning of the filing period for candidates in the election preceding the election in which a person is to be elected for a full term shall be filled by appointment by the remaining members of the board for the remainder of the unexpired term;
- (2) Prior to the time specified in subdivision (1) of this section but after 60 days prior to the beginning of that filing period shall be filled for the remainder of the term at the next election, with the person taking office upon certification of the results of the election;
- (3) Prior to the time specified in subdivision (2) of this section but after the beginning of the filing period for the election following the election in which a person was elected for a full term, shall be filled by appointment by the remaining members of the board to serve until the election preceding the election at which a person shall be elected for the full term, at which time a person shall be elected to serve the remainder of the unexpired term;
- (4) Prior to the time specified in subdivision (3) of this section but after 60 days prior to the beginning of the filing period shall be filled for the remainder of the term at the next election, with the person taking office upon certification of the results of the election; or
- (5) Prior to that time specified in subdivision (4) of that section shall be filled by appointment by the remaining members of the board to serve until the election following the election at which a person was elected for the full term, at which time a person shall be elected to serve the remainder of the unexpired term.

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

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 16th day of May, 1989.