

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 439
HOUSE BILL 789

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

The General Assembly of North Carolina do enact:

Section 1. The Board of Education of Rutherford County shall continue to be composed of six members. The three members appointed to said Board of Education by the provisions of Chapter 130 of the Session Laws of 1967, for terms of four years shall continue to hold their offices until the first Monday in December, 1970. The three members appointed under the Omnibus Board of Education Act of 1969 (H.B. 378) for terms of four years shall continue to hold their offices until the first Monday in December, 1972.

Sec. 2. The members of the Board of Education of Rutherford County shall be nominated from the attendance area of three high school districts, which are as follows: The attendance area of Rutherfordton-Spindale Central High School, including in said area the attendance area of Union Mills High School; the attendance area of East High School; and the attendance area of Chase High School. The political parties shall be entitled to nominate two members on said Board of Education from each attendance area as hereinafter set forth. The members nominated from each of said attendance areas shall be residents and electors in such areas and shall designate the areas from which they are candidates when they file notice of candidacy as well as party affiliation of each such person desiring to be nominated.

Sec. 3. At the primary election to be held for the nomination of County Officers of Rutherford County for the year of 1970, each political party shall be entitled to nominate three members consisting of one member from each of the above designated attendance areas for the office of member of the Board of Education of Rutherford County, the said three members to be nominated for terms of four years each. At the primary election to be held for the nomination of County Officers of Rutherford County for the year of 1972, each political party shall be entitled to nominate three members of the Board of Education of Rutherford County, consisting of one member from each of the above described attendance areas, the said three members to be nominated for terms of four years each. Biennially thereafter, each political party shall be entitled to nominate three members of said Board, consisting of one member from each of the above attendance areas, to be nominated for terms of four years each. All candidates shall be voted on by the voters of Rutherford County at large in the aforementioned primary elections.

Sec. 4. All persons desiring to be candidates for membership on said Board of Education from each of the three attendance areas shall file notice of candidacy stating the name, age and attendance area in which such person resides and votes, which said notice of candidacy shall be filed with the Chairman of the County Board of Elections of Rutherford County on or before the Friday preceding the sixth Saturday before the date of said primary election. The three candidates in said primary of each political party receiving the highest number of votes shall be declared to be nominated by said Board of Elections and there shall be no second primary.

Sec. 5. The nominees of the political parties selected in accordance with the provisions of this Act shall be placed upon the County Ballot at the next succeeding general election, and the candidates equal in number to the positions to be filled who receive the highest number of votes at said general election shall be declared to be elected to membership on said Board of Education of Rutherford County.

Sec. 6. It should be the duty of the Rutherford County Board of Education to post at the Courthouse door of Rutherford County on or before January 10th, prior to the holding of any primary for the nomination of members of said Board of Education, a description of the boundaries of each of the above attendance areas, including any changes which may have been made in said boundaries, and a description of said attendance areas as fixed by said Board of Education and posted on the Courthouse door shall be the attendance areas from which said candidates are nominated.

Sec. 7. The members of said Board of Education elected as herein provided shall take office on the first Monday in December of the year in which they are elected and shall hold their offices for terms of four years each until their successors are elected and qualified. Any vacancy occurring in said Board of Education by reason of death, resignation, removal from office, change of residence or otherwise, shall be filled by the remaining members of said Board of Education for the unexpired term.

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 7th day of May, 1969.