

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 495
HOUSE BILL 1397

AN ACT TO AMEND CHAPTER 2 OF THE SESSION LAWS OF 1985 TO PROVIDE FOR THE APPOINTMENT OF THREE ADDITIONAL MEMBERS TO THE INTERIM BOARD AND SUBSEQUENT TO JULY 1, 1986, TO THE PITT COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 2 of the Session Laws of 1985 is amended as follows:

(1) Section 4(a) is amended by substituting numeral "15" for the numeral "12".

(2) Section 4(b) is amended by deleting the word "and" after "membership of the city board", by changing the period at the end of the paragraph to a comma, and by adding "and shall include Matthew Donovan Phillips, Alfreida Jordan Parker, and David Lee Shackelford." at the end of the paragraph.

(3) Section 4(c) is amended by adding subdivision (3) to read:

"(3) If the vacancy occurs for a seat held by one of the named individuals specified in Section 4(b), that seat shall be filled by a committee consisting of the other two individuals specified in Section 4(b), one member of the Interim Board as designated from the former County Board and one member of the Interim Board as designated from the former City Board. Any such selection by said committee shall be effective only upon ratification by the full Interim Board."

(4) Section 4(d) is amended by substituting the numeral "15" for the numeral "12" each time it appears.

(5) Section 4.1 is amended by inserting at the beginning of the first sentence, "Until the first Monday in December, 1992,".

(6) Section 5.2 subsections (a), (b), and (c) are each amended by deleting the words "and every six years thereafter,".

(7) Section 5.2 is further amended by adding paragraph (d) as follows:

"(d) The terms of office of all members of the Pitt County Board of Education elected in accordance with this section shall expire the first Monday in December, 1992."

(8) Section 5.3 is amended by adding subsection (d) as follows:

"(d) The terms of the office of Matthew Donovan Phillips, Alfreida Jordan Parker, and David Lee Shackelford, or of the fully appointed successor of any of them, shall expire the first Monday in December, 1992."

(9) Section 6 is amended by deleting the phrase, "In 1986 and thereafter as terms expire" and substituting therefor, "From 1986 through 1990".

(10) Section 7 is rewritten to read:

"(a) In 1991 the Pitt County Board of Education shall adopt a method of election of the Board to take office beginning the first Monday in December, 1992, consisting of a combination of at-large and single member districts apportioned so as to maintain at least the proportion of minority representation as exists on the Interim Board when this act becomes effective.

(b) A map of these districts shall be filed with the Pitt County Board of Elections.

(c) All members of the Pitt County Board of Education shall be elected by the nonpartisan plurality method of election as provided in paragraphs (1), (3), (4), and (5) of Section 6 of the act.

(d) Candidates seeking election from the single member districts shall be placed on the ballot by district and the candidate in each district receiving the highest total vote shall be elected. All candidates seeking election from the at-large seats shall be placed on the ballot without numbered seats and the candidates receiving the highest total vote shall be elected. The qualified voters of each district shall elect members who reside in the district for the seat apportioned to that district, and the qualified voters of the entire county shall elect at-large members."

(11) Section 8 is amended by deleting the last sentence of that section and by substituting the following:

"If a vacancy occurs in the Pitt County Board of Education, it shall be filled by the remaining members of the Board, provided that if the vacancy is for a seat with a residency requirement, it shall be filled by a person who resides in that district. Any vacancy in a seat on the Pitt County Board of Education, which was held by Matthew Donovan Phillips, Alfreida Jordan Parker, David Lee Shackelford or the duly appointed successor of any of them, shall be filled as specified in Section 4(3)(c) of the act."

Sec. 2. Any act taken by the Interim Board pursuant to Section 3(c) and (e) of Chapter 2 of the Session laws of 1985 shall become effective upon ratification by the Interim Board as established in this Chapter.

Sec. 3. This act is effective upon ratification.

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