

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 1100
HOUSE BILL 1366

AN ACT TO AMEND H. B. 766 (CHAPTER 646, SESSION LAWS OF 1967, RATIFIED MAY 31, 1967) WITH RESPECT TO THE METHOD OF VOTING UPON THE ESTABLISHMENT OF ONE ADMINISTRATIVE UNIT FOR ALL OF THE PUBLIC SCHOOLS IN BURKE COUNTY AND THE ISSUANCE OF NOT EXCEEDING \$8,000,000 SCHOOL BUILDING BONDS OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. H. B. 766, the same being Chapter 646, Session Laws of 1967, ratified May 31, 1967, is hereby amended as follows:

(a) Section III is hereby amended to read as follows:

"Sec. III. The Burke County Board of Education, the Morganton City Schools Board of Education, and the Glen Alpine City Schools Board of Education, by majority vote of the full membership of each of said boards, may jointly petition the Burke County Board of Commissioners to call a county-wide election on the following subjects: (a) the merger of the Burke County Board of Education Administrative Unit and the Morganton City Schools Board of Education Administrative Unit, and the Glen Alpine City Schools Administrative Unit, and their respective Boards of Education; (b) the construction of new consolidated high schools to be located in accordance with the recommendations of the State Survey, January, 1963, and to be established to serve all of the students in Burke County, and the issuance of bonds pursuant to the County Finance Act, as amended, for construction of said consolidated high schools and for other school capital outlay purposes in an amount not exceeding eight million dollars (\$8,000,000); (c) to require the merged Burke County Public Schools Board of Education to request and the Burke County Board of Commissioners to appropriate annually from general tax revenues, such amount as will provide funds which shall be no less than the current expense expenditures per student levied and appropriated to the Administrative Units in the Burke County School System during the fiscal year preceding the year in which the election as herein set forth for the merger is held; (d) to require the county commissioners to levy a county-wide supplemental school tax computed on the then current county-wide taxable valuation at a rate to produce not less than the per capita dollar produced per student by the existing supplemental tax in the Morganton Graded School District in the last completed fiscal year preceding the election, not to exceed fifty cents (50¢) per one hundred dollars (\$100.00) assessed valuation."

(b) Section IV is hereby amended to read as follows:

"Sec. IV. Upon the receipt of such petitions, it shall be the duty of the Board of Commissioners for the County of Burke to call an election within 60 days thereafter and to fix a date for said election, which date shall be within 120 days after the receipt of said petitions. At said election there shall be submitted to the qualified voters of Burke County four questions in substantially the following form:

1. If a majority of the qualified voters of the County of Burke who shall vote thereon shall vote for the approval of the order authorizing not exceeding eight million dollars (\$8,000,000) School Building Bonds (mentioned in question 2), the appropriation of certain funds (mentioned in question 3) and the levying of a supplemental school tax (mentioned in question 4), shall the Burke County Board of Education Administrative Unit, the Morganton City Schools Board of Education Administrative Unit and the Glen Alpine City Schools Administrative Unit, and their respective Boards of Education be merged and consolidated into one administrative unit with one Board of Education as its governing body to the end that all of the public schools of Burke County shall be administered and operated by one Board?

2. If a majority of the qualified voters of the County of Burke who shall vote thereon shall vote for the approval of the merger and consolidation of the administrative units into one administrative unit with one Board of Education, the appropriation of certain funds as set forth in question 3 and the levying of a supplemental school tax as set forth in question 4, shall an order passed by the Board of Commissioners for the County of Burke authorizing not exceeding eight million dollars (\$8,000,000) School Building Bonds of said county for the purpose of providing funds, with any other available funds, for the construction of new consolidated high schools to be located in accordance with the recommendations of the State Survey, January, 1963, and to serve all of the students in Burke County and for (briefly stating the purpose), be approved?

3. If a majority of the qualified voters of the County of Burke who shall vote thereon shall vote for the approval of the merger and consolidation of the administrative units into one administrative unit with one Board of Education, the order authorizing not exceeding eight million dollars (\$8,000,000) School Building Bonds and the levying of a supplemental school tax, shall the merged Burke County Public Schools Board of Education be required to request and the Burke County Board of Commissioners be required to appropriate annually from general tax revenues, such amount as will provide funds which shall be no less than the current expense expenditures per student levied and appropriated to the administrative units in the Burke County School System during the fiscal year preceding the year in which this election is held?

4. If a majority of the qualified voters of the County of Burke who shall vote thereon shall vote for the approval of the merger and consolidation of the administrative units into one administrative unit with one Board of Education, the order authorizing not exceeding eight million dollars (\$8,000,000) School Building Bonds, and the appropriation of certain funds as set forth in question 3, shall the Board of Commissioners of Burke County be required to levy a county-wide supplemental school tax not to exceed fifty cents (50¢) per one hundred dollars (\$100.00) assessed valuation?

"The School Building Bonds in an amount not exceeding eight million dollars (\$8,000,000) hereinabove mentioned shall be issued pursuant to and in compliance with The County Finance Act, as amended, being Article 9 of Chapter 153 of the General Statutes, and shall be issued for the purposes therein provided in G. S. 153-77 (1).

"Such election shall be held and conducted, in accordance with the applicable provisions of the General Statutes of North Carolina, in the same manner as elections are held to determine the question of the issuance of bonds; provided, however, that the election shall not be held at the time of any other election nor in conjunction with an election for any other purpose whatever. The form of the ballot shall be determined by the board of commissioners of said county and voting machines may be used.

"The board of commissioners shall prepare a statement showing the number of votes cast for and against each question and declaring the result of the election, which statement shall be signed by a majority of the members of said board and delivered to the clerk or recording officer who shall record it in the minutes of such board and file the original in his office and publish it once in a newspaper of general circulation in Burke County."

(c) Section VI (e) is hereby amended to read as follows:

"Sec. VI. (e). The financial administration of the Burke County Board of Education shall be governed by the provisions of the General Statutes of North Carolina as they apply to the financial administration of county school administrative units. Notwithstanding the provisions of G. S. 115-50, the monthly payroll therein provided for, as to each school, shall be signed by the principal of the school and it shall not be required that committee chairmen sign the same. Whenever the Burke County Board of Education shall have authorized the execution of any contract, conveyance, or other instrument, the vice chairman shall have the same authority as the chairman to execute the same on behalf of such board. In the event of the absence or inability of both the chairman and vice chairman to attend any meeting or meetings, the Burke County Board of Education, by resolution duly adopted and spread upon the minutes of any meeting, may authorize any other member to execute any contract, for and on behalf of such board."

(d) Section VIII is hereby amended to read as follows:

"Sec. VIII. If all of the conditions prerequisite to the issuance of bonds set forth in this Act are not complied with and satisfied, no School Building Bonds shall be issued under this Act and the Board of Commissioners for the County of Burke shall repeal the order authorizing such School Building Bonds if such order shall have been approved by the voters.

"Nothing contained in this Act shall limit or restrict the power of the County of Burke to authorize and issue bonds for school purposes pursuant to and in compliance with The County Finance Act, as amended, including the issuance of bonds for the same purpose and in the same amount as may be authorized pursuant to the provisions of this Act."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 3rd day of July, 1967.