

House Bill 306

By: Representative Pinholster of the 15th

A BILL TO BE ENTITLED
AN ACT

1 To reconstitute the Pickens County Board of Education; to provide for qualifications of
2 members; to provide for districts; to provide for the filling of vacancies; to provide for
3 staggered terms of office; to repeal that local constitutional amendment (Res. Act No. 84;
4 H.R. 312-772c; Ga. L. 1958, p. 455) relating to the election of the Pickens County Board of
5 Education; to repeal an Act approved February 18, 1987 (Ga. L. 1987, p. 3574), which
6 continued such local constitutional amendment in force and effect as part of the Constitution
7 of the State of Georgia; to provide for a referendum; to provide for effective dates; to repeal
8 conflicting laws; and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 The local constitutional amendment (Res. Act No. 84; H.R. 312-772c; Ga. L. 1958, p. 455)
12 relating to the election of the Pickens County Board of Education which was continued in
13 force and effect on and after July 1, 1987, as part of the Constitution of the State of Georgia
14 is repealed in its entirety.

15 **SECTION 2.**

16 That Act approved February 18, 1987 (Ga. L. 1987, p. 3574), which continued in force and
17 effect as part of the Constitution of the State of Georgia that local constitutional amendment
18 (Res. Act No. 84; H.R. 312-772c; Ga. L. 1958, p. 455) relating to the election of the Pickens
19 County Board of Education is repealed in its entirety.

20 **SECTION 3.**

21 The Pickens County Board of Education shall be composed of five members to be elected
22 as hereinafter provided. For the purpose of electing such members, Pickens County is hereby
23 divided into five education districts as follows:

1 (1) Education District No. 1 shall be composed of Militia District #1098 (Town) and
2 Militia District #1182 (Sharp Top);

3 (2) Education District No. 2 shall be composed of Militia District #794 (Talking Rock),
4 Militia District #1036 (Truckwheel), and Militia District #1698 (Big Ridge);

5 (3) Education District No. 3 shall be composed of Militia District #1101 (Jerusalem),
6 Militia District #1370 (Ludville); and Militia District #1801 (Hill);

7 (4) Education District No. 4 shall be composed of Militia District #1026 (Persimmon
8 Tree), Militia District #1129 (Townsend), Militia District #1492 (Nelson), and Militia
9 District #1509 (Sharp Mountain); and

10 (5) Education District No. 5 shall be composed of Militia District #899 (Dug Road) and
11 Militia District #1099 (Grassy Knob).

12 **SECTION 4.**

13 Any person, in order to be eligible for membership on the board to represent an education
14 district, must reside in the district which he or she represents, but all members of the board
15 shall be elected by the voters of the entire county.

16 **SECTION 5.**

17 (a) The terms of the members of the Pickens County Board of Education serving at the time
18 of the approval of this Act shall continue through December 31, 2002, and until their
19 successors are duly elected and qualified.

20 (b) At the November, 2002, general election, members of the board of education for
21 Education District Nos. 1 and 4 shall be elected for a two-year term of office beginning
22 January 1, 2003, and ending December 31, 2004. At the November, 2004, general election
23 and every four years thereafter, members of the board of education for Education District
24 Nos. 1 and 4 shall be elected for four-year terms of office to begin on January 1 of the year
25 immediately following their election.

26 (c) At the November, 2002, general election and every four years thereafter, members of the
27 board of education for Education District Nos. 2, 3, and 5 shall be elected for four-year terms
28 of office to begin on January 1 of the year immediately following their election.

29 (d) All members shall serve until the expiration of their terms of office or until their
30 successors are duly elected and qualified, whichever is later.

31 **SECTION 6.**

32 In the event of a vacancy on the board for any reason other than the expiration of a term of
33 office, the remaining members of the board shall select a person from the district in which
34 the vacancy occurs, and such member shall serve the unexpired term. In the event a person

1 moves his or her residence from the district he or she represents, a vacancy shall exist in such
2 district and shall be filled in the same manner as other vacancies.

3 **SECTION 7.**

4 The members of the board shall elect their own chairperson.

5 **SECTION 8.**

6 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
7 superintendent of Pickens County shall call and conduct a special election as provided in this
8 section for the purpose of submitting this Act to the electors of Pickens County for approval
9 or rejection. The election superintendent shall conduct that special election on March 20,
10 2001, and shall issue the call and conduct the election as provided by general law. The
11 superintendent shall cause the date and purpose of the election to be published once a week
12 for two weeks immediately preceding the date thereof in the official organ of Pickens
13 County. The ballot shall have written or printed thereon the words:

14 "() YES Shall the Act providing for the reconstitution of the Pickens County Board
15 of Education and providing for staggered terms of office for members of
16 () NO such board be approved?"

17 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
18 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
19 cast on such question are for approval of the Act, the Act shall become of full force and
20 effect immediately. If the Act is not so approved or if the election is not conducted as
21 provided in this section, the Act shall be automatically repealed in its entirety immediately.
22 The expense of the election shall be borne by Pickens County. It shall be the election
23 superintendent's duty to certify the result thereof to the Secretary of State.

24 **SECTION 9.**

25 Except as otherwise provided in Section 8 of this Act, this Act shall become effective upon
26 its approval by the Governor or upon its becoming law without such approval.

27 **SECTION 10.**

28 All laws and parts of laws in conflict with this Act are repealed.