

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 939
SENATE BILL 1558

AN ACT TO MODIFY THE FORM OF ELECTION OF THE PAMLICO COUNTY
BOARD OF COMMISSIONERS AND THE PAMLICO COUNTY BOARD OF
EDUCATION SO AS TO IMPLEMENT A FEDERAL COURT JUDGMENT.

The General Assembly of North Carolina enacts:

Section 1. Effective on the first Monday in December 1990, the Pamlico County Board of Commissioners shall consist of seven members.

Sec. 2. (a) Pamlico County is divided into five districts as provided by Section 3 of this act.

(b) One member of the Pamlico County Board of Commissioners shall be elected from each district, and two from the county at-large. The qualified voters of each district shall nominate candidates and elect a member who resides in the district for the seat apportioned to that district; and the qualified voters of the entire county shall nominate candidates and elect members apportioned to the county at-large.

Sec. 3. (a) District 1 consists of Township 1, the area within the corporate limits of the Town of Alliance as of April 20, 1988, and the following described territory: That portion of Pamlico County which is bounded on the north by the south prong of Bay River, on the west by a line 500 feet westward of the centerline of the Campen Road (Secondary Road 1345), on the east by the centerline of Neals Creek Road, or Lupton Road, (Secondary Road 1343), and on the south by a line running from a point 500 feet southward of the southern end of the Campen Road (the point at which the State maintenance ends) southeastwardly to the southern end of the Neals Creek, or Lupton, Road (the point at which the State maintenance ends).

(b) District 2 consists of Township 2.

(c) District 3 consists of Township 3 excepting that area in District 1.

(d) District 4 consists of Township 4.

(e) District 5 consists of Township 5.

Sec. 4. In 1990 and quadrennially thereafter, members shall be elected from Districts 3 and 4 for four-year terms, and two members shall be elected at-large for four-year terms. In 1992 and quadrennially thereafter, members shall be elected from Districts 1, 2, and 5 for four-year terms.

Sec. 5. (a) Notwithstanding G.S. 163-111, nominations in primary elections for a county board of commissioners shall be determined as follows:

- (1) When more than one person is seeking election to a single office, the candidate who receives the highest number of votes shall be declared the nominee.

- (2) When more persons are seeking nomination to two or more offices (constituting a group) than there are offices to be filled, those candidates receiving the highest number of votes, equal in number to the number of offices to be filled, shall be declared the nominee.
- (3) If two or more candidates receiving the highest number of votes necessary to be nominated each receive the same number of votes, the proper party executive committee shall, from among those candidates receiving the same number of votes, select the party nominee in accordance with G.S. 163-114.

(b) This section applies to Pamlico County only.

Sec. 6. The following laws are repealed: Chapter 136, Public-Local Laws of 1939; Chapter 197, Public-Local Laws of 1941; Chapter 149, Session Laws of 1949; Chapter 358, Session Laws of 1975; and Chapter 1102, Session Laws of 1979.

Sec. 7. Sections 1 through 6 of this act do not affect the terms of office of any person serving on the Board of Commissioners of Pamlico County for terms expiring in 1988 or 1990, nor do they affect the manner or form of election in 1988. Commissioners shall be elected from Townships 1, 2 and 5 in 1988 for four-year terms, and a commissioner shall be elected from Township 4 in 1988 for a two-year term.

Sec. 8. The Board of Education of Pamlico County shall continue to consist of seven members.

Sec. 9. (a) Pamlico County is divided into five districts as provided by Section 3 of this act.

(b) One member of the Pamlico County Board of Education shall be elected from each district, and two from the county at-large. The qualified voters of each district shall elect a member who resides in the district for the seat apportioned to that district; and the qualified voters of the entire county shall elect members apportioned to the county at-large.

Sec. 10. In 1990 and quadrennially thereafter, members shall be elected from Districts 3 and 4 for four-year terms, and two members shall be elected at-large for four-year terms. In 1992 and quadrennially thereafter, members shall be elected from Districts 1, 2, and 5 for four-year terms.

Sec. 11. Notwithstanding the provisions of G.S. 115C-37, the Pamlico County Board of Education shall be elected on a nonpartisan basis at the time of the primary election in 1990 and biennially thereafter. The names of the candidates shall be printed on the ballot without reference to any party affiliation. The nonpartisan plurality method shall be used with the results determined as provided in G.S. 163-292.

Sec. 12. Sections 1 through 6 of Chapter 551, Session Laws of 1981 are repealed.

Sec. 13. (a) Except as provided in subsection (b) of this section, Sections 8 through 12 of this act do not affect the terms of office of any person serving on the Pamlico County Board of Education for terms expiring in 1988, 1990, or 1992, nor do they affect the manner or form of election in 1988.

(b) Notwithstanding Chapter 551, Session Laws of 1981, the members elected to the Pamlico County Board of Education in 1988 from Districts 3, 4, and at-large were

elected for two-year terms, and the terms are reduced accordingly. Notwithstanding Chapter 551, Session Laws of 1981, the members elected to the Pamlico County Board of Education in 1986 from Districts 1, 2, and 5 were elected to six-year terms, and the terms are extended accordingly.

Sec. 14. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 24th day of June, 1988.