

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 323

Short Title: Pitt Co. Bd. of Ed.

(Local)

Sponsors: Senator D. Davis (Primary Sponsor).

Referred to: Judiciary I.

March 14, 2013

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE SIZE OF THE PITT COUNTY BOARD OF EDUCATION FROM TWELVE MEMBERS TO NINE, TO ADD THREE MEMBERS ELECTED FROM COMBINED DISTRICTS, TO PROVIDE FOR FOUR-YEAR TERMS RATHER THAN SIX-YEAR TERMS, AND TO SHORTEN THE TIME BETWEEN THE ELECTION OF MEMBERS OF THE PITT COUNTY BOARD OF EDUCATION AND WHEN THOSE MEMBERS TAKE OFFICE.

The General Assembly of North Carolina enacts:

SECTION 1. S.L. 2011-174 is repealed.

SECTION 2. Chapter 193 of the 1987 Session Laws reads as rewritten:

"Section 1. Beginning ~~December 7, 1987,~~ in 2014, the Pitt County Board of Education shall consist of ~~12 members, with two each elected from six districts in nonpartisan plurality elections.~~ nine members. Six members shall be elected from numbered single-member districts, and three members shall be elected from lettered single-member districts, each of which consists of a pair of numbered districts, as described in Section 5 of this act. The qualified voters of each district shall elect a person who resides in that district for the seat apportioned to that district. Only the qualified voters of the district may vote in that election. Only voters residing in a district may for the members from that district.

"Sec. 2. ~~The initial election for all 12 members shall be on November 3, 1987, and shall be conducted according to the same schedule as municipal nonpartisan plurality elections held at that time. Members elected in November 1987 shall take office on December 7, 1987, and shall serve for the terms specified in Section 3.~~

"Sec. 3. ~~At the initial election in November 1987, two members of the Board shall be elected from each of the six districts described in Section 5. One seat on the Board from each district shall be designated as seat A and the other as seat B. Each candidate shall file and run for a particular seat, and each seat shall be voted upon separately. The person elected initially to seat A in each district shall serve for a term to expire in 1992. The person elected initially to seat B in each district shall serve for a term to expire in 1990. The terms of the members elected in 1987 shall expire in 1990 and 1992 at the times set by general State law for commencement of the terms of county board of education members elected in those years. Successors to the members elected in 1987 shall be elected as provided in section 4.~~

"Sec. 4. ~~After the initial election, elections shall be held in 1990~~ Initially, three members from lettered single-member districts shall be elected in 2014. Six members from numbered single-member districts shall be elected in 2016. Elections shall be held in 2014, 2016, and subsequent even-numbered years thereafter as terms expire, at the time set by general State law for the election of county boards of education. Members elected in 1990 2014, 2016, and



1 subsequent years shall take office at the time set by general State law and shall serve for terms
2 of six years.

3 "Sec. 5. The ~~six districts are~~ General Assembly establishes the single-member districts for
4 election under this act as follows:

5 (a) Numbered districts:

6 District One. The portion of the City of Greenville included within the following
7 boundaries, running clockwise from the northwest corner of the district: 5th Street from the
8 intersection with Memorial Drive east to Contentnea Avenue, Contentnea north to the Tar
9 River, the Tar River east to Summit Street, Summit south to 1st Street, 1st west to Reade Street,
10 Reade south to 4th Street, 4th east to Summit, Summit south to 5th Street, 5th east to the
11 eastern edge of the East Carolina University campus (between Meade and Maple streets), south
12 along the eastern edge of the campus to 14th Street, 14th west to the western edge of the
13 campus (between College Hill Drive and East Rock Spring Road), north along that western
14 edge of the campus to 10th Street, 10th west to Evans Street, Evans south to Green Mill Run,
15 Green Mill Run southwest to the Seaboard Coastline Railroad tracks, the tracks south to
16 Highway 264 Bypass, 264 Bypass west to Hooker Road, Hooker north to Green Mill Run,
17 Green Mill Run west to Memorial Drive, Memorial Drive north to 5th Street.

