

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 262
HOUSE BILL 608

AN ACT TO PROVIDE AN ADDITIONAL MEMBER ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE EDGECOMBE COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. The Edgecombe County Board of Education shall consist of seven members who shall serve for terms of four years each, except as hereinafter set forth.

Sec. 2. (a) For the purpose of electing members of the Edgecombe County Board of Education, the Edgecombe County School Administrative Unit is divided into three zones bounded and described as follows:

Zone No. 1. Northern Attendance Zone Zone No. 2. Southern Attendance Zone Zone No. 3. Western Attendance Zone

(b) There shall be two members on the Edgecombe County Board of Education elected to represent Zone No. 1, Northern Attendance Zone, two members elected to represent Zone No. 2, Southern Attendance Zone, and two members elected to represent Zone No. 3, Western Attendance Zone.

(c) There shall be one member on the Edgecombe County Board of Education elected to represent the Edgecombe County School Administrative Unit at-large.

(d) All members of the Edgecombe County Board of Education shall be residents of the zone which they are elected to represent; except, however, the at-large member may reside anywhere within the Edgecombe County School Administrative Unit.

Sec. 3. The remainder of the current terms of office of Joe W. Dickens and Joe Pat Tolson shall not be affected by this act. Joe W. Dickens shall represent Zone No. 1, Northern Attendance Zone, for the remainder of his current term of office. Joe Pat Tolson shall represent Zone No. 2, Southern Attendance Zone, for the remainder of his current term of office.

Sec. 4. (a) In the primary election to be held in Edgecombe County in 1984, there shall be elected five members of the Edgecombe County Board of Education. One member shall be a resident of and shall be elected to represent Zone 1, Northern Attendance Zone, for a term of four years. One member shall be a resident of and shall be elected to represent Zone 2, Southern Attendance Zone, for a term of four years. One member shall be a resident of and shall be elected to represent Zone 3, Western Attendance Zone, for a term of four years. One member shall be a resident of and shall be elected to represent Zone 3, Western Attendance Zone, for a term of two years. One

member shall be elected to represent the Edgecombe County School Administrative Unit at-large for a term of four years.

(b) In the primary election to be held in Edgecombe County in 1986, there shall be elected three members of the Edgecombe County Board of Education. One member shall be a resident of and shall be elected to represent Zone 1, Northern Attendance Zone, for a term of four years. One member shall be a resident of and shall be elected to represent Zone 2, Southern Attendance Zone, for a term of four years. One member shall be a resident of and shall be elected to represent Zone 3, Western Attendance Zone, for a term of four years.

(c) Biennially thereafter, as the terms of office of the members of the Edgecombe County Board of Education shall expire, there shall be elected for terms of four years each a successor to fill each vacancy occurring by reason of expiration of office, so that, every two years one member from each of the herein established zones shall be elected to serve for a term of four years and that every four years an at-large member shall be elected to serve for a term of four years. Each successor member so elected shall be a resident of the zone of the member he is elected to succeed; except, however, a successor at-large member need not be a resident of the zone of the at-large member he is elected to succeed.

Sec. 5. All candidates for election to membership on the Edgecombe County Board of Education shall be residents of the zone which they seek to represent and shall file with the Board of Elections of Edgecombe County a notice of candidacy which shall state the candidate's name, address, exact place of residence, the zone which he seeks to represent and that he is a candidate for membership on the Edgecombe County Board of Education for the zone in which he resides; except, however, all candidates for the at-large membership on the Edgecombe County Board of Education shall file with the Board of Elections of Edgecombe County a notice of candidacy which shall state the candidate's name, address, exact place of residence and that he is a candidate for the at-large membership on the Edgecombe County Board of Education. For the 1984 election only, each candidate for membership from Zone 3, Western Attendance Zone, shall state whether he is seeking election for the two-year term of office or for the four-year term of office.

Sec. 6. The members of the Edgecombe County Board of Education shall be elected on a nonpartisan basis at the time of the primary election. The Board of Elections of Edgecombe County shall prepare a separate ballot for the election of said members which shall not make reference to any party affiliation but which shall contain, among other things, the names of the candidates and the zones for which they are seeking election, or in the case of the at-large membership, that they are seeking election to said at-large membership. For the 1984 election only, the ballot shall further provide that one membership from Zone 3, Western Attendance Zone, shall be for a two-year term of office and that one membership from said zone shall be for a four-year term of office. All candidates for membership on the Edgecombe County Board of Education shall be voted on at-large by the qualified voters of Edgecombe County and any qualified voter residing in the Edgecombe County School Administrative Unit shall be entitled to vote such ballots. The Board of Elections of Edgecombe County shall

canvass and judicially determine the results of said election and declare the members so elected. The candidates receiving the highest number of votes for each particular zone and for the at-large membership shall be declared to be elected.

It is the intent and purpose of this act that the members of the Edgecombe County Board of Education shall be elected in the primary election and there shall be no further election in the general election. The members so elected shall take the oath of office on the next succeeding first Monday in December following their election. All persons so elected shall serve until their successors are elected and qualified and any vacancy occurring on the Edgecombe County Board of Education by death, resignation or otherwise shall be filled by the remaining members of the Edgecombe County Board of Education for the unexpired term, but the person appointed to fill such vacancy must be from the same zone as the person whose death, resignation or removal created said vacancy, except in the case of the at-large membership, in which case this requirement does not apply. In the event that the remaining members of the Edgecombe County Board of Education do not act regarding such a vacancy within 30 days, the vacancy shall be filled by the North Carolina State Board of Education in accordance with the heretofore stated requirements. If there is no candidate for election from a zone or zones this shall constitute a vacancy which shall be filled as hereinabove provided.

Sec. 7. The election of said members of the Edgecombe County Board of Education in the various primary elections as hereinabove provided shall be governed by Chapter 163 of the General Statutes, relating to primaries and elections insofar as the same may be applicable and not in conflict with the express terms of this act. The Board of Elections of Edgecombe County is hereby authorized and empowered to create any necessary precincts, to appoint any necessary election officials and to set up and establish all necessary books and records for the conduct of said election in said primary.

Sec. 8. The zones established by this act shall be coterminous with the respective school attendance zones as are more particularly described according to the map of same, copies of which are on file with the Edgecombe County Board of Education and the Board of Elections of Edgecombe County.

Sec. 9. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 5th day of May, 1983.