HOUSE BILL 1375
Committee Substitute Favorable 6/18/96

Short Title: Whiteville School Elections.   (Local)

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Sponsors:

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Referred to:

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May 29, 1996

1   A BILL TO BE ENTITLED
2   AN ACT TO MODIFY THE MANNER OF ELECTION OF THE WHITEVILLE CITY
3   BOARD OF EDUCATION.
4   The General Assembly of North Carolina enacts:
5   Section 1. (a)   Effective from the first Monday in December of 1996 to the first
6   Monday in December of 1998 the Board of Education of the Whiteville City School
7   Administrative Unit consists of seven members.
8   (b)   Effective from the first Monday in December of 1998 the Board of Education
9   of the Whiteville City School Administrative Unit consists of five members.
10   (c)   The terms of office of those persons elected in 1992 for terms to expire on the
11 fourth Tuesday in February of 1997 shall instead expire on the first Monday in December
12 of 1996. The terms of office of those persons elected in 1994 for terms to expire on the
13 fourth Tuesday in February of 1999 shall instead expire on the first Monday in December
14 of 1998. The terms of office of those persons appointed by the General Assembly in
15 1995 to serve until the fourth Tuesday in February of 1997 shall instead expire on the
16 first Monday in December of 1996.
17   Sec. 2. (a)   In 1996, one member shall be elected to the Board of Education of
18 the Whiteville City School Administrative Unit from each district established by Section
19 4 of this act. Of the winning candidates, the two receiving the highest numbers of votes

1 are elected to four-year terms, and the two receiving the next highest numbers of votes
2 are elected to two-year terms. Successors shall be elected for four-year terms.
3   (b)   In 1998 and quadrennially thereafter, one person shall be elected to the Board
4 of Education of the Whiteville City School Administrative Unit at large by the qualified
5 voters of the unit.
6   (c)   Terms begin on the first Monday in December of the year of election.
7   Sec. 3. (a)   Election for the Board of Education of the Whiteville City School
8 Administrative Unit shall be conducted at the time of the general election in even
9 numbered years on a nonpartisan plurality basis, with the results determined in
10 accordance with G.S. 163-292. Elections shall be governed by the provisions of Chapters
11 115C and 163 of the General Statutes not inconsistent with this act.
12   (b)   The period for filing notices of candidacy for the Board of Education of the
13 Whiteville City School Administrative Unit shall be from 12:00 noon on the second
14 Monday of July which is not a holiday until 12:00 noon on the second Monday in
15 August, except in 1996 the Columbus County Board may establish a special filing period
16 to meet the requirements of section 5 of the Voting Rights Act of 1965.
17   Sec. 4. District 1 consists of all of Whiteville City Council District #1 as it was
18 bounded for the 1995 municipal election, but excluding any territory not in the city limits
19 as of January 1, 1990.
20   District 2 consists of all of Whiteville City Council District #2 as it was
21 bounded for the 1995 municipal election, but excluding any territory not in the city limits
22 as of January 1, 1990, and in addition includes the following areas:
23   Beginning at the point where the centerline of US Highway 74 Business
24 intersected the western corporate limits of the Town of Whiteville on January 1, 1990,
25 thence following the centerline of US Highway 74 Business in a westerly direction to the
26 Whiteville/Chadbourn Township line, thence following the Whiteville/Chadbourn
27 Township line in a southeasterly direction to the centerline of State Highway 1437,
28 thence following the boundary between State House Districts 14 and 98 as they existed
29 on June 1, 1996, along: State Highway 1437, Pinelog Swamp and Soules Swamp to the
30 point where Soules Swamp intersected the corporate limits of the Town of Whiteville on
31 January 1, 1990, thence following the corporate limits of the Town of Whiteville as they
32 existed on January 1, 1990, in a generally northerly direction to the point and place of
33 beginning.
34   Beginning at the point where the centerline of US Highway 701 Bypass
35 intersected the southern corporate limits of the Town of Whiteville on January 1, 1990,
36 thence following the boundary between State House Districts 14 and 98 as they existed
37 on June 1, 1996, along: US Highway 701, State Highway 1166, State Highway 1174
38 (Prison Camp Road), the corporate limits of the Town of Brunswick as they existed on
39 January 1, 1990, the boundary of Census Blocks 121B/126C and 122B/126C of Census
40 Tract 9910, the corporate limits of the Town of Brunswick as they existed on January 1,
41 1990, Main Street (State Highway 130), and the Whiteville/Lees Township line easterly
42 to the eastern boundary of the Whiteville City School Administrative Unit; thence in a
43 northerly direction along the boundary of the Whiteville City School Administrative Unit

1   to the centerline of US Highway 74 Business, thence westerly along the centerline of US
2   Highway 74 Business to the intersection with the boundary of District 1, thence following
3   the southern boundary of District 1 to the intersection of the centerline of Maultsby Street
4   and Virgil Street, thence following the eastern and southern boundary of Whiteville City
5   Council District #2 as it was bounded for the 1995 municipal election, (said boundary
6   line excluding any territory not in the city limits as of January 1, 1990) to the point and
7   place of beginning.
8   District 3 consists of all of the Whiteville City School Administrative Unit
9   located north of US Highway 74 Business not in District 1, and also includes the
10   following described area:
11   Beginning at the point where the centerline of US Highway 74 Business
12   intersects the Whiteville/Chadbourn Township line, thence following the Township line
13   in a southeasterly direction to the centerline of State Highway 1437, thence following the
14   centerline of State Highway 1437 in a southwesterly direction to the intersection with the
15   centerline of State Highway 1429, thence following the centerline of State Highway 1429
16   westerly to the boundary of the Whiteville City School Administrative Unit, thence in a
17   northerly direction along the boundary of the Whiteville City School Administrative Unit
18   to the centerline of US Highway 74 Business, thence following the centerline of US
19   Highway 74 Business in an easterly direction to the point and place of beginning.
20   District 4 consists of all the area of the Whiteville City School Administrative
21   Unit South of US Highway 74 Business which is not in any other district.
22   Sec. 5. Section 10 of Chapter 172 of the 1977 Session laws reads as rewritten:
23   "Sec. 10. Any vacancy on the board caused by death, resignation, removal from the
24   administrative unit, or any other reason, shall be filled within 15 days by the remaining
25   board members and the person appointed shall serve for the unexpired term of the
26   member causing the vacancy. In the event there is a tie vote for the filling of a vacancy,
27   the resident superior court judge shall, within 15 days, cast the deciding vote. In the
28   event the remaining board members do not appoint some person to fill the vacancy within
29   15 days after said vacancy occurs, the resident superior court judge shall appoint some
30   person to fill said ~~vacancy; provided, any vacancy occurring among the members appointed by~~
31   ~~the General Assembly shall be filled by the General Assembly if the General Assembly is in~~
32   ~~session.~~ vacancy."
33   Sec. 6. Section 12 of Chapter 172 of the 1977 Session Laws reads as rewritten:
34   "Sec. 12. The Board of Education of the Whiteville City Administrative Unit shall
35   ~~have the authority to set the salary, if any, of the members of said board by resolution,~~
36   ~~with said salary not to exceed that of~~ receive the same salary as the members of the
37   Columbus County Board of ~~Education.~~ Education, except that the board may provide by
38   resolution that its members are to receive no salary."
39   Sec. 7. Chapter 172 of the 1977 Session Laws, except for Sections 10, 11, and
40   12, is repealed.
41   Sec. 8. This act is effective upon ratification.