

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 261
SENATE BILL 300

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

The General Assembly of North Carolina do enact:

Section 1. The Board of Education of Johnston County shall continue to be constituted with five members as its membership, and the present members of the Board of Education of Johnston County shall continue to hold their offices for the terms of office now established and until the term of office of each member has expired as follows:

Norman B. Grantham	First Monday in December, 1970
E. W. Ellis	First Monday in December, 1970
Ray A. Boyette	First Monday in December, 1972
Harold Medlin	First Monday in December, 1974
John M. Radford	First Monday in December, 1974

and his successor has been elected and qualified as hereinafter set forth.

Sec. 2. At the primary election to be held in the year 1970 for the nomination of county officers, there shall be nominated by the political parties, as defined in Chapter 163 of the General Statutes, two candidates for membership on the Board of Education of Johnston County. The candidates of the political parties shall file notice of candidacy with the Board of Elections of Johnston County by 12:00 o'clock Noon on or before the Friday preceding the sixth Saturday before such primary election is to be held, which notice shall state the name of each candidate, age, place of residence and political party with which he affiliates, and which shall be accompanied by a filing fee of five dollars (\$5.00). The primary election shall be conducted according to the laws applicable to primaries for the nomination of county officers and as provided by Chapter 163 of the General Statutes, as amended. The candidates shall be voted on at large by the voters or eligible electors of Johnston County, and the results declared according to said primary laws. At the general election to be held in Johnston County for the year 1970, the candidates of the political parties so nominated shall be voted upon by the electors of the County at large, and the two nominees receiving the highest number of votes in descending order shall be declared to be elected as members of the Johnston County Board of Education and shall take office and qualify on the first Monday in December, 1970, and shall hold office for terms of six years or until their successors are elected and qualified.

Sec. 3. In the primary election to be held in Johnston County in the year 1972 for the nomination of candidates for county officers, there shall be nominated one

candidate from each of the political parties for the Board of Education of Johnston County, and the filing of notice of candidacy, filing fees and other procedure, as set forth above in Section 2 of this Act, shall be followed in the primary of 1972. In said primary one candidate shall be declared to be the nominee of each party according to said primary laws. The candidates so nominated in the primary of 1972 shall be elected in the general election of 1972, and the nominee receiving the highest number of votes shall be declared to be elected to the Board of Education of Johnston County and shall serve for a term of six years or until his successor is elected and qualified.

Sec. 4. At the primary election to be held in the year 1974 for the nomination of candidates for county officers, there shall be nominated two candidates from each of the political parties for membership on the Johnston County Board of Education. The filing of notice of candidacy, filing fees and other procedure, as set forth in Section 2 of this Act, shall be followed in the primary of 1974. Two candidates from each political party shall be declared to be the nominees of their party, according to said primary laws. The candidates of each political party so nominated shall be elected in the general election of the year 1974, and the two candidates receiving the highest number of votes in descending order shall be declared to be elected to membership on the Johnston County Board of Education and shall serve for terms of six years each or until their successors are elected and qualify. All candidates in any primary and all nominees in any general election shall be voted upon by the electors of Johnston County at large. Thereafter, as vacancies occur in the membership of the Johnston County Board of Education by reason of expiration of terms of office, they shall be filled by nomination in the primaries and by election in the general elections according to the number of vacancies to be filled and according to the procedure set forth in this Act.

Sec. 5. In case of a vacancy on the Board of Education of Johnston County caused by death, resignation, change of residence, failure to qualify, or for any other cause whatsoever, the vacancy shall be filled by the executive committee of the political party of the member causing the vacancy until the next primary and general election to be held in Johnston County for the nomination and election of County officers when a candidate shall be nominated and elected for the remainder of the unexpired term.

Sec. 6. The Chairman of the Board of Education of Johnston County shall be elected by the members of said Board of Education at the first regularly scheduled meeting in January of each year, and the Superintendent of Schools of Johnston County shall ex officio be the Secretary of said Board of Education. The said Board of Education of Johnston County shall continue to exercise all the powers and duties as provided by Chapter 115 of the General Statutes, as amended, or as may be provided by any local act of the General Assembly applicable to Johnston County.

Sec. 7. The method or procedure of organizing the Board of Education of Johnston County as set forth in this Act and the method or procedure for nominating and electing the members of the Board of Education of Johnston County as set forth in this Act shall be the sole, only and controlling Act for the organization and election of the members of said Board of Education of Johnston County. No Act which purports to appoint members of said Board of Education or to organize or constitute the Board of Education of Johnston County other than as set forth in this Act shall be valid or have

any force and effect. Any and all provisions of the Omnibus Act of 1969 relating to the appointment of certain members of the Board of Education of the respective counties of North Carolina as set forth and applied to Johnston County are hereby repealed and no appointments made under said Omnibus Act of 1969 to the Board of Education of Johnston County shall be valid.

Sec. 8. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 9. 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 22nd day of April, 1969.