

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 21
HOUSE BILL 412

AN ACT TO CHANGE THE METHOD OF ELECTING THE PERQUIMANS
COUNTY BOARD OF EDUCATION TO IMPROVE THE OPPORTUNITY FOR
MINORITY CITIZENS TO ELECT CANDIDATES OF THEIR CHOICE.

The General Assembly of North Carolina enacts:

Section 1. The Perquimans County Board of Education shall consist of six members elected from the County at large in nonpartisan elections held in even-numbered years at the same time as primaries for county offices.

Sec. 2. Three Board members shall be elected in 1994 and every four years thereafter, and three Board members shall be elected in 1996 and every four years thereafter. For each election, all eligible candidates for the three offices shall be listed on a single ballot, but each voter shall be allowed to vote for only one candidate. The three candidates receiving the most votes shall be elected, with no runoffs.

Sec. 3. The Board members elected in 1990 and 1992 are entitled to serve the remainders of the terms for which elected.

Sec. 4. Within 30 days of preclearance of this act pursuant to Section 5 of the Voting Rights Act, the present members of the Board of Education shall appoint a person to fill the vacancy created by the increase in the size of the Board. The person appointed to fill the vacancy shall be representative of the black citizens of Perquimans County. The person who is appointed shall serve a term to expire when the Board members elected in 1994 take office.

Sec. 5. If a vacancy occurs on the Board, the remaining members shall appoint a qualified person to fill the vacancy. The appointment to fill the vacancy is for the remainder of the unexpired term. In making appointments to fill vacancies, the remaining Board members should attempt to assure that the Board remains representative of all citizens of the County.

Sec. 6. Any vacancy on the Board after the effective date of this act shall be filled without regard to the township residency of the vacating member or the person being appointed.

Sec. 7. After the Board members elected in 1996 take office, the Board of Education shall review the election experience under this act, including whether the election system enacted here has improved the opportunity for black voters to elect candidates of their choice, and determine whether any further changes are needed to provide fair representation for all citizens of the County. In making this review, the Board of Education shall consult with the Board of Commissioners.

Sec. 8. The following local acts concerning the election of the Perquimans County Board of Education are repealed: Chapter 1110, Session Laws of 1959; Chapter 473, Session Laws of 1961; and Chapter 105, Session Laws of 1989.

Sec. 9. This act is effective upon ratification but shall not be implemented until precleared pursuant to Section 5 of the federal Voting Rights Act.

In the General Assembly read three times and ratified this the 13th day of April, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives