

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 614
HOUSE BILL 701

AN ACT TO ELIMINATE LEGISLATIVE APPOINTMENTS TO THE BOARD OF EDUCATION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, TO PROVIDE FOR EIGHT SINGLE-MEMBER DISTRICTS, AND FOR THREE MEMBERS TO BE ELECTED AT LARGE WITH LIMITED VOTING.

The General Assembly of North Carolina enacts:

Section 1. Section 4 of Chapter 605, Session Laws of 1987, reads as rewritten:

"Sec. 4. Upon merger, the existing Robeson County and Fairmont, Lumberton, Red Springs, and St. Pauls City Boards of Education and the Interim Board are abolished and replaced by the Board of Education for the Public Schools of Robeson County. The Board of Education for the Public Schools of Robeson County shall consist of the 15 members of the Interim Board as of the effective date of the merger, and shall have all the powers and responsibilities previously provided for the Robeson County, Fairmont City, Lumberton City, Red Springs City, St. Pauls City, and Interim Boards and provided by State law generally for county boards of education. From July 1, 1989, through June 30, 1992, the Board shall have 15 members. From and after July 1, 1992, the Board shall have ~~13~~11 members."

Sec. 2. Section 7.1 of Chapter 605, Session Laws of 1987, reads as rewritten:

"Sec. 7.1. In 1990, the General Assembly shall appoint four members of the Board of Education for the Public Schools of Robeson County, two for four-year terms beginning July 1, 1990, and two for two-year terms beginning July 1, 1990. ~~In 1992 and biennially thereafter, the General Assembly shall appoint two members of the Board of Education for the Public Schools of Robeson County for four-year terms. Effective July 1, 1992, those seats are abolished and the terms expire.~~"

Sec. 3. Effective July 1, 1992, Section 9 of Chapter 605, Session Laws of 1987, reads as rewritten:

"Sec. 9. Vacancies on the Board of Education for the Public Schools of Robeson County shall be filled by the remaining members of the Board, ~~except in the case of appointments made by the General Assembly under Section 7.1 of this act the appointee shall serve until the remainder of the unexpired term or until the General Assembly fills the vacancy, whichever occurs first.~~ In the case of a district seat, the Board must appoint a resident of that district."

Sec. 4. Section 5.1 of Chapter 605, Session Laws of 1987 reads as rewritten:

"Sec. 5.1. (a) Elections for the Board of Education for the Public Schools of Robeson County shall be held at the same time as the primary election for county officers as established by G.S. 163-1.

(a1) The elections for the eight district seats shall be conducted on a non-partisan basis, with the results determined by plurality in accordance with G.S. 163-292.

(a2) Three members of the Board of Education for the Public Schools shall be elected at large on a non-partisan basis by all the qualified voters of Robeson County in 1992 and quadrennially thereafter for four-year terms. The election for those at-large seats shall be with limited voting, whereby each voter will be entitled to vote for one candidate, and the top three vote getters will be elected by a plurality of votes.

(a3) Except as otherwise provided by this act, elections shall be held in accordance with the applicable provisions of Chapter 115C and Chapter 163 of the General Statutes.

(b) Not later than October 1, 1991, the Board of Education for the Public Schools of Robeson County shall divide Robeson County ~~is divided into~~ eight electoral districts as set forth in subsection (c) of this section; provided that the districts may be adjusted thereafter if the plan is not approved under section 5 of the Voting Rights Act of 1965. Each district shall consist of contiguous territory, and the 1990 Federal Census shall be used. Each candidate for an electoral district seat must reside in the district for which he is to be elected, and only the qualified voters of the district may vote for the election of that district seat.

(c) Districts:

- (1) ~~District 1 consists of Lumberton Precincts 1, 2, 3, and 8, Census BNA9901p of Lumberton Township outside Lumberton City, and Enumeration District 433A of Lumberton Township (excepting that part within District 7).~~
- (2) ~~District 2 consists of Lumberton Precinct 6, Enumeration District 434A of Lumberton Township (excepting that part within District 7), Back Swamp Township, Enumeration Districts 447 and 448 of Union Township, and Enumeration Districts 461A and 461B of Fairmont Township.~~
- (3) ~~District 3 consists of Lumberton Precincts 4 and 5, Enumeration District 435A of Lumberton Township, Wisharts Township, Britts Township, and East Howellsville Township.~~
- (4) ~~District 4 consists of the remainder of Fairmont Township not in District 2, Orrum Township, Smyrna Township, Sterling Township, Marietta Township, and Gaddy Township.~~
- (5) ~~District 5 consists of Thompson Township, Rowland Township, Alfordsville Township, and Maxton Township.~~
- (6) ~~District 6 consists of Pembroke Township and Enumeration District 449 of Union Township.~~
- (7) ~~District 7 consists of Lumberton Precinct 7, the areas within Enumeration Districts 433A and 434A consisting of the right of way of North Carolina Highways 72/711 from the Raft Swamp Township~~

~~Line to the Lumberton City Limits as of January 1, 1980, Raft Swamp Township, Burnt Swamp Township, Saddletree Township, Enumeration District 423 of Smiths Township, and Philadelphus Township.~~

- ~~(8) District 8 consists of Enumeration District 422 of Smiths Township, Red Springs Township, Rennert Township, and Shannon Township.~~
- ~~(9) District 9 consists of Lumber Bridge Township, Parkton Township, St. Pauls Township, and West Howellsville Township.~~

~~(d) As used in subsection (d), enumeration districts are as found in the 1980 Federal Census. If any area in a Lumberton Precinct is in Enumeration Districts 433A, 434A, or 435 of Lumberton Township, then for the purpose of subsection (c) of this section that territory shall be in the district in which the enumeration district is located.~~

~~(e) In 1990 and quadrennially thereafter, members shall be elected from districts 3, 5, 7, and 8 for four-year terms. In 1992 and quadrennially thereafter, members shall be elected from districts 1, 2, 4, 6, and 9 for four-year terms. In the districting plan it adopts, the Board of Education shall provide for members to be elected from four of the districts in 1992 and quadrennially thereafter for four-year terms, and shall provide for members to be elected from the other four of the districts in 1994 and quadrennially thereafter for four-year terms. If the district plan so established provides that the domicile of a person elected in 1990 for a four-year term is in a district that is subject to election in 1992, then that person may run for that district seat in 1992 or may run for an at-large seat in 1992, without being subject to G.S. 163-125.~~

Sec. 5. This act does not affect the terms of office of members elected in 1990.

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 9th day of July, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives