

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 701
Senate Education Committee Substitute Adopted 7/3/91

Short Title: Robeson School Board.

(Local)

Sponsors:

Referred to:

April 11, 1991

A BILL TO BE ENTITLED

1 AN ACT TO ELIMINATE LEGISLATIVE APPOINTMENTS TO THE BOARD OF
2 EDUCATION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, TO
3 PROVIDE FOR EIGHT SINGLE-MEMBER DISTRICTS, AND FOR THREE
4 MEMBERS TO BE ELECTED AT LARGE WITH LIMITED VOTING.
5

6 The General Assembly of North Carolina enacts:

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

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

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

20 "Sec. 7.1. In 1990, the General Assembly shall appoint four members of the Board
21 of Education for the Public Schools of Robeson County, two for four-year terms
22 beginning July 1, 1990, and two for two-year terms beginning July 1, 1990. ~~In 1992 and~~
23 ~~biennially thereafter, the General Assembly shall appoint two members of the Board of~~

1 ~~Education for the Public Schools of Robeson County for four-year terms. Effective July 1,~~
2 ~~1992, those seats are abolished and the terms expire."~~

3 Sec. 3. Effective July 1, 1992, Section 9 of Chapter 605, Session Laws of
4 1987, reads as rewritten:

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

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

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

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

17 (a2) Three members of the Board of Education for the Public Schools shall be
18 elected at large on a non-partisan basis by all the qualified voters of Robeson County in
19 1992 and quadrennially thereafter for four-year terms. The election for those at-large
20 seats shall be with limited voting, whereby each voter will be entitled to vote for one
21 candidate, and the top three vote getters will be elected by a plurality of votes.

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

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

33 (c) Districts:

34 (1) ~~District 1 consists of Lumberton Precincts 1, 2, 3, and 8, Census~~
35 ~~BNA9901p of Lumberton Township outside Lumberton City, and~~
36 ~~Enumeration District 433A of Lumberton Township (excepting that~~
37 ~~part within District 7).~~

38 (2) ~~District 2 consists of Lumberton Precinct 6, Enumeration District~~
39 ~~434A of Lumberton Township (excepting that part within District 7),~~
40 ~~Back Swamp Township, Enumeration Districts 447 and 448 of Union~~
41 ~~Township, and Enumeration Districts 461A and 461B of Fairmont~~
42 ~~Township.~~

- 1 (3) District 3 consists of Lumberton Precincts 4 and 5, Enumeration
2 District 435A of Lumberton Township, Wisharts Township, Britts
3 Township, and East Howellsville Township.
4 (4) District 4 consists of the remainder of Fairmont Township not in
5 District 2, Orrum Township, Smyrna Township, Sterling Township,
6 Marietta Township, and Gaddy Township.
7 (5) District 5 consists of Thompson Township, Rowland Township,
8 Alfordsville Township, and Maxton Township.
9 (6) District 6 consists of Pembroke Township and Enumeration District
10 449 of Union Township.
11 (7) District 7 consists of Lumberton Precinct 7, the areas within
12 Enumeration Districts 433A and 434A consisting of the right-of-way
13 of North Carolina Highways 72/711 from the Raft Swamp Township
14 Line to the Lumberton City Limits as of January 1, 1980, Raft Swamp
15 Township, Burnt Swamp Township, Saddletree Township,
16 Enumeration District 423 of Smiths Township, and Philadelphus
17 Township.
18 (8) District 8 consists of Enumeration District 422 of Smiths Township,
19 Red Springs Township, Rennert Township, and Shannon Township.
20 (9) District 9 consists of Lumber Bridge Township, Parkton Township, St.
21 Pauls Township, and West Howellsville Township.
22 (d) As used in subsection (d), enumeration districts are as found in the 1980
23 Federal Census. If any area in a Lumberton Precinct is in Enumeration Districts 433A,
24 434A, or 435 of Lumberton Township, then for the purpose of subsection (c) of this
25 section that territory shall be in the district in which the enumeration district is located.
26 (e) In 1990 and quadrennially thereafter, members shall be elected from districts
27 3, 5, 7, and 8 for four-year terms. In 1992 and quadrennially thereafter, members shall
28 be elected from districts 1, 2, 4, 6, and 9 for four-year terms. In the districting plan it
29 adopts, the Board of Education shall provide for members to be elected from four of the
30 districts in 1992 and quadrennially thereafter for four-year terms, and shall provide for
31 members to be elected from the other four of the districts in 1994 and quadrennially
32 thereafter for four-year terms. If the district plan so established provides that the
33 domicile of a person elected in 1990 for a four-year term is in a district that is subject to
34 election in 1992, then that person may run for that district seat in 1992 or may run for an
35 at-large seat in 1992, without being subject to G.S. 163-125."
36 Sec. 5. This act does not affect the terms of office of members elected in
37 1990.
38 Sec. 6. This act is effective upon ratification.