

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

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**HOUSE BILL 42
Committee Substitute Favorable 3/16/17**

Short Title: Rowan-Salisbury Bd. of Ed. Election Method.

(Local)

Sponsors:

Referred to:

February 7, 2017

A BILL TO BE ENTITLED
AN ACT TO PROVIDE FOR A REFERENDUM TO CHANGE THE ELECTION METHOD
OF THE ROWAN-SALISBURY BOARD OF EDUCATION FROM NONPARTISAN TO
PARTISAN.

The General Assembly of North Carolina enacts:

**PART I. CHANGE TO PARTISAN ELECTION IF REFERENDUM VOTE HELD IN
2017**

SECTION 1.1. Sections C and D of Article V of A PLAN FOR MERGER OF THE ROWAN COUNTY SCHOOL AND THE SALISBURY CITY SCHOOLS, as approved by the State Board of Education on December 3, 1987, filed with the Secretary of State in accordance with G.S. 115C-67 on December 21, 1987, and as amended by Section 2 of Chapter 890 of the 1987 Session Laws, are repealed.

SECTION 1.2. Beginning in 2018, the Rowan-Salisbury Board of Education shall consist of seven members who shall be elected one each from a single-member residency district, as described in Section 1.3 of this act, on a partisan basis at the time of the general election by the qualified voters of the entire county in each even-numbered year as terms expire. Only a person residing in a residency district, as described in Section 1.3 of this act, shall be eligible as a candidate in the election for the seat apportioned to that district. The primary and election shall be held and conducted in accordance with the general laws governing primaries and elections for county officers, except as otherwise provided herein. Members elected shall take office and qualify on the first Monday in December of the year of their election, and the terms of their predecessors shall expire at that same time. Members shall serve until a successor has been elected and qualified.

As the terms of the members of the Rowan-Salisbury Board of Education elected or appointed to terms beginning in 2014 or 2016 expire, beginning with the primary and election to be held in 2018 and quadrennially thereafter, members for Seats 1, 2, 4, and 6 shall be elected for four-year terms, and beginning with the primary and election to be held in 2020 and quadrennially thereafter, members for Seats 3, 5, and 7 shall be elected for four-year terms.

SECTION 1.3. The seven residency districts for the Rowan-Salisbury Board of Education are as follows:

- Seat 1: The North Rowan High School attendance zone, except for that portion included in the district for Seat 6.
- Seat 2: The South Rowan High School attendance zone.
- Seat 3: The East Rowan High School attendance zone.
- Seat 4: The West Rowan High School attendance zone.



1 Seat 5: The Salisbury High School attendance zone, except for that portion
2 included in the district for Seat 6.

3 Seat 6: All of the East Spencer, East Ward II, and West Ward III precincts; the
4 portion of East Ward I precinct between Main Street and I-85; the
5 portion of South Ward precinct between Main Street and I-85 and
6 bordered on the south by the Southern Railroad line running from
7 Harrison Street to I-85; the portion of West Ward I precinct north of a
8 line consisting of Wilson Road, Taylor Street, Harrison Street, Fulton
9 Street, and Monroe Street; and the portion of Milford Hills precinct
10 between the Southern Railroad line and Highway 70 (Statesville
11 Boulevard) west of Jake Alexander Boulevard and within the Salisbury
12 city limits.

13 Seat 7: The Southeast Rowan High School attendance zone, except for that
14 portion included in the district for Seat 6.

15 The Rowan-Salisbury Board of Education may revise the residency districts set
16 forth in this section if an adjustment is required for a change in the attendance zones to
17 accommodate a new school, closure of a school, or consolidation of one or more schools.

18 **SECTION 1.4.** The Rowan-Salisbury Board of Education shall be organized as
19 provided under G.S. 115C-41 and with members compensated as provided under
20 G.S. 115C-38. In the case of a vacancy of a member elected in 2014 or 2016 to the
21 Rowan-Salisbury Board of Education, the vacancy shall be filled in accordance with
22 G.S. 115C-37. Beginning with members elected in 2018, vacancies shall be filled as provided
23 in G.S. 115C-37.1. To be eligible for appointment to fill a vacancy, the person must reside in
24 the residency district where the vacancy exists.

