

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 787
HOUSE BILL 1190

AN ACT TO PROVIDE FOR THE ELECTION OF THE MEMBERS OF THE
BOARD OF EDUCATION OF CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. Notwithstanding the provisions of Article 5 of Chapter 115 of the General Statutes of North Carolina, the Board of Education of Caldwell County shall consist of five members elected for terms of office as hereinafter provided.

Sec. 2. The members of the Board of Education of Caldwell County shall be elected in a nonpartisan election to be held at the same time as the regular primary election held for the nomination of county officers in Caldwell County for the year 1968. The candidates for the office of membership on the Board of Education of Caldwell County shall file a notice of candidacy with the County Board of Elections of Caldwell County at least 30 days prior to the date of holding said primary election, and said notice of candidacy shall be accompanied by a filing fee of five dollars (\$5.00). As above stated, the candidates for the offices of membership on the Board of Education of Caldwell County shall be elected on a nonpartisan basis, and said election shall be held at the same time as the primary election for other county officers. The notice of candidacy shall state the name, age and residence of the candidate, along with a statement that such candidate desires to be voted upon as a member of said Caldwell County Board of Education. In said election the two members receiving the highest number of votes shall serve for a term of six years, the next two members receiving the highest number of votes in descending order shall serve for terms of four years, and the next single member receiving the highest number of votes in descending order shall serve for a term of two years. Thereafter, all candidates shall be elected for terms of six years each. The candidates so elected shall take office on the first Monday in December of the year in which they are elected.

Sec. 3. No candidate shall file as the member of any political party and at said election a separate ballot entitled "School Board" shall be used, and such ballot shall be distributed to all qualified voters desiring to vote in said election without regard to the political affiliation of said voter: Provided, however, nothing herein shall be construed to exclude an independent or person not affiliated with either of the major parties from voting in said election.

Sec. 4. All candidates whose terms of office expire shall be elected in the same manner as herein provided and at the primary election to be held in the year in which said terms of office expire. In those years in which two vacancies exist by reason

of the expiration of terms of office, the two candidates receiving the highest number of votes in said election shall be declared elected; in those years in which only one vacancy exists by reason of the expiration of the term of office, the candidate receiving the highest number of votes in the said election held at the same time as the primary election shall be declared to be elected. In the event the number of candidates does not exceed the number of vacancies to be filled no election shall be necessary, and the candidates shall be declared elected. Vacancies on the board which arise during a term of office shall be filled for the unexpired term by the majority vote of the remaining members of the Board of Education of Caldwell County.

Sec. 5. The present members of the Board of Education of Caldwell County shall hold their offices until the first Monday in December, 1968, or until their successors are elected and qualified. All members elected in any election shall take office on the first Monday in December of the year in which the year elected.

Sec. 6. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 7. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 14th day of June, 1967.