

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

**H.B. 42**  
**Feb 6, 2017**  
**HOUSE PRINCIPAL CLERK**

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HOUSE BILL DRH30025-MK-15B (11/22)

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

Sponsors: Representative Warren.

Referred to:

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, and 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1987 Session Laws, are repealed.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.



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

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

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

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

24 **SECTION 1.5.** G.S. 115C-37.1(d) reads as rewritten:  
 25 "(d) This section shall apply only in the following counties: Alleghany, Brunswick,  
 26 Cherokee, Clay, Davie, Graham, Guilford, Harnett, Iredell, Lee, New Hanover, Rowan,  
 27 Rutherford, Stanly, Vance, and Washington."

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

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

38  FOR  AGAINST

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

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

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

49  
 50 **PART II. CHANGE TO PARTISAN ELECTION IF REFERENDUM VOTE HELD IN**  
 51 **2018**

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

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

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

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

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

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

45           **SECTION 2.4.** The Rowan-Salisbury Board of Education shall be organized as  
46 provided under G.S. 115C-41 and with members compensated as provided under G.S. 115C-38. In  
47 the case of a vacancy of a member elected in 2016 or 2018 to the Rowan-Salisbury Board of  
48 Education, the vacancy shall be filled in accordance with G.S. 115C-37. Beginning with members  
49 elected in 2020, vacancies shall be filled as provided in G.S. 115C-37.1. To be eligible for  
50 appointment to fill a vacancy, the person must reside in the residency district where the vacancy  
51 exists.

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

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

5           **SECTION 2.6.** This act does not affect the terms of office of any person elected in  
6 2016 or 2018 to the Rowan-Salisbury Board of Education. The members of the Rowan-Salisbury  
7 Board of Education elected in 2016 or 2018, or any member appointed to fill a vacancy of a  
8 member elected in 2016 or 2018 until the next election for the members of the Board of Education,  
9 shall serve until a successor has been elected and qualified.

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

16   " FOR        AGAINST

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

21           **SECTION 2.8.** Sections 2.1 through 2.6 of this act become effective upon ratification  
22 of the approval by the voters of the referendum set forth in Section 2.7 of this Part.  
23

### 24 **PART III. EFFECTIVE DATE**

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