

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 324
SENATE BILL 481

AN ACT REWRITING SECTIONS 4 AND 5, CHAPTER 785, SESSION LAWS OF 1953, RELATING TO ELECTION OF SCHOOL BOARD MEMBERS OF THE ST. PAULS CITY SCHOOL BOARD, AS AMENDED BY CHAPTER 452 SESSION LAWS OF 1955.

The General Assembly of North Carolina enacts:

Section 1. Section 4, Chapter 785, Session Laws of 1953, as amended and rewritten by Chapter 452, Session Laws of 1955, is hereby rewritten to read as follows:

"Sec. 4. The governing body of the St. Pauls City Administrative Unit shall be a Board of Education, consisting of six members, which shall be a body corporate by the name and style of 'the St. Pauls City Board of Education'. All members of said Board shall be known as 'school board members' and shall reside within the limits of said Administrative School Unit and shall be qualified electors within said area."

Sec. 2. Section 5, Chapter 785, Session Laws of 1953, as rewritten by Chapter 452, Session Laws of 1955, is hereby rewritten to read as follows:

"Sec. 5(a). Elections. Elections of school board members shall be held by the Robeson County Board of Elections and all qualified voters who have registered and are residents of the St. Pauls City Administrative School Unit shall be entitled to vote in the election of school board members.

(b) Conduct of elections. The school board elections shall be nonpartisan and decided by a simple plurality, and shall be held at the same time as the regular municipal election for the Town of St. Pauls, beginning with the election to be held in November 1975, and except as otherwise provided herein, shall be held and conducted in accordance with the applicable provisions of Articles 23 and 24 of Chapter 163 of the General Statutes.

(c) Notice of elections. Notice of elections shall be given by the Board of Elections at least six weeks prior to the time that the election will be held, said notice shall be given by posting a notice at three public places within the said Administrative School Unit boundaries and by publishing such notice one time in a newspaper circulating within said Administrative Unit. The election shall be a nonpartisan election. No primary election shall be held.

(d) Term of office. Beginning with the election to be held in 1975, and every two years thereafter, school board members shall be elected for terms of six years. The two incumbent Board members whose terms are scheduled to expire in February 1974, shall have their terms of office extended until their successors are elected in November 1975, and qualified as specified herein. The two incumbent Board members whose terms are

scheduled to expire in February 1975, shall have their terms of office extended until their successors are elected in November 1977, and qualified as specified herein. The two incumbent Board members whose terms are scheduled to expire in February 1976, shall have their terms of office extended until their successors are elected in November 1979, and qualified by taking office as specified herein. The Board members' term shall commence on the first Monday in January after their election.

(e) Candidates. Candidates for school board members may file their notice of candidacy with the Robeson County Board of Elections at any time after 12:00 Noon on the Friday preceding the eighth Saturday and before 12:00 Noon on the Friday preceding the fourth Saturday before the November election. Persons filing for the office of school board member shall be qualified electors residing within the boundaries of the St. Pauls City Administrative School Unit wherein school board members are to be elected. A fee of five dollars (\$5.00) shall be paid with the filing of candidacy.

(f) How elected. The two candidates receiving the highest number of votes in the election shall be certified by the Board of Elections to the St. Pauls City Administrative School Unit's School Board as elected as school board members. If there should be more candidates than positions to be filled and should there be a tie vote, then the tie shall be broken by casting of lots, for the purpose of determining the two candidates elected.

(g) Taking office after election. Those person elected as school board members shall take office on the first Monday in January after their election, at which time they shall take the oath of office and assume their duties.

(h) Organization of the new Board and election of Chairman and Vice-Chairman and Treasurer. At the first regular Board meeting to be held on the first Monday in February following each election, the Board shall organize by electing a Chairman who shall serve for a period of two years, a Vice-Chairman who shall serve for two years. A Treasurer shall be elected who need not necessarily be a member of said Board. The Board shall adopt such bylaws as the said Board may deem necessary and proper.

(i) Meetings. The Board of Education shall hold regular monthly meetings at least once each calendar month at a time set by the Board as it, from time to time, deems proper. Special Board meetings may be called either by the Chairman, Vice-Chairman (in absence or incapacity of the Chairman) or by the Superintendent of Schools, who is by virtue of his office Secretary of the Board.

(j) Vacancies. Vacancies on said Board occurring by reason of death, resignation or otherwise than by expiration of the term of office, shall be filled for the unexpired term by appointment of the remaining school board members."

Sec. 3. This is effective upon ratification.

In the General Assembly read three times and ratified, this the 7th day of May, 1973.