

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 583
HOUSE BILL 1838

AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE ONSLOW COUNTY BOARD OF EDUCATION, SUBJECT TO A REFERENDUM, AND PROVIDING THAT WHEN VACANCIES ARE TO BE FILLED ON THE CABARRUS COUNTY BOARD OF EDUCATION BY ELECTION FOR THE REMAINDER OF THE UNEXPIRED TERM, THE ELECTION SHALL BE HELD TOGETHER WITH THOSE FOR THE FULL TERM.

The General Assembly of North Carolina enacts:

Section 1. (a) Beginning in 1996 the members of the Onslow County Board of Education shall be elected on a nonpartisan basis at the time of the primary election for county officers. The elections shall be conducted in accordance with Chapters 115C and 163 of the General Statutes. The results of the election shall be determined by the plurality method under G.S. 163-292. Vacancies on the Board of Education for positions elected on a nonpartisan basis shall be filled in accordance with G.S. 115C-37(f). Vacancies on the Board of Education for positions elected on a partisan basis in 1992 or 1994 shall be filled in accordance with G.S. 115C-37.1. This section does not affect the terms of office of any person elected in 1992 or 1994 to the Onslow County Board of Education. Beginning in 2000, members elected shall take office and qualify on July 1 of the year of their election, and the terms of their predecessors shall expire at that same time.

(b) All laws and clauses of laws in conflict with this act, including Chapter 630 of the 1967 Session Laws, Chapter 2 of the 1969 Session Laws, Chapter 525 of the 1977 Session Laws, and Chapter 287 of the 1985 Session Laws are repealed to the extent of the conflict.

Sec. 2. The Onslow County Board of Elections shall conduct an election on November 8, 1994, on the question of approval of Section 1 of this act. The question on the ballot shall be:

"[] FOR [] AGAINST

Election of the Onslow County Board of Education on a nonpartisan basis."

If a majority of the votes cast are FOR the question, then Section 1 of this act becomes effective. If less than a majority of the votes cast are FOR the question, then Section 1 of this act does not become effective.

Sec. 2.1. Chapter 102 of the 1989 Session Laws is amended by adding a new section to read:

"Sec. 3.1. When an election is to be held to fill a vacancy for the remainder of the unexpired term, and the election is at the same time as for full terms, the elections shall

be held together on the same ballot. The candidates receiving the highest numbers of votes equal to the number of full terms to be filled are elected to full terms, and the candidates receiving the next highest numbers of votes equal to the number of unexpired terms to be filled are elected to the remainder of the unexpired terms."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 30th day of June, 1994.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives