State Legislator Trying to Control Harnett County “TAKE Action Now”

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The Dispatch just discovered that a local bill was just introduced in the NC House that would take away the power of the Current County Commissioners and School Board that we elected. Rep Lewis is our house member and this bill was never disclosed nor brought to the attention of the taxpayers of Harnett County, instead it was put in place without the general public knowing... They are trying to take the hiring and firing power of county Manager and School Superintendent out of the hand of the people we elected..

You can help stop this bill by contacting your State Senator Now, call and say no to Bill 1108 it takes the power out of our elected officials for the benefit of those who don’t control the board now.

CALL NOW AND SHARE WITH ALL HARNETT COUNTY TAXPAYERS>>>>THIS IS IMPORTANT

Senator Ron Rabin (919) 733-5748

David Lewis 919-715-3015

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H **2**

HOUSE BILL 1108
Committee Substitute Favorable 5/28/14

Short Title: Duplin BCC Elections/Harnett Vacancies. (Local)

Sponsors:

Referred to:

May 19, 2014

A BILL TO BE ENTITLED

AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY, TO PROVIDE THAT VACANCIES ON THE HARNETT COUNTY BOARD OF COMMISSIONERS AND SCHOOL BOARD ARE FILLED IN ACCORDANCE WITH G.S. 153A-27.1 AND G.S. 115C-37.1, AND TO PROVIDE THAT ANY EMPLOYMENT CONTRACT FOR CERTAIN LOCAL OFFICIALS IN HARNETT COUNTY MUST BE DONE BY UNANIMOUS VOTE IN CERTAIN INSTANCES.

The General Assembly of North Carolina enacts:

SECTION 1. Sections 2 and 7 of Chapter 966 of the 1987 Session Laws are repealed.

SECTION 2. Section 3 of Chapter 966 of the 1987 Session Laws reads as rewritten:

"Sec. 3. ~~Following the 1988 election incumbent commissioners Vance Alphin and Willis Sholar, each of whose term does not expire until 1990, shall be designated as the members representing the districts in which they reside, which are Districts II and III, respectively. If either of those members leaves office before the expiration of his term, the person appointed to replace him must reside in the same district.~~Effective the first Monday in December of 2014, the terms of office of the commissioners elected in 2010 to represent District II or III respectively, or any person appointed to replace those commissioners, shall expire. Effective the first Monday in December of 2014 until the expiration of the commissioner's term of office in 2016, the incumbent commissioner previously representing District IV shall be designated as the commissioner representing District III, the incumbent commissioner previously representing District V shall be designated as the commissioner representing District IV, and the incumbent commissioner previously representing District VI shall be designated as the commissioner representing District V. If any commissioner leaves office prior to the end of commissioner's term, the person appointed or elected to replace that commissioner must reside in the same district that commissioner was designated to represent."

SECTION 3. Section 4 of Chapter 966 of the 1987 Session Laws reads as rewritten:

"Sec. 4. ~~Following the 1988 election, incumbent commissioner Dovie L. Penney, whose term does not expire until 1990, shall be designated as an at-large member, giving the Board of Commissioners a temporary, seventh member. When Ms. Penney leaves office, through the expiration of her term, resignation or otherwise, no replacement will be selected and the board will then consist of six members only.~~Effective the first Monday in December of 2014, the

terms of office of the Board of Education members elected in 2010 to represent District II, III, or IV respectively, or any person appointed to replace those members, shall expire. Effective the first Monday in December of 2014 until the expiration of the Board of Education member's term of office in 2016, the incumbent Board of Education member previously representing District V shall be designated as the member representing District IV, and the incumbent Board of Education member previously representing District VI shall be designated as the member representing District V. If any Board of Education member leaves office prior to the end of member's term, the person appointed or elected to replace that member must reside in the same district that Board of Education member was designated to represent."

SECTION 4. Section 6 of Chapter 966 of the 1987 Session Laws, as amended by S.L. 2013-320, reads as rewritten:

"Sec. 6. In 2014, and every four years thereafter, one member of the Board of Education each shall be elected from Districts II and III. In 2016, and every four years thereafter, one member of the Board of Education each shall be elected from Districts I, IV, and V."

SECTION 5.(a) G.S. 153A-27.1(h) reads as rewritten:

"(h) This section shall apply only in the following counties: Alamance, Alexander, Alleghany, Avery, Beaufort, Brunswick, Buncombe, Burke, Cabarrus, Caldwell, Carteret, Cherokee, Clay, Cleveland, Cumberland, Dare, Davidson, Davie, Forsyth, Graham, Guilford, Harnett, Haywood, Henderson, Hyde, Jackson, Lee, Lincoln, Macon, Madison, McDowell, Mecklenburg, Moore, Pender, Polk, Randolph, Rockingham, Rutherford, Sampson, Stanly, Stokes, Transylvania, and Yancey."

SECTION 5.(b) G.S. 115C-37.1(d) reads as rewritten:

"(d) **(Effective until December 5, 2016)** This section shall apply only in the following counties: Alleghany, Brunswick, Graham, Harnett, Lee, New Hanover, Vance, and Washington.

(d) **(Effective December 5, 2016)** This section shall apply only in the following counties: Alleghany, Brunswick, Graham, Guilford, Harnett, Lee, New Hanover, Vance, and Washington."

SECTION 5.(c) This section applies only to the County of Harnett.

SECTION 6.(a) G.S. 115C-47(13) reads as rewritten:

"(13) To Elect a Superintendent. – The local boards of education shall elect superintendents subject to the requirements and limitations set forth in G.S. 115C-271. If the election of the superintendent by the local board occurs within seven months before the meeting in which newly elected members of the local board qualify under G.S. 115C-37(d), the election and terms thereof shall be by unanimous vote of the local board."

SECTION 6.(b) G.S. 153A-81 reads as rewritten:

"Part 2. Administration in Counties Having Managers.

"**§ 153A-81. Adoption of county-manager plan; appointment or designation of manager.**

(a) The board of commissioners may by resolution adopt or discontinue the county-manager plan. If it adopts the county-manager plan, the board may, in the alternative:

(1) Appoint a county manager to serve at its pleasure. The manager shall be appointed solely on the basis of his executive and administrative qualifications. He need not be a resident of the county or the State at the time of his appointment.

(2) Confer upon the chairman or some other member of the board of commissioners the duties of county manager. If this is done, the chairman or member shall become a full-time county official, and the board may increase his salary pursuant to G.S. 153A-28.

(3) Confer upon any other officer, employee, or agent of the county the duties of county manager.

As used in this Part, the word "manager" includes the chairman or any member of the board of commissioners exercising the duties of manager or any officer, employee, or agent of a county exercising the duties of manager.

(b) If the appointment of the manager under subsection (a) of this section by the board of commissioners occurs within seven months before the meeting in which newly elected members of the board take the oath of office under G.S. 153A-26, the appointment and terms thereof shall be by unanimous vote of the board of commissioners."

SECTION 6.(c) This section applies only to the County of Harnett.

SECTION 7. This act is effective when it becomes law.