# GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2017

H.B. 42 Feb 6, 2017 HOUSE PRINCIPAL CLERK

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### **HOUSE BILL DRH30025-MK-15B** (11/22)

Short Title: Rowan-Salisbury Bd. of Ed. Election Method. (Local)

Sponsors: Representative Warren.

Referred to:

1 A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A REFERENDUM TO CHANGE THE ELECTION METHOD OF THE ROWAN-SALISBURY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN.

The General Assembly of North Carolina enacts:

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# PART I. CHANGE TO PARTISAN ELECTION IF REFERENDUM VOTE HELD IN 2017

**SECTION 1.1.** Sections C and D of Article V of A PLAN FOR MERGER OF THE ROWAN COUNTY SCHOOL AND THE SALISBURY CITY SCHOOLS, as approved by the State Board of Education on December 3, 1987, and filed with the Secretary of State in accordance with G.S. 115C-67 on December 21, 1987, and as amended by Section 2 of Chapter 890 of the 1987 Session Laws, are repealed.

**SECTION 1.2.** Beginning in 2018, the Rowan-Salisbury Board of Education shall consist of seven members who shall be elected one each from a single-member residency district, as described in Section 1.3 of this act, on a partisan basis at the time of the general election by the qualified voters of the entire county in each even-numbered year as terms expire. Only a person residing in a residency district, as described in Section 1.3 of this act, shall be eligible as a candidate in the election for the seat apportioned to that district. The primary and election shall be held and conducted in accordance with the general laws governing primaries and elections for county officers, except as otherwise provided herein. Members elected shall take office and qualify on the first Monday in December of the year of their election, and the terms of their predecessors shall expire at that same time. Members shall serve until a successor has been elected and qualified.

As the terms of the members of the Rowan-Salisbury Board of Education elected or appointed to terms beginning in 2014 or 2016 expire, beginning with the primary and election to be held in 2018 and quadrennially thereafter, members for Seats 1, 2, 4, and 6 shall be elected for four-year terms, and beginning with the primary and election to be held in 2020 and quadrennially thereafter, members for Seats 3, 5, and 7 shall be elected for four-year terms.

**SECTION 1.3.** The seven residency districts for the Rowan-Salisbury Board of Education are as follows:

- Seat 1: The North Rowan High School attendance zone, except for that portion included in the district for Seat 6.
- included in the district for Seat 6.
   Seat 2: The South Rowan High School attendance zone.
- 34 Seat 3: The East Rowan High School attendance zone.
- 35 Seat 4: The West Rowan High School attendance zone.



Seat 5:

2		included in the district for Seat 6.
3	Seat 6:	All of the East Spencer, East Ward II, and West Ward III precincts; the
4		portion of East Ward I precinct between Main Street and I-85; the portion of
5		South Ward precinct between Main Street and I-85 and bordered on the
6		south by the Southern Railroad line running from Harrison Street to I-85;
7		the portion of West Ward I precinct north of a line consisting of Wilson
8		Road, Taylor Street, Harrison Street, Fulton Street, and Monroe Street; and
9		the portion of Milford Hills precinct between the Southern Railroad line and
10		Highway 70 (Statesville Boulevard) west of Jake Alexander Boulevard and
11		within the Salisbury city limits.
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Seat 7: The Southeast Rowan High School attendance zone, except for that portion included in the district for Seat 6.

The Salisbury High School attendance zone, except for that portion

The Rowan-Salisbury Board of Education may revise the residency districts set forth in this section if an adjustment is required for a change in the attendance zones to accommodate a new school, closure of a school, or consolidation of one or more schools.

**SECTION 1.4.** The Rowan-Salisbury Board of Education shall be organized as provided under G.S. 115C-41 and with members compensated as provided under G.S. 115C-38. In the case of a vacancy of a member elected in 2014 or 2016 to the Rowan-Salisbury Board of Education, the vacancy shall be filled in accordance with G.S. 115C-37. Beginning with members elected in 2018, vacancies shall be filled as provided in G.S. 115C-37.1. To be eligible for appointment to fill a vacancy, the person must reside in the residency district where the vacancy exists.

#### **SECTION 1.5.** G.S. 115C-37.1(d) reads as rewritten:

"(d) This section shall apply only in the following counties: Alleghany, Brunswick, Cherokee, Clay, Davie, Graham, Guilford, Harnett, Iredell, Lee, New Hanover, Rowan, Rutherford, Stanly, Vance, and Washington."

**SECTION 1.6.** This act does not affect the terms of office of any person elected in 2014 or 2016 to the Rowan-Salisbury Board of Education. The members of the Rowan-Salisbury Board of Education elected in 2014 or 2016, or any member appointed to fill a vacancy of a member elected in 2014 or 2016 until the next election for the members of the Board of Education, shall serve until a successor has been elected and qualified.

**SECTION 1.7.** Sections 1.1 through 1.6 of this act become effective only if approved by a majority of the qualified voters of the County of Rowan in a referendum. If the Rowan County Board of Elections conducts a county-wide election in the County of Rowan prior to January 1, 2018, a referendum shall be placed on the ballot at the time of the county-wide election with the following question:

#### "[] FOR [] AGAINST

Candidates for the Rowan-Salisbury Board of Education to be elected as candidates who are affiliated with a political party, thereby changing the election method of the members of the Rowan-Salisbury Board of Education from nonpartisan to partisan, beginning in 2018, with all current members completing their terms of office."

**SECTION 1.8.** Sections 1.1 through 1.6 of this act become effective upon ratification of the approval by the voters of the referendum set forth in Section 1.7 of this Part.

**SECTION 1.9.** If the Rowan County Board of Elections conducts a county-wide election in the County of Rowan prior to January 1, 2018, and a referendum is placed on the ballot at the time of the county-wide election, as required by Section 1.7 of this act, Part II of this act is repealed, effective December 31, 2017.

# PART II. CHANGE TO PARTISAN ELECTION IF REFERENDUM VOTE HELD IN 2018

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**SECTION 2.1.** Sections C and D of Article V of A PLAN FOR MERGER OF THE ROWAN COUNTY SCHOOL AND THE SALISBURY CITY SCHOOLS, as approved by the State Board of Education on December 3, 1987, and filed with the Secretary of State in accordance with G.S. 115C-67 on December 21, 1987, and as amended by Section 2 of Chapter 890 of the 1987 Session Laws, are repealed.

**SECTION 2.2.** Beginning in 2020, the Rowan-Salisbury Board of Education shall consist of seven members who shall be elected one each from a single-member residency district, as described in Section 2.3 of this act, on a partisan basis at the time of the general election by the qualified voters of the entire county in each even-numbered year as terms expire. Only a person residing in a residency district, as described in Section 2.3 of this act, shall be eligible as a candidate in the election for the seat apportioned to that district. The primary and election shall be held and conducted in accordance with the general laws governing primaries and elections for county officers, except as otherwise provided herein. Members elected shall take office and qualify on the first Monday in December of the year of their election, and the terms of their predecessors shall expire at that same time. Members shall serve until a successor has been elected and qualified.

As the terms of the members of the Rowan-Salisbury Board of Education elected or appointed to terms beginning in 2016 or 2018 expire, beginning with the primary and election to be held in 2020 and quadrennially thereafter, members for Seats 1, 2, 4, and 6 shall be elected for four-year terms, and beginning with the primary and election to be held in 2022 and quadrennially thereafter, members for Seats 3, 5, and 7 shall be elected for four-year terms.

**SECTION 2.3.** The seven residency districts for the Rowan-Salisbury Board of Education are as follows:

- Seat 1: The North Rowan High School attendance zone, except for that portion included in the district for Seat 6.
- Seat 2: The South Rowan High School attendance zone.
- Seat 3: The East Rowan High School attendance zone.
- Seat 4: The West Rowan High School attendance zone.
- Seat 5: The Salisbury High School attendance zone, except for that portion included in the district for Seat 6.
- Seat 6: All of the East Spencer, East Ward II, and West Ward III precincts; the portion of East Ward I precinct between Main Street and I-85; the portion of South Ward precinct between Main Street and I-85 and bordered on the south by the Southern Railroad line running from Harrison Street to I-85; the portion of West Ward I precinct north of a line consisting of Wilson Road, Taylor Street, Harrison Street, Fulton Street, and Monroe Street; and the portion of Milford Hills precinct between the Southern Railroad line and Highway 70 (Statesville Boulevard) west of Jake Alexander Boulevard and within the Salisbury city limits.
- Seat 7: The Southeast Rowan High School attendance zone, except for that portion included in the district for Seat 6.

The Rowan-Salisbury Board of Education may revise the residency districts set forth in this section if an adjustment is required for a change in the attendance zones to accommodate a new school, closure of a school, or consolidation of one or more schools.

**SECTION 2.4.** The Rowan-Salisbury Board of Education shall be organized as provided under G.S. 115C-41 and with members compensated as provided under G.S. 115C-38. In the case of a vacancy of a member elected in 2016 or 2018 to the Rowan-Salisbury Board of Education, the vacancy shall be filled in accordance with G.S. 115C-37. Beginning with members elected in 2020, vacancies shall be filled as provided in G.S. 115C-37.1. To be eligible for appointment to fill a vacancy, the person must reside in the residency district where the vacancy exists.

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#### **SECTION 2.5.** G.S. 115C-37.1(d) reads as rewritten:

"(d) This section shall apply only in the following counties: Alleghany, Brunswick, Cherokee, Clay, Davie, Graham, Guilford, Harnett, Iredell, Lee, New Hanover, Rowan, Rutherford, Stanly, Vance, and Washington."

**SECTION 2.6.** This act does not affect the terms of office of any person elected in 2016 or 2018 to the Rowan-Salisbury Board of Education. The members of the Rowan-Salisbury Board of Education elected in 2016 or 2018, or any member appointed to fill a vacancy of a member elected in 2016 or 2018 until the next election for the members of the Board of Education, shall serve until a successor has been elected and qualified.

10 11 12 **SECTION 2.7.** Sections 2.1 through 2.6 of this act become effective only if approved by a majority of the qualified voters of the County of Rowan in a referendum held in accordance with this section. If the Rowan County Board of Elections did not conduct a county-wide election prior to January 1, 2018, with a referendum placed on the ballot as required by Section 1.7 of this act, the Rowan County Board of Elections shall conduct an election on November 6, 2018, with the following question on the ballot:

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# "[] FOR [] AGAINST

17 18 19 Candidates for the Rowan-Salisbury Board of Education to be elected as candidates who are affiliated with a political party, thereby changing the election method of the members of the Rowan-Salisbury Board of Education from nonpartisan to partisan, beginning in 2020, with all current members completing their terms of office."

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**SECTION 2.8.** Sections 2.1 through 2.6 of this act become effective upon ratification of the approval by the voters of the referendum set forth in Section 2.7 of this Part.

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# PART III. EFFECTIVE DATE

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**SECTION 3.** Except as otherwise provided in this act, this act is effective when it becomes law.