

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 874
HOUSE BILL 807

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

The General Assembly of North Carolina do enact:

Section 1. The Board of Education of Catawba County shall continue to be constituted with five members as its membership, and the present members of the Board of Education of Catawba 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:

H.T. Campbell	First Monday in December, 1970
Fred H. Lytton	First Monday in December, 1970
Martin S. Keisler	First Monday in December, 1972
Bruce Teague	First Monday in December, 1972
John Hunsucker	First Monday in December, 1972

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

Sec. 2. At the general election for county officers to be held in Catawba County in 1970, there shall be elected two members of the Board of Education of Catawba County. At the general election for county officers to be held in 1972, there shall be elected three members of the Board of Education of Catawba County. All members so elected shall hold their offices for four years, and until their successors are elected and qualified. Thereafter, as vacancies occur in the membership of the Board of Education of Catawba County 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. 3. All persons desiring to be candidates for membership on said Board of Education shall file notice of candidacy with the Board of Elections of Catawba County by 12:00 noon on or before the Friday preceding the sixth Saturday before the primary election for the nomination of county officers to be held, which notice shall state the name of each candidate, his age and place of residence, and which shall be accompanied by a filing fee of ten dollars (\$10.00). If the number of candidates filing for membership on said Board of Education shall not exceed twice the number of vacancies occurring by reason of expiration of terms of office then no primary election will be necessary, and the County Board of Elections shall certify such candidates as the nominees to be voted upon at the general election. If the number of candidates filing for membership on said Board of Education shall exceed twice the number of vacancies occurring by reason of

expiration of terms of office, a separate ballot shall be provided by the County Board of elections and a primary election held with respect thereto at the same time fixed by law in primary elections for the nomination of candidates for county officers. In such primary, the number of candidates, equal to twice the number of vacancies to be filled, receiving the highest number of votes in descending order shall be declared the nominees and the County Board of Elections shall certify such candidates as the nominees to be voted upon at the general election. Such primary elections for the selection of the nominees for the Board of Education shall be nonpartisan and no political party affiliation shall be used by any candidate, and no political party affiliation shall be shown on said primary ballot.

Sec. 4. The general election shall be nonpartisan and there shall be a separate ballot provided by the County Board of Elections with the names of the nominees printed thereon with appropriate instructions for use in the general elections, and no political party affiliation shall be shown on said ballot and no political party affiliation shall be used by any candidate. At the general election the candidates equalling in number to the number of vacancies to be filled, receiving the highest number of votes in descending order shall be declared to be elected to membership on the Board of Education of Catawba County; and shall take office and qualify on the First Monday in December following their election.

Sec. 5. All candidates in any primary and all nominees in any general election held under this Act shall be qualified electors of Catawba County who reside outside the boundaries of the Hickory Administrative School Unit and the Newton-Conover Administrative School Unit, and shall be voted upon at large by the electors in Catawba County who reside outside the boundaries of the Hickory Administrative School Unit and the Newton-Conover Administrative School Unit.

Sec. 6. In case of a vacancy on the Board of Education of Catawba County caused by death, resignation, change of residence, failure to qualify, or for any other cause whatsoever, the vacancy shall be filled by the Board of Commissioners of Catawba County until the next primary and general election to be held in Catawba 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. 7. The Chairman of the Board of Education of Catawba County shall be elected by the members of said Board of Education at a special meeting to be held on the first Monday in December of 1970 and each two years thereafter immediately following the qualifying of newly-elected members, and the Superintendent of Schools of Catawba County shall ex officio be the Secretary of said Board of Education. The said Board of Education of Catawba 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 Catawba County.

Sec. 8. The method or procedure of organizing the Board of Education of Catawba County as set forth in this Act and the method or procedure for nominating and electing the members of the Board of Education of Catawba 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 Catawba County. No Act which purports to

appoint members of said Board of Education or to organize or constitute the Board of Education of Catawba 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 Catawba County are hereby modified to the extent that the terms of such appointments conflict with this Act.

Sec. 9. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 10. 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 16th day of June, 1969.