

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 654
HOUSE BILL 1901

AN ACT RESTORING THE DARE COUNTY BOARD OF EDUCATION TO
SEVEN MEMBERS.

The General Assembly of North Carolina enacts:

Section 1. (a) Beginning on the first Monday in December of 1994 the Dare County Board of Education shall consist of seven members. One member shall be an at-large member and may reside anywhere in the county, and the other six members shall reside in and represent the following districts:

District 1 – This district shall consist of the mainland portion of the county and Roanoke Island and shall have two members.

District 2 – This district shall consist of the town of Nags Head and all of Bodie Island south to Oregon Inlet, and the town of Kill Devil Hills and adjacent or nearby unincorporated areas to the west including, but not limited, to Colington Islands and Baum Bay Harbor. This district shall have two members.

District 3 – This district shall consist of the towns of Kitty Hawk and Southern Shores and the remainder of the county west and north of the town of Southern Shores. This district shall have one member.

District 4 – This district shall consist of Hatteras Island and shall have one member.

(b) The districts described in this section are intended to be the same as the districts adopted by the Dare County Board of Commissioners by resolution on February 7, 1992. If any questions should arise concerning the boundaries of the districts, such disputes shall be resolved by reference to the maps and descriptions prepared for the Board of Commissioners.

Sec. 2. Except for the at-large seat, a person must reside in a district to be eligible to be a candidate, be elected, or serve as a member representing that district.

Sec. 3. All elections for the Board of Education shall be nonpartisan, with the results determined by a plurality with no run-offs. All voters in the county shall be eligible to vote for all seven seats on the board.

Sec. 4. The three members of the Board of Education elected in 1992 for terms to expire in 1996 shall serve the remainder of those terms. On the first Monday in December 1994, Allen Burrus is designated as the member from District 4, David Daniels as one of the two members from District 2, and Samuel Twiford, Jr., as the at-large member. If Mr. Burrus or Mr. Daniels resigns, dies, moves from his district, or otherwise vacates his office, the person appointed to fill the vacancy shall reside in the same district as the vacating member.

Sec. 5. Pursuant to Chapter 819 of the Session Laws of 1989, two members were elected in May 1994 to take office on the first Monday in December 1994. By July 15, 1994, those two new members shall be designated by the Board of Education as representatives of the districts described in Section 1 according to their residency, and upon taking office in December 1994, those two new members shall be considered representatives of the districts so designated.

Sec. 6. (a) Two additional members shall be elected to the Board of Education at the county general election to be held on November 8, 1994, and shall take office on the first Monday in December 1994. The seats to be elected in November shall be determined by the Board of Education after the two members elected in May 1994 have been designated as representatives of districts pursuant to Section 5. After determining which of the seven seats on the board, as described in Section 1, will be filled by the three holdover members elected in 1992 plus the two new members elected in May 1994, the Board of Education shall notify the Dare County Board of Elections to conduct the November 1994 election for the remaining two seats necessary to bring the board to the composition described in Section 1. The Board of Education shall notify the Board of Elections by July 22, 1994, which two seats are to be elected in November.

(b) The period in which candidates may file notices of candidacy for the November 1994 Board of Education election shall begin at noon on Monday, August 1, 1994, and close at noon on Friday, August 26, 1994.

Sec. 7. The members elected in May or November 1994 shall serve terms to expire in 1998.

Sec. 8. In 1996 three members shall be elected to the board as follows: the at-large member and one member each from Districts 2 and 4.

Sec. 9. In 1998 four members shall be elected to the board as follows: the at-large member, two members from District 1, and one member each from Districts 2 and 3. The candidate for the District 1 seat receiving the most votes shall be elected for a four-year term, and the candidate for the District 1 seat receiving the second highest number of votes shall be elected for a two-year term.

Sec. 10. In 2000 and every four years thereafter, four members shall be elected to the board as follows: the at-large member and one member each from Districts 1, 2, and 4.

Sec. 11. In 2002 and every four years thereafter, four members shall be elected to the board as follows: one member each from Districts 1, 2, and 3.

Sec. 12. Elections for the Board of Education in 1996 shall be held in May at the same time as party primaries for other county offices, and board members shall take office in December following the election as provided in general State law. In 1998 and subsequent years, elections shall also be held in May at the same time as party primaries for other county offices, but board members elected at that time shall take office at the first regular board meeting in July following the election. The terms of office of persons elected for terms to expire in 1998 and thereafter shall expire on the date of the first regular board meeting in July.

Sec. 13. Chapter 819 of the Session Laws of 1989 is repealed, but such repeal shall not affect the terms of members elected pursuant to that act except as specifically altered by this act.

Sec. 14. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 1st day of July, 1994.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives