

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 494
HOUSE BILL 1392

AN ACT TO PROVIDE FOR THE COMPOSITION AND MANNER OF ELECTION
OF THE CUMBERLAND COUNTY BOARD OF EDUCATION.

Whereas, a plan entitled "A PLAN TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE FAYETTEVILLE CITY BOARD OF EDUCATION AND THE CUMBERLAND COUNTY BOARD OF EDUCATION AND TO ESTABLISH ONE ADMINISTRATIVE BOARD OF EDUCATION FOR ALL OF THE PUBLIC SCHOOLS IN CUMBERLAND COUNTY" was previously and lawfully approved under G.S. 115C-67; and

Whereas, the North Carolina General Assembly previously has enacted Chapter 126, Session Laws of 1985, said act being entitled "AN ACT TO REDISTRIBUTE THE CUMBERLAND COUNTY BOARD OF EDUCATION, AND TO APPOINT TWO PERSONS TO THE CUMBERLAND COUNTY INTERIM BOARD OF EDUCATION"; and

Whereas, pursuant to Section 1.1 of said act, the Cumberland County Interim Board of Education has duly and lawfully considered and adopted a proposed plan for the composition and manner of election of the Cumberland County Board of Education; and

Whereas, the General Assembly concurs with the proposed plan duly and lawfully adopted by the Cumberland County Interim Board of Education for the composition and manner of election of the Cumberland County Board of Education; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Section 4B of A PLAN TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE FAYETTEVILLE CITY BOARD OF EDUCATION AND THE CUMBERLAND COUNTY BOARD OF EDUCATION AND TO ESTABLISH ONE ADMINISTRATIVE BOARD OF EDUCATION FOR ALL OF THE PUBLIC SCHOOLS IN CUMBERLAND COUNTY, as approved under G.S. 115C- 67 (hereinafter referred to as "The Plan") is reinstated as follows:

"B. The Cumberland County Board of Education shall consist of nine members. The membership of the Cumberland County Board of Education shall be elected as follows:

(1) Six members shall be elected in November, 1988, each for a four-year term, and quadrennially thereafter for a four-year term, one member coming from each of the following districts:

(a) District One: Cumberland County Precincts Cross Creek 1, Cross Creek 3, Cross Creek 19, Cross Creek 5, Cross Creek 9, Westarea, Cross Creek 16, and Manchester.

(b) District Two: Cumberland County Precincts Cross Creek 13, Cross Creek 17, Beaver Lake, Spring Lake, Morganton 1, that part of census tract 33.02 in Precinct Seventy-First-1, Fort Bragg and Pope Air Force Base.

(c) District Three: Cumberland County Precincts Cross Creek 4, Cross Creek 7, Cross Creek 6, Cross Creek 21, Cross Creek 14, Cross Creek 12, that part of Precinct Seventy-First-1, which is not in District Two, Morganton 2 and Cottonade.

(d) District Four: Cumberland County Precincts Cross Creek 15, Cross Creek 18, Cross Creek 11, Cross Creek 10, Cross Creek 20, Montclair, Seventy-First-2, Seventy-First-3, Cross Creek 8, Cumberland 2 and Pearces Mill 4.

(e) District Five: Cumberland County Precincts Cross Creek 22, College Lakes, Long Hill, Linden, Black River, Eastover, Wade, Vander, Stedman, Judson, Cedar Creek and Beaver Dam.

(f) District Six: Cumberland County Precincts Pearces Mill 1, Pearces Mill 2, Pearces Mill 3, Alderman, Sherwood, Hope Mills 2, Hope Mills 1, Cumberland 1 and Brentwood.

(2) Three members shall be elected at large from Cumberland County in November 1988, for initial terms of six years, and thereafter quadrennially for four-year terms.

(3) The election of the Board of Education shall be on a nonpartisan basis at the time of the November General Election, as set out in Chapter 163 of the General Statutes. Only qualified voters of each district as set out in subsection (1) above shall be eligible to vote for candidates for each respective district seat; only qualified voters of Cumberland County, as set out in subsection (2), will be eligible to vote for at-large candidates.

(4) In the event of the death, resignation or other event creating a vacancy in the board after merger, such member shall be replaced by a vote of the remaining members of the board, if the vacancy occurs in a seat elected by district vote, then such replacement shall be selected out of the district from which the vacancy occurred. In the event of the death, resignation or other event creating a vacancy in the board after merger in an at-large seat, such member shall be replaced by a vote of the board without giving consideration to the district from which the at-large member may have come."

Sec. 2. All other provisions of the PLAN TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE FAYETTEVILLE CITY BOARD OF EDUCATION AND THE CUMBERLAND COUNTY BOARD OF EDUCATION AND TO ESTABLISH ONE ADMINISTRATIVE BOARD OF EDUCATION FOR ALL OF THE PUBLIC SCHOOLS IN CUMBERLAND COUNTY, as approved under G.S. 115C- 67, and as modified by House Bill 422, codified as Chapter 126, 1985 North Carolina Session Laws, are hereby reaffirmed and incorporated herein by reference.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 27th day of June, 1985.