

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 438*

Short Title: Union School Elections.

(Local)

Sponsors: Senator Plyler.

Referred to: Election Laws.

March 15, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR NONPARTISAN ELECTION OF THE UNION COUNTY BOARD OF EDUCATION AT THE TIME OF THE GENERAL ELECTION.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 359, Session Laws of 1975 reads as rewritten:

"Section 1. The Board of Education of Union County shall consist of seven members who shall be ~~nominated and elected in a partisan primary and election as herein provided. The primary and election shall be held and conducted in accordance with the general laws governing primaries and elections for county officers, except as otherwise provided herein.~~ elected on a nonpartisan basis at the same time as county officers are elected pursuant to G.S. 163-1. Candidates shall file notice of candidacy no earlier than 12:00 noon on the last Friday in June and no later than 12:00 noon on the last Friday in July. Otherwise, the election shall be conducted in accordance with general laws governing election of county officers.

Incumbent members of the present board of education shall be permitted to serve out the terms for which they were elected. In the event of a vacancy caused by other than expiration of the term, the vacancy shall be filled in accord with the provisions of the first sentence of Section 4 herein.

As the terms of the present members expire, beginning with the primary and election to be held in 1976, and every two years thereafter, members of the board of education shall be elected for terms of four years."

Sec. 2. Section 2 of Chapter 359, Session Laws of 1975 reads as rewritten:

1 **"Sec. 2.** Those persons elected to the board of education shall qualify by taking the
2 oath of office ~~on or before the first Monday in December after their election~~as provided by
3 G.S. 115C-37(d), and their term shall begin on such date, and they shall serve until their
4 successors have been elected and qualified."

5 Sec. 3. Section 3 of Chapter 359, Session Laws of 1975 reads as rewritten:

6 **"Sec. 3.** Vacancies in the membership of the board of education selected pursuant to
7 this act occurring for any reason shall be filled immediately by the remaining members
8 of the board of education. The person appointed to fill the vacancy shall serve until the
9 next election for members of the board of education, at which time a person shall be
10 elected to fill the unexpired term. However, if a vacancy occurs in the last ~~26~~30 months
11 of a member's term, the appointment shall be for the unexpired term. If a vacancy which
12 is to be filled only until the next election occurs after the closing of the filing period for
13 the primary next succeeding that election, and no one has filed for the seat, the vacancy
14 shall be filled immediately by the remaining members of the board of education."

15 Sec. 4. This act is effective upon ratification.