25 **SECTION 1.5.** G.S. 115C-37.1(d) reads as rewritten:

26 "(d) This section shall apply only in the following counties: Alleghany, Brunswick,
27 Cherokee, Clay, Davie, Graham, Guilford, Harnett, Iredell, Lee, New Hanover, Rowan,
28 Rutherford, Stanly, Vance, and Washington."

29 **SECTION 1.6.** This act does not affect the terms of office of any person elected in
30 2014 or 2016 to the Rowan-Salisbury Board of Education. The members of the
31 Rowan-Salisbury Board of Education elected in 2014 or 2016, or any member appointed to fill
32 a vacancy of a member elected in 2014 or 2016 until the next election for the members of the
33 Board of Education, shall serve until a successor has been elected and qualified.

34 **SECTION 1.7.** Sections 1.1 through 1.6 of this act become effective only if
35 approved by a majority of the qualified voters of the County of Rowan in a referendum. If the
36 Rowan County Board of Elections conducts a county-wide election in the County of Rowan
37 prior to January 1, 2018, a referendum shall be placed on the ballot at the time of the
38 county-wide election with the following question:

39 " FOR AGAINST

40 Candidates for the Rowan-Salisbury Board of Education to be elected as candidates
41 who are affiliated with a political party, thereby changing the election method of the members
42 of the Rowan-Salisbury Board of Education from nonpartisan to partisan, beginning in 2018,
43 with all current members completing their terms of office."

44 **SECTION 1.8.** Sections 1.1 through 1.6 of this act become effective upon
45 ratification of the approval by the voters of the referendum set forth in Section 1.7 of this act.

46 **SECTION 1.9.** If the Rowan County Board of Elections conducts a county-wide
47 election in the County of Rowan prior to January 1, 2018, and a referendum is placed on the
48 ballot at the time of the county-wide election, as required by Section 1.7 of this act, Part II of
49 this act is repealed, effective December 31, 2017.

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1 **PART II. CHANGE TO PARTISAN ELECTION IF REFERENDUM VOTE HELD IN**
2 **2018**

3 **SECTION 2.1.** Sections C and D of Article V of A PLAN FOR MERGER OF
4 THE ROWAN COUNTY SCHOOL AND THE SALISBURY CITY SCHOOLS, as approved
5 by the State Board of Education on December 3, 1987, filed with the Secretary of State in
6 accordance with G.S. 115C-67 on December 21, 1987, and as amended by Section 2 of Chapter
7 890 of the 1987 Session Laws, are repealed.

8 **SECTION 2.2.** Beginning in 2020, the Rowan-Salisbury Board of Education shall
9 consist of seven members who shall be elected one each from a single-member residency
10 district, as described in Section 2.3 of this act, on a partisan basis at the time of the general
11 election by the qualified voters of the entire county in each even-numbered year as terms
12 expire. Only a person residing in a residency district, as described in Section 2.3 of this act,
13 shall be eligible as a candidate in the election for the seat apportioned to that district. The
14 primary and election shall be held and conducted in accordance with the general laws
15 governing primaries and elections for county officers, except as otherwise provided herein.
16 Members elected shall take office and qualify on the first Monday in December of the year of
17 their election, and the terms of their predecessors shall expire at that same time. Members shall
18 serve until a successor has been elected and qualified.

19 As the terms of the members of the Rowan-Salisbury Board of Education elected or
20 appointed to terms beginning in 2016 or 2018 expire, beginning with the primary and election
21 to be held in 2020 and quadrennially thereafter, members for Seats 3, 5, and 7 shall be elected
22 for four-year terms, and beginning with the primary and election to be held in 2022 and
23 quadrennially thereafter, members for Seats 1, 2, 4, and 6 shall be elected for four-year terms.

24 **SECTION 2.3.** The seven residency districts for the Rowan-Salisbury Board of
25 Education are as follows:

- 26 Seat 1: The North Rowan High School attendance zone, except for that portion
27 included in the district for Seat 6.
28 Seat 2: The South Rowan High School attendance zone.
29 Seat 3: The East Rowan High School attendance zone.
30 Seat 4: The West Rowan High School attendance zone.
31 Seat 5: The Salisbury High School attendance zone, except for that portion
32 included in the district for Seat 6.
33 Seat 6: All of the East Spencer, East Ward II, and West Ward III precincts; the
34 portion of East Ward I precinct between Main Street and I-85; the
35 portion of South Ward precinct between Main Street and I-85 and
36 bordered on the south by the Southern Railroad line running from
37 Harrison Street to I-85; the portion of West Ward I precinct north of a
38 line consisting of Wilson Road, Taylor Street, Harrison Street, Fulton
39 Street, and Monroe Street; and the portion of Milford Hills precinct
40 between the Southern Railroad line and Highway 70 (Statesville
41 Boulevard) west of Jake Alexander Boulevard and within the Salisbury
42 city limits.
43 Seat 7: The Southeast Rowan High School attendance zone, except for that
44 portion included in the district for Seat 6.

45 The Rowan-Salisbury Board of Education may revise the residency districts set
46 forth in this section if an adjustment is required for a change in the attendance zones to
47 accommodate a new school, closure of a school, or consolidation of one or more schools.

48 **SECTION 2.4.** The Rowan-Salisbury Board of Education shall be organized as
49 provided under G.S. 115C-41 and with members compensated as provided under
50 G.S. 115C-38. In the case of a vacancy of a member elected in 2016 or 2018 to the
51 Rowan-Salisbury Board of Education, the vacancy shall be filled in accordance with

1 G.S. 115C-37. Beginning with members elected in 2020, vacancies shall be filled as provided
2 in G.S. 115C-37.1. To be eligible for appointment to fill a vacancy, the person must reside in
3 the residency district where the vacancy exists.

4 **SECTION 2.5.** G.S. 115C-37.1(d) reads as rewritten:

5 "(d) This section shall apply only in the following counties: Alleghany, Brunswick,
6 Cherokee, Clay, Davie, Graham, Guilford, Harnett, Iredell, Lee, New Hanover, Rowan,
7 Rutherford, Stanly, Vance, and Washington."

8 **SECTION 2.6.** This act does not affect the terms of office of any person elected in
9 2016 or 2018 to the Rowan-Salisbury Board of Education. The members of the
10 Rowan-Salisbury Board of Education elected in 2016 or 2018, or any member appointed to fill
11 a vacancy of a member elected in 2016 or 2018 until the next election for the members of the
12 Board of Education, shall serve until a successor has been elected and qualified.

13 **SECTION 2.7.** Sections 2.1 through 2.6 of this act become effective only if
14 approved by a majority of the qualified voters of the County of Rowan in a referendum held in
15 accordance with this section. If the Rowan County Board of Elections did not conduct a
16 county-wide election prior to January 1, 2018, with a referendum placed on the ballot as
17 required by Section 1.7 of this act, the Rowan County Board of Elections shall conduct an
18 election on November 6, 2018, with the following question on the ballot:

19 "[] FOR [] AGAINST

20 Candidates for the Rowan-Salisbury Board of Education to be elected as candidates
21 who are affiliated with a political party, thereby changing the election method of the members
22 of the Rowan-Salisbury Board of Education from nonpartisan to partisan, beginning in 2020,
23 with all current members completing their terms of office."

24 **SECTION 2.8.** Sections 2.1 through 2.6 of this act become effective upon
25 ratification of the approval by the voters of the referendum set forth in Section 2.7 of this act.
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27 **PART III. EFFECTIVE DATE**

28 **SECTION 3.** Except as otherwise provided in this act, this act is effective when it
29 becomes law.