

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 172
HOUSE BILL 474

AN ACT TO MODIFY THE METHOD OF SELECTION OF MEMBERS OF THE
BOARD OF EDUCATION OF THE WHITEVILLE CITY SCHOOL
ADMINISTRATIVE UNIT.

The General Assembly of North Carolina enacts:

Section 1. Chapter 168, Session Laws of 1975, is hereby repealed, effective May 2, 1977.

Sec. 2. L. D. Baldwin, Dr. W. C. Burns, Lewis S. Cokley, F. J. Corbett, J. B. Davis, Bill Friedman, Carolyn High, Billy Hooks, Harry "Bobby" Jordan, Catherine Powell Lee, Katie Powell, A. Julius Smith, Howard Straughan, Lionel Todd, and E. L. White are hereby appointed members of the Board of Education of the Whiteville City Administrative Unit.

Sec. 3. The above named members shall begin their terms of office on the first Monday in May 1977, and the terms of office of the above named members shall continue until their successors are duly elected, appointed and qualified as hereinafter provided.

Sec. 4. The Board of Education of the Whiteville City School Administrative Unit shall be composed of nine members. Five shall be elected and four shall be appointed as hereinafter provided.

Sec. 5. The elected members of the Board of Education of the Whiteville City School Administrative Unit shall be elected on a nonpartisan basis and all elected members shall serve for terms of four years except for the initial terms which shall be staggered as hereinafter provided; all appointed members shall serve for terms of two years. Candidates for the elected positions shall file notice of candidacy with the Columbus County Board of Elections not more than 150 days nor less than 90 days prior to the time of the general elections in North Carolina.

Sec. 6. The election for five members of the board shall be held in 1978, and biennially thereafter, at the time of the general elections in North Carolina, and shall be conducted according to the provisions of the General Statutes then governing elections. Members of the board so elected shall take office on the first Monday in April 1979. Those members appointed by the General Assembly shall take office on the same date as elected members.

Sec. 7. The elected members of the Board of Education of the Whiteville City Administrative Unit shall be elected by those voters residing within the boundaries of the Whiteville City Administrative Unit. The appointed members of the Board of

Education of the Whiteville City Administrative Unit shall be appointed by the General Assembly from qualified voters residing within the boundaries of the Whiteville City Administrative Unit. Once appointed or elected, each member shall hold office until his or her successor has been duly elected or appointed.

Sec. 8. At the first election hereunder during the year 1978, the three candidates receiving the highest number of votes shall be elected for terms of four years, and the two candidates receiving the next highest number of votes shall be elected for terms of two years. Thereafter, all elected members shall be elected for terms of four years.

Sec. 9. After the election for elected members in 1978, and at least 10 days before the members are to take office, the General Assembly shall appoint four members for terms of two years. Thereafter, all appointed members shall be appointed for terms of two years, and their appointment shall be made by the General Assembly at least 10 days prior to the time for taking office and after the election for elected members.

Sec. 10. Any vacancy on the board caused by death, resignation, removal from the administrative unit, or any other reason, shall be filled within 15 days by the remaining board members and the person appointed shall serve for the unexpired term of the member causing the vacancy. In the event there is a tie vote for the filling of a vacancy, the resident superior court judge shall, within 15 days, cast the deciding vote. In the event the remaining board members do not appoint some person to fill the vacancy within 15 days after said vacancy occurs, the resident superior court judge shall appoint some person to fill said vacancy; provided, any vacancy occurring among the members appointed by the General Assembly shall be filled by the General Assembly if the General Assembly is in session.

Sec. 11. The board shall hold its organizational meeting on the day the terms begin and shall elect from its membership a chairman, a vice-chairman and a secretary. The officers shall serve for one year, but shall be eligible to succeed themselves.

Sec. 12. The Board of Education of the Whiteville City Administrative Unit shall have the authority to set the salary, if any, of the members of said board by resolution, with said salary not to exceed that of the members of the Columbus County Board of Education.

Sec. 13. This act is applicable only to the Board of Education of the Whiteville City Administrative Unit.

Sec. 14. Except as otherwise provided herein, the election shall be held and conducted by the county board of elections in accordance with the laws, rules and regulations governing elections for county offices.

Sec. 15. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 11th day of April, 1977.