

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 308
HOUSE BILL 863

AN ACT TO PROVIDE FOR ELECTION OF MEMBERS OF THE GOLDSBORO CITY BOARD OF EDUCATION AND TO FIX THEIR TERMS OF OFFICE.

The General Assembly of North Carolina enacts:

Section 1. Individuals currently serving as members of the Goldsboro City Board of Education for the Goldsboro City School Administrative Unit shall hold terms of office hereby established as follows:

Robert W. Powell, George E. Wilson, Charles S. Norwood, Jr., and a vacancy to be filled as hereinafter provided for terms to expire November 1977.

Betty S. Wilkins, Charles E. Waller, L. Thomas Dortch, W. Harrell Everett, Jr., and Louis E. Marriner for terms to expire November 1979.

All terms shall run to the dates specified for the members as hereinabove set forth and until their successors are duly elected and qualified.

Sec. 2. From and after the effective date of this act, the Board of Education of the Goldsboro City School Administrative Unit (to be known as the Goldsboro City Board of Education) shall consist of nine members. At a special election to be held in the City of Goldsboro in November 1977, there shall be elected on a nonpartisan simple plurality basis pursuant to G.S. 163-279(1) four members to the Goldsboro City Board of Education who shall hold terms of four years commencing November 1977, and continuing until their successors are elected and qualified. At the time of the municipal election held in the City of Goldsboro in November 1979, there shall be elected on a nonpartisan simple plurality basis as set forth above five members of the Goldsboro City Board of Education who shall hold terms of four years commencing November 1979, and continuing until their successors are elected and qualified. Biennially thereafter, there shall be elected on a nonpartisan simple plurality basis as set forth above to the Goldsboro City Board of Education in elections held in the City of Goldsboro the number of members necessary to fill vacancies which shall arise during the calendar year of such election, it being understood that such members to be elected at subsequent elections shall hold terms of four years and until their successors are elected and qualified.

Sec. 3. Candidates for election to the Goldsboro City Board of Education shall file notices of candidacy in the same manner as presently provided for such notices to be filed by candidates for election to the Goldsboro Board of Aldermen. Ballots shall be prepared as in the case of preparation of ballots for aldermen, listing the names of the candidates who have filed for election to membership on the said Goldsboro City Board

of Education, without reference to any party affiliation, and the said candidates shall be voted upon by qualified voters of the Goldsboro City School Administrative Unit. The registration and election shall be conducted insofar as practicable in accordance with the provisions of law relating to municipal primaries and elections applicable to the City of Goldsboro. All persons presently registered on voter registration records of Wayne County and who reside within the boundaries of the Goldsboro City School Administrative Unit shall be eligible to vote in the election as set forth in Section 2 above and shall not be required to reregister for such elections.

Sec. 4. If more than twice the number of candidates file for office than there are vacancies on the board to be filled, a primary election shall be held. The number of candidates equal to twice the number of vacancies to be filled who receive the highest number of votes in the primary election shall be certified as the only candidates whose names shall be placed on the ballot for the election. If not more than twice the number of candidates file for office than there are vacancies on the board to be filled, no primary shall be held as to such candidates and they shall be declared nominated and only their names shall be placed on the ballot for the election.

Sec. 5. The Wayne County Board of Elections shall canvass the primary and election returns and declare the results in the same manner and at the same time as a canvass is made for the primary and election returns for members of the Goldsboro Board of Aldermen as set out in the City Charter of the City of Goldsboro, and the General Statutes of North Carolina, and the candidates who are elected to the Goldsboro City Board of Education shall take office at the first regular meeting of the Goldsboro City Board of Education held following the election, at which time the newly elected members shall qualify by taking the oath of office and assuming the duties and responsibilities of such office. A failure to qualify by taking the oath of office within 30 days after the time fixed for such qualification shall constitute a vacancy which shall be filled as provided in Section 7 herein. Any additional costs of conducting primaries and elections incurred in connection with the election of members to the Goldsboro City Board of Education shall be paid by said board to the Wayne County Board of Elections.

Sec. 6. The members of the Goldsboro City Board of Education shall, at the first meeting held in December of each year, elect one of their members to serve as chairman for a term of one year and until his successor is elected and qualified.

Sec. 7. Any vacancy occurring on the said Goldsboro City Board of Education by reason of death, resignation, or otherwise, shall be filled by a majority vote of the remaining members of the Goldsboro City Board of Education for the unexpired term. From and after the effective date of this act the Goldsboro City Board of Education is empowered to fill the vacancy now existing for the term which expires November 1977, at which time such vacancy shall be filled by election in the manner herein provided for a regular four-year term.

Sec. 8. Candidates shall be residents of the Goldsboro City Administrative Unit, and if any member of the Goldsboro City Board of Education shall remove his residence from the boundaries of the district, such removal shall constitute a vacancy on the board to be filled as provided in Section 7 herein.

Sec. 9. All laws and clauses of laws in conflict with 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 3rd day of May, 1977.