

GENERAL ASSEMBLY OF NORTH CAROLINA  
1995 SESSION

CHAPTER 132  
SENATE BILL 542

AN ACT TO PROVIDE FOR THE NONPARTISAN ELECTION OF THE  
CATAWBA COUNTY BOARD OF EDUCATION BY PLURALITY VOTE AT  
THE TIME OF THE COUNTY GENERAL ELECTION.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 874 of the 1969 Session Laws, as amended by Chapter 170 of the Session Laws of 1985, reads as rewritten:

"Sec. 2. In the general election in 1986, there shall be elected four members of the Board of Education of Catawba County. In the general election in 1988, there shall be elected three members of the Board of Education of Catawba County. All members so elected shall hold their offices for four years, and until their successors are elected and qualified. ~~Thereafter, Beginning in 1996,~~ as vacancies occur in the membership of the Board of Education of Catawba County by reason of expiration of terms of office, they shall be filled by ~~nomination in the primaries and by~~ election in the general elections according to the number of vacancies to be filled and according to the procedure set forth in this Act."

Sec. 2. Section 3 of Chapter 874 of the 1969 Session Laws, as amended by Section 3 of Chapter 382 of the Session Laws of 1979, reads as rewritten:

"Sec. 3. All persons desiring to be candidates for membership on said Board of Education shall file notice of candidacy with the Board of Elections of Catawba County ~~no later than 12:00 noon on the First Monday in February before the primary election for the nomination of county officers to be held,~~ not earlier than noon on the first Monday in June and not later than noon on the first Friday in July in the year of the election, which notice shall state the name of each candidate, his age and place of residence, and which shall be accompanied by a filing fee of ten dollars (\$10.00). ~~If the number of candidates filing for membership on said Board of Education shall not exceed twice the number of vacancies occurring by reason of expiration of terms of office then no primary election will be necessary, and the County Board of Elections shall certify such candidates as the nominees to be voted upon at the general election. If the number of candidates filing for membership on said Board of Education shall exceed twice the number of vacancies occurring by reason of expiration of terms of office, a separate ballot shall be provided by the County Board of elections and a primary election held with respect thereto at the same time fixed by law in primary elections for the nomination of candidates for county officers. In such primary, the number of candidates, equal to twice the number of vacancies to be filled, receiving the highest number of votes in descending order shall be declared the nominees and the~~

~~County Board of Elections shall certify such candidates as the nominees to be voted upon at the general election. Such primary elections for the selection of the nominees for the Board of Education shall be nonpartisan and no political party affiliation shall be used by any candidate, and no political party affiliation shall be shown on said primary ballot."~~

Sec. 3. Section 4 of Chapter 874 of the 1969 Session Laws reads as rewritten:

~~"Sec. 4. The general election shall be nonpartisan and there shall be a separate ballot provided by the County Board of Elections with the names of the nominees printed thereon with appropriate instructions for use in the general elections, and no political party affiliation shall be shown on said ballot and no political party affiliation shall be used by any candidate. At the general election the candidates equalling in number to the number of vacancies to be filled, receiving the highest number of votes in descending order shall be declared to be elected to membership on the Board of Education of Catawba County; and Notwithstanding the provisions of G.S. 115C-37, the Catawba County Board of Education shall be elected on a nonpartisan basis at the time set by G.S. 163-1 for the general election in each even-numbered year as terms expire. The election shall be conducted on a nonpartisan plurality basis, with the results determined in accordance with G.S. 163-292. The names of the candidates shall be printed on the ballot without reference to any party affiliations. Except as provided by this act, the election shall be conducted in accordance with the applicable provisions of Chapters 115C and 163 of the General Statutes. Members of the Board of Education of Catawba County shall take office and qualify on the First Monday in December following their election."~~

Sec. 4. Section 5 of Chapter 874 of the Session Laws of 1969 reads as rewritten:

~~"Sec. 5. All candidates in any ~~primary and all nominees in any~~ general election held under this Act shall be qualified electors of Catawba County who reside outside the boundaries of the Hickory Administrative School Unit and the Newton-Conover Administrative School Unit, and shall be voted upon at large by the electors in Catawba County who reside outside the boundaries of the Hickory Administrative School Unit and the Newton-Conover Administrative School Unit."~~

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 31st day of May, 1995.