

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1993**

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**1**

HOUSE BILL 1901

Short Title: Dare School Elections.

(Local)

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Sponsors: Representative Culpepper.

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Referred to: Judiciary I.

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May 31, 1994

A BILL TO BE ENTITLED

1 AN ACT RESTORING THE DARE COUNTY BOARD OF EDUCATION TO  
2 SEVEN MEMBERS.  
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4 The General Assembly of North Carolina enacts:

5 Section 1. (a) Beginning on the first Monday in December of 1994 the Dare  
6 County Board of Education shall consist of seven members. One member shall be an  
7 at-large member and may reside anywhere in the county, and the other six members  
8 shall reside in and represent the following districts:

9 District 1 – This district shall consist of the mainland portion of the county  
10 and Roanoke Island and shall have two members.

11 District 2 – This district shall consist of the town of Nags Head and all of  
12 Bodie Island south to Oregon Inlet, and the town of Kill Devil Hills and adjacent or  
13 nearby unincorporated areas to the west including, but not limited, to Colington Islands  
14 and Baum Bay Harbor. This district shall have two members.

15 District 3 – This district shall consist of the towns of Kitty Hawk and  
16 Southern Shores and the remainder of the county west and north of the town of  
17 Southern Shores. This district shall have one member.

18 District 4 – This district shall consist of Hatteras Island and shall have one  
19 member.

20 (b) The districts described in this section are intended to be the same as the  
21 districts adopted by the Dare County Board of Commissioners by resolution on  
22 February 7, 1992. If any questions should arise concerning the boundaries of the  
23 districts, such disputes shall be resolved by reference to the maps and descriptions  
24 prepared for the Board of Commissioners.

1           Sec. 2. Except for the at-large seat, a person must reside in a district to be  
2 eligible to be a candidate, be elected, or serve as a member representing that district.

3           Sec. 3. All elections for the Board of Education shall be nonpartisan, with the  
4 results determined by a plurality with no run-offs. All voters in the county shall be  
5 eligible to vote for all seven seats on the board.

6           Sec. 4. The three members of the Board of Education elected in 1992 for  
7 terms to expire in 1996 shall serve the remainder of those terms. On the first Monday in  
8 December 1994, Allen Burrus is designated as the member from District 4, David  
9 Daniels as one of the two members from District 2, and Samuel Twiford, Jr., as the at-  
10 large member. If Mr. Burrus or Mr. Daniels resigns, dies, moves from his district, or  
11 otherwise vacates his office, the person appointed to fill the vacancy shall reside in the  
12 same district as the vacating member.

13           Sec. 5. Pursuant to Chapter 819 of the Session Laws of 1989, two members  
14 were elected in May 1994 to take office on the first Monday in December 1994. By  
15 July 15, 1994, those two new members shall be designated by the Board of Education as  
16 representatives of the districts described in Section 1 according to their residency, and  
17 upon taking office in December 1994, those two new members shall be considered  
18 representatives of the districts so designated.

19           Sec. 6. (a) Two additional members shall be elected to the Board of Education  
20 at the county general election to be held on November 8, 1994, and shall take office on  
21 the first Monday in December 1994. The seats to be elected in November shall be  
22 determined by the Board of Education after the two members elected in May 1994 have  
23 been designated as representatives of districts pursuant to Section 5. After determining  
24 which of the seven seats on the board, as described in Section 1, will be filled by the  
25 three holdover members elected in 1992 plus the two new members elected in May  
26 1994, the Board of Education shall notify the Dare County Board of Elections to  
27 conduct the November 1994 election for the remaining two seats necessary to bring the  
28 board to the composition described in Section 1. The Board of Education shall notify  
29 the Board of Elections by July 22, 1994, which two seats are to be elected in November.

30           (b) The period in which candidates may file notices of candidacy for the  
31 November 1994 Board of Education election shall begin at noon on Monday, August 1,  
32 1994, and close at noon on Friday, August 26, 1994.

33           Sec. 7. The members elected in May or November 1994 shall serve terms to  
34 expire in 1998.

35           Sec. 8. In 1996 three members shall be elected to the board as follows: the  
36 at-large member and one member each from Districts 2 and 4.

37           Sec. 9. In 1998 four members shall be elected to the board as follows: the at-  
38 large member, two members from District 1, and one member each from Districts 2 and  
39 3. The candidate for the District 1 seat receiving the most votes shall be elected for a  
40 four-year term, and the candidate for the District 1 seat receiving the second highest  
41 number of votes shall be elected for a two-year term.

42           Sec. 10. In 2000 and every four years thereafter, four members shall be  
43 elected to the board as follows: the at-large member and one member each from  
44 Districts 1, 2, and 4.

1           Sec. 11. In 2002 and every four years thereafter, four members shall be  
2 elected to the board as follows: one member each from Districts 1, 2, and 3.

3           Sec. 12. Elections for the Board of Education in 1996 shall be held in May at  
4 the same time as party primaries for other county offices, and board members shall take  
5 office in December following the election as provided in general State law. In 1998 and  
6 subsequent years, elections shall also be held in May at the same time as party primaries  
7 for other county offices, but board members elected at that time shall take office at the  
8 first regular board meeting in July following the election. The terms of office of  
9 persons elected for terms to expire in 1998 and thereafter shall expire on the date of the  
10 first regular board meeting in July.

11           Sec. 13. Chapter 819 of the Session Laws of 1989 is repealed, but such  
12 repeal shall not affect the terms of members elected pursuant to that act except as  
13 specifically altered by this act.

14           Sec. 14. This act is effective upon ratification.