18 District Two. All of Belvoir, Bethel and Carolina townships; the portion of Greenville
19 Township outside the City of Greenville, north and east of the Tar River and west of Pactolus
20 Township (census enumeration districts 263A, 264 and 265); all of the City of Greenville north
21 of the Tar River; and that part of the City of Greenville bordered on the north by the Tar River,
22 on the south by 5th Street, on the east by Contentnea Avenue, and on the west by the city limits
23 (blocks 201-247 of Block Group 2 in census district 9902 and blocks 201-212 in Block Group 2
24 in census district 9905).

25 District Three. All of Grimesland and Pactolus townships; the portion of Greenville
26 Township east of the City of Greenville and south of Pactolus Township (census enumeration
27 district 262); and the part of the City of Greenville south of the Tar River and north of the
28 following boundary, running from west to east: Summit Street from the Tar River south to 1st
29 Street, 1st west to Reade Street, Reade south to 4th Street, 4th east to Summit, Summit south to
30 5th Street, 5th east to the eastern edge of the East Carolina University campus (between Meade
31 and Maple streets), south along the eastern edge of the campus to 14th Street, 14th east to
32 Ragsdale Road, Ragsdale north to Wright Road, Wright north to 10th Street, 10th east to River
33 Bluff Road.

34 District Four. All of Falkland, Fountain, Farmville and Arthur townships; the portion of
35 Greenville Township south of the Tar River and west of the City of Greenville (census
36 enumeration district 266A); and the part of the City of Greenville west of Memorial Drive and
37 south of 5th Street.

38 District Five. All of Winterville Township except the portion in District Six, and the parts
39 of the City of Greenville not in any other district.

40 District Six. All of Ayden, Grifton, Swift Creek and Chicod townships and the portion of
41 Winterville Township north of Highway 43 (census enumeration districts 277T and 277U).

42 (b) Lettered districts:

43 District A consists of all the territory of Districts 1 and 2 combined.

44 District B consists of all the territory of Districts 3 and 4 combined.

45 District C consists of all the territory of Districts 5 and 6 combined.

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47 **SECTION 3.** In the 2014 election, the person elected to fill the vacant seat for
48 District 1 for the remainder of the term shall serve a term of two years in accordance with
49 Section 6 of Chapter 193 of the 1987 Session Laws. This act does not affect the terms of office
50 of members elected for six-year terms in 2008.

1 **SECTION 4.** Section 4 of Chapter 193 of the 1987 Session Laws reads as
2 rewritten:

3 "**Sec. 4.** After the initial election, elections shall be held in 1990 and subsequent
4 even-numbered years thereafter as terms expire, at the time set by general State law for the
5 election of county boards of education. Members elected in ~~1990~~2014 and subsequent years
6 shall take office at the ~~time set by general State law~~ first regular meeting of the board in July of
7 the year of election and shall serve for terms of ~~six~~four years."

8 **SECTION 5.** If, on the date this act becomes law, the changes affecting voting
9 required by Section 2 of this act are subject to preclearance under section 5 of the Voting
10 Rights Act of 1965, the attorney for the Pitt County Board of Education shall submit the date of
11 the election under this act to the Attorney General of the United States within 30 days of this
12 act becoming law, as provided by G.S. 120-30.9G. If it is not so submitted, the Attorney
13 General of North Carolina shall submit it under G.S. 120-30.9I.

14 **SECTION 6.** Section 2 of this act becomes effective only if approved by a majority
15 of the qualified voters of the County of Pitt in a referendum, and upon preclearance by the
16 Attorney General of the United States if required under section 5 of the Voting Rights Act of
17 1965. The election shall be conducted by the Pitt County Board of Elections in the 2013
18 general election. The question on the ballot shall be:

19 " FOR AGAINST

20 Reducing the size of the Pitt County Board of Education from 12 to nine members
21 and to add the election of three members from combined districts."

22 **SECTION 7.** Section 4 of this act becomes effective only if approved by a majority
23 of the qualified voters of the County of Pitt in a referendum. The election shall be conducted by
24 the Pitt County Board of Elections in the 2013 general election. The question on the ballot shall
25 be:

26 " FOR AGAINST

27 Reducing the term length of members of the Pitt County Board of Education from
28 six years to four years, and to shorten the time between the election of a member and the time
29 the member takes office on the Pitt County Board of Education."

30 **SECTION 8.** Except as otherwise provided in Sections 6 and 7 of this act, this act
31 is effective when it becomes law.