



HOUSE BILL 189: Rockingham Co. School Bd

2015-2016 General Assembly

Committee:	Senate State and Local Government	Date:	May 18, 2015
Introduced by:	Reps. Jones, Holloway	Prepared by:	R. Erika Churchill
Analysis of:	PCS to Second Edition H189-CSST-49		Committee Counsel

SUMMARY: *The proposed committee substitute for House Bill 189 would do all of the following:*

- *Reduce the membership of the Rockingham County Board Education by reducing the number of the members elected by district from six to four and reducing the number of at-large members from five to three, if these changes are approved by the voters in a referendum. The pcs would also provide for new districts from which the four members to be elected by district must reside and run.*
- *Change the method of election for the Rockingham County Board of Education from nonpartisan to partisan.*
- *Clarify the method of filling vacancies on the Rockingham County Board of Education.*

PART I. REDUCTION IN THE NUMBER OF BOARD MEMBERS

CURRENT LAW: Currently, the Rockingham County Consolidated Board of Education consists of 11 members who serve staggered four-year terms. Five members are elected from the county at-large, and six members are each elected from single-member districts by the voters in that district. The five at-large members were elected in 2014, and their terms expire in 2018. The six members from districts were elected in 2012, and their terms expire in 2016.

BILL ANALYSIS: Section 1.1 would repeal the current law that applies to Rockingham County Consolidated Board of Education elections.

Effective from the first Monday in December of 2016, Section 1.2 would reduce the number of members on the Board of Education from eleven to nine. Four of the members would be elected from single-member districts by the voters in that district. Terms would still be for four years, and the five at-large members who were elected in 2014 would continue serving until the expiration of their terms in 2018.

Effective from the first Monday in December of 2018, Section 1.3 would reduce the number of members on the Board of Education from nine to seven. The four members who were elected from single-member districts in 2016 would continue to serve until the expiration of their terms in 2020, and those seats would be up for reelection in 2020 and every four years thereafter. Three at-large members would be elected in 2018 and every four years thereafter.

Section 1.4 would establish the new district boundaries beginning in 2016. Please see the map and statistical package, printed separately.

Until the 2018 election of at-large members, Section 1.5 would prohibit the Board of Commissioners from appointing a replacement for a vacancy of an at-large member of the Board of Education unless there are fewer than three at-large members serving.

O. Walker Reagan
Director



Research Division
(919) 733-2578

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House Bill 189

Page 2

Section 1.6 would require the qualified voters of Rockingham County to approve the changes in Part I of this bill in a referendum to be held on May 3, 2016.

EFFECTIVE DATE: Sections 1.1 through 1.5 of this act become effective upon ratification of the approval by the voters of the referendum set forth in Section 1.6 of this act. Section 1.6 is effective when it becomes law.

PART II. CHANGE IN THE MANNER OF ELECTION TO PARTISAN

CURRENT LAW: Elections for the Board of Education take place on the Tuesday after the first Monday in November of each even-numbered year. Elections are decided on a nonpartisan plurality basis under G.S. 163-292, and all the newly elected board members take office on the first Monday in December following their election.

BILL ANALYSIS: Sections 2.1 would repeal the current law regarding the manner of election.

Beginning in 2018, Section 2.2 would change the manner of election of members of the Board of Education from nonpartisan to partisan as terms expire. Candidates would be nominated at the same time and in the same manner as other county officers. Members who are elected to the Board of Education would take office and qualify on the first Monday in December of the year of their election. This section would not affect the terms of office of any person elected in 2014 or 2016.

EFFECTIVE DATE: Part II becomes effective January 1, 2018.

PART III. BOARD VACANCIES

CURRENT LAW: In the case of any vacancy on the Board of Education, the Board of Commissioners must appoint a replacement to serve the remainder of the unexpired term. The Board of Education nominates one or more persons for each vacancy, and the Board of Commissioners must pick from among those nominees.

BILL ANALYSIS: Section 3.1 would repeal the current law regarding vacancies on the Board of Education.

Section 3.2 would provide that for any vacancy on the Board of Education, the Rockingham County Board of Commissioners must appoint a replacement to serve the remainder of the unexpired term. The Board of Education would be able to nominate one or more persons for each vacancy to submit to the Board of Commissioners for consideration within 30 days from the date the seat becomes vacant, but the Board of Commissioners would not have to choose from among those nominees. If the vacating member was elected as a nominee of a political party, the Board of County Commissioners would need to select a replacement who is also a member of that political party.

EFFECTIVE DATE: Part III becomes effective when it becomes law and applies to vacancies occurring on or after that date.

Kelly Q. Tornow substantially contributed to this summary.