

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1273
SENATE BILL 1441

AN ACT TO APPOINT MEMBERS OF THE CALDWELL COUNTY BOARD OF
EDUCATION AND TO PROVIDE FOR SUBSEQUENT ELECTION OF
MEMBERS OF THE CALDWELL COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. The Caldwell County Board of Education shall consist of seven persons. The following named persons are hereby appointed to the Caldwell County Board of Education to serve terms as set forth in Section 2 of this act: Dr. Allen R. Hefner, James L. Clark, Barbara Deverick, Marcus Deal, Janet Wilson, Roy Reid, and Robert N. Styres. Successors to the initial appointees shall be elected in a nonpartisan election as provided herein.

Sec. 2. The terms of office of Marcus Deal, Janet Wilson, and Robert N. Styres shall expire on the first Monday of the month following the General Election in 1974. The terms of office of Roy Reid and Barbara Deverick shall expire on the first Monday of the month following the General Election in 1976. The terms of office of Allen R. Hefner and James L. Clark shall expire on the first Monday of the month following the General Election in 1978.

Sec. 3. The full term of office of members of the Caldwell County Board at the expiration of terms specified in Section 2 above shall be for four years each and until their successors shall be elected and qualified; provided, however, that in the General Election to be held in 1974, the two candidates receiving the largest number of votes for the three available seats shall be elected for four-year terms, such terms to expire on the first Monday of the month following the General Election in 1978, and the candidate receiving the third largest number of votes shall be elected for a two-year term, such term to expire on the first Monday of the month following the General Election in 1976. In the General Election to be held in 1976, three members shall be elected to fill the three terms then expiring and in 1978 four members shall be elected to fill the four terms then expiring. In the General Elections thereafter, either three or four members shall be elected for four-year terms to fill the terms as they expire.

Sec. 4. All candidates for membership on the Caldwell County Board of Education shall file for a nonpartisan election with the Caldwell County Board of Elections a notice of such candidacy by noon on the last Monday in August prior to the General Election, and this election shall be held at the time of said General election. Each candidate shall pay a filing fee of five dollars (\$5.00) and in addition shall certify in writing that he is a bona fide resident of Caldwell County and a qualified registered voter therein. Persons elected shall assume office on the first Monday of December

following the General Election. The requirements set forth in this section, together with such requirements as are now or may be hereafter provided for by the North Carolina General Statutes, are inclusive and constitute the sole criteria for membership on the Caldwell County Board of Education.

Sec. 5. All persons registered and qualified to vote in Caldwell County in accordance with the General Election laws of North Carolina shall be eligible to vote in the nonpartisan election for the members of the Caldwell County Board of Education.

Sec. 6. In the event of a vacancy on the Caldwell County Board of Education by reason of death, resignation, or a member's failing to meet residency requirements as set forth above, or for other reasons, the remaining members of the Caldwell County Board of Education shall appoint a person to serve until the next election of members of such board, at which time the remaining unexpired term of the office in which the vacancy occurs shall be filled by election.

Sec. 7. All the authority, powers and duties, express or implied, vested in county boards of education, generally, by Chapter 115 of the General Statutes of North Carolina, and all revisions and amendments thereto, are vested in the Caldwell County Board of Education, to the extent that they are not in conflict with the provisions of this act.

Sec. 8. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 11th day of April, 1974.