

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 661
SENATE BILL 1375

AN ACT TO MODIFY THE MANNER OF ELECTION OF THE WHITEVILLE
CITY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. (a) Effective from the first Monday in December of 1996 to the first Monday in December of 1998 the Board of Education of the Whiteville City School Administrative Unit consists of seven members.

(b) Effective from the first Monday in December of 1998 the Board of Education of the Whiteville City School Administrative Unit consists of five members.

(c) The terms of office of those persons elected in 1992 for terms to expire on the fourth Tuesday in February of 1997 shall instead expire on the first Monday in December of 1996. The terms of office of those persons elected in 1994 for terms to expire on the fourth Tuesday in February of 1999 shall instead expire on the first Monday in December of 1998. The terms of office of those persons appointed by the General Assembly in 1995 to serve until the fourth Tuesday in February of 1997 shall instead expire on the first Monday in December of 1996.

Sec. 2. (a) In 1996, one member shall be elected to the Board of Education of the Whiteville City School Administrative Unit from each district established by Section 4 of this act. Of the winning candidates, the two receiving the highest numbers of votes are elected to four-year terms, and the two receiving the next highest numbers of votes are elected to two-year terms. Successors shall be elected for four-year terms.

(b) In 1998 and quadrennially thereafter, one person shall be elected to the Board of Education of the Whiteville City School Administrative Unit at large by the qualified voters of the unit.

(c) Terms begin on the first Monday in December of the year of election.

Sec. 3. (a) Election for the Board of Education of the Whiteville City School Administrative Unit shall be conducted at the time of the general election in even numbered years on a nonpartisan plurality basis, with the results determined in accordance with G.S. 163-292. Elections shall be governed by the provisions of Chapters 115C and 163 of the General Statutes not inconsistent with this act.

(b) The period for filing notices of candidacy for the Board of Education of the Whiteville City School Administrative Unit shall be from 12:00 noon on the second Monday of July which is not a holiday until 12:00 noon on the second Monday in August, except in 1996 the Columbus County Board may establish a special filing period to meet the requirements of section 5 of the Voting Rights Act of 1965.

Sec. 4. District 1 consists of all of Whiteville City Council District #1 as it was bounded for the 1995 municipal election, but excluding any territory not in the city limits as of January 1, 1990.

District 2 consists of all of Whiteville City Council District #2 as it was bounded for the 1995 municipal election, but excluding any territory not in the city limits as of January 1, 1990, and in addition includes the following areas:

Beginning at the point where the centerline of US Highway 74 Business intersected the western corporate limits of the Town of Whiteville on January 1, 1990, thence following the centerline of US Highway 74 Business in a westerly direction to the Whiteville/Chadbourn Township line, thence following the Whiteville/Chadbourn Township line in a southeasterly direction to the centerline of State Highway 1437, thence following the boundary between State House Districts 14 and 98 as they existed on June 1, 1996, along: State Highway 1437, Pinelog Swamp and Soules Swamp to the point where Soules Swamp intersected the corporate limits of the Town of Whiteville on January 1, 1990, thence following the corporate limits of the Town of Whiteville as they existed on January 1, 1990, in a generally northerly direction to the point and place of beginning.

Beginning at the point where the centerline of US Highway 701 Bypass intersected the southern corporate limits of the Town of Whiteville on January 1, 1990, thence following the boundary between State House Districts 14 and 98 as they existed on June 1, 1996, along: US Highway 701, State Highway 1166, State Highway 1174 (Prison Camp Road), the corporate limits of the Town of Brunswick as they existed on January 1, 1990, the boundary of Census Blocks 121B/126C and 122B/126C of Census Tract 9910, the corporate limits of the Town of Brunswick as they existed on January 1, 1990, Main Street (State Highway 130), and the Whiteville/Lees Township line easterly to the eastern boundary of the Whiteville City School Administrative Unit; thence in a northerly direction along the boundary of the Whiteville City School Administrative Unit to the centerline of US Highway 74 Business, thence westerly along the centerline of US Highway 74 Business to the intersection with the boundary of District 1, thence following the southern boundary of District 1 to the intersection of the centerline of Maultsby Street and Virgil Street, thence following the eastern and southern boundary of Whiteville City Council District #2 as it was bounded for the 1995 municipal election, (said boundary line excluding any territory not in the city limits as of January 1, 1990) to the point and place of beginning.

District 3 consists of all of the Whiteville City School Administrative Unit located north of US Highway 74 Business not in District 1, and also includes the following described area:

Beginning at the point where the centerline of US Highway 74 Business intersects the Whiteville/Chadbourn Township line, thence following the Township line in a southeasterly direction to the centerline of State Highway 1437, thence following the centerline of State Highway 1437 in a southwesterly direction to the intersection with the centerline of State Highway 1429, thence following the centerline of State Highway 1429 westerly to the boundary of the Whiteville City School Administrative Unit, thence in a northerly direction along the boundary of the Whiteville City School

Administrative Unit to the centerline of US Highway 74 Business, thence following the centerline of US Highway 74 Business in an easterly direction to the point and place of beginning.

District 4 consists of all the area of the Whiteville City School Administrative Unit South of US Highway 74 Business which is not in any other district.

Sec. 5. Section 10 of Chapter 172 of the 1977 Session laws reads as rewritten:

"Sec. 10. Any vacancy on the board caused by death, resignation, removal from the administrative unit, or any other reason, shall be filled within 15 days by the remaining board members and the person appointed shall serve for the unexpired term of the member causing the vacancy. In the event there is a tie vote for the filling of a vacancy, the resident superior court judge shall, within 15 days, cast the deciding vote. In the event the remaining board members do not appoint some person to fill the vacancy within 15 days after said vacancy occurs, the resident superior court judge shall appoint some person to fill said vacancy; ~~provided, any vacancy occurring among the members appointed by the General Assembly shall be filled by the General Assembly if the General Assembly is in session.~~ vacancy."

Sec. 6. Section 12 of Chapter 172 of the 1977 Session Laws reads as rewritten:

"Sec. 12. The Board of Education of the Whiteville City Administrative Unit shall ~~have the authority to set the salary, if any, of the members of said board by resolution, with said salary not to exceed that of~~ receive the same salary as the members of the Columbus County Board of ~~Education.~~ Education, except that the board may provide by resolution that its members are to receive no salary."

Sec. 7. Chapter 172 of the 1977 Session Laws, except for Sections 10, 11, and 12, is repealed.

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 21st day of June, 1996.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives