NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 532
HOUSE BILL 515

AN ACT TO PROVIDE FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE BUNCOMBE COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. The Buncombe County Board of Education shall consist of seven members who shall serve for terms of four years each, and, for purposes of electing members of said board, the Buncombe County School Administrative Unit shall consist of all of Buncombe County outside of and excluding the City of Asheville School Administrative Unit and shall include and is divided into seven districts bounded and described as follows:

District #1, A.C. Reynolds School Attendance Zone
District #2, T.C. Roberson School Attendance Zone
District #3, Enka School Attendance Zone
District #4, Clyde Erwin School Attendance Zone
District #5, North Buncombe School Attendance Zone
District #6, Charles D. Owen School Attendance Zone
District #7, Buncombe County School Administrative Unit at large.

Sec. 2. The terms of office of the present members of the Buncombe County Board of Education shall expire on the first Monday in December, 1976, when their successors are elected and qualified.

Sec. 3. In the primary election to be held in Buncombe County in 1976, there shall be conducted a nonpartisan primary election to narrow the field of candidates from each district to two candidates for membership on the Buncombe County Board of Education. If, when the filing period closes, there are no more than two candidates from a particular district, no primary shall be held for that district and the candidates shall be declared nominated for election to represent the particular district.

In the primary to be voted on at large by the eligible voters resident in the Buncombe County School Administrative Unit, the two candidates from each district receiving the highest number of votes shall be declared nominated for election to represent the particular district. In the general election to be held in 1976, the names of those candidates declared nominated without a primary and those candidates nominated in the primary shall be placed on the ballot, showing their candidacy for election in the particular districts in which they reside. The ballot shall permit each voter to vote for one candidate only to represent each of the seven districts and of the two nominees to represent each district the one receiving the greater number of votes shall be elected as the member of the Buncombe County Board of Education from that District. Of the

candidates elected from each of the seven districts, the four candidates receiving the highest number of votes in the general election shall be elected to the Buncombe County Board of Education for a term of four years. The three candidates elected from the particular districts receiving the next highest number of votes shall be elected for a term of two years. Biennially thereafter, each candidate elected in the general election as herein provided for shall be elected for a term of four years.

Sec. 4. The members representing the various districts on the Buncombe County Board of Education shall be residents of these said districts and shall file with the County Board of Elections of Buncombe County a notice of candidacy which shall give the candidate's name, address, place of residence and a statement that he desires to be a candidate for membership on the said Buncombe County Board of Education for the district in which he resides. The nomination and election of said members of said board of education shall be by nonpartisan election. The Board of Elections of Buncombe County shall prepare a separate ballot for the nomination and election of said members which shall, among other things, contain the name of the candidate, the school district that he desires to represent and shall not contain any reference to party affiliation in any manner or form. The candidates for membership on the Buncombe County Board of Education shall be voted on at large by the eligible voters resident in the Buncombe County School Administrative Unit, and the Board of Elections of Buncombe County shall canvass and judici**a**lly determine the results of said election and declare the members so elected. All persons so elected shall serve until their successors are elected and qualified, and any vacancy occurring on the Buncombe County Board of Education by death, resignation or by change of residency from the district from which any such person was elected, or otherwise shall be filled by the Senior Resident Superior Court Judge of Buncombe County for the unexpired term, but the person appointed to fill such vacancy must be from the same district as the person whose death, resignation or removal created the vacancy on the said Buncombe County Board of Education.

Sec. 5. Persons so elected to the Buncombe County Board of Education pursuant to this act shall take office on the first Monday in December next following their election.

Sec. 6. The Chairman of the Buncombe County Board of Education shall be compensated for his services on the board in the amount of one hundred dollars ($100.00) per month. The other members of the board shall receive fifty dollars ($50.00) per month as compensation.

Sec. 7. The election of said members of the Buncombe County Board of Education in the various primary and general elections as hereinabove provided for shall be governed by Chapter 163 of the General Statutes, relating to primaries and elections, insofar as the same may be applicable and not in conflict with the expressed terms of this act. The Buncombe County Board of Elections is hereby authorized and empowered to create any necessary precincts, to appoint any necessary election officials and to set up and establish all necessary books and records for the conduct of said elections.

Sec. 8. At the first meeting of the new Buncombe County Board of Education in December next following their election, the members of said board shall organize by electing one of their members as chairman for a period of one year, or until his

successor is elected and qualified. The Chairman of the Buncombe County Board of Education shall preside at the meetings of the board, and in the event of his absence or sickness, the board may appoint one of their members temporary chairman.

Sec. 9. Chapter 274, 1967 Session Laws, is hereby repealed. All other laws in conflict with this act are hereby repealed.

Sec. 10. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 10th day of June, 1975.