

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 314  
HOUSE BILL 197

AN ACT TO PROVIDE FOR THE NOMINATION AND ELECTION OF THE  
COUNTY BOARD OF EDUCATION IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Education of Jackson County shall consist of five members, to be chosen and to serve as hereinafter provided in this Act.

Sec. 2. In the primary election to be held in Jackson County in 1962, and biennially thereafter, there shall be nominated by each political party in the party primaries at the same time and in the same general manner as that in which other county officers are nominated, one candidate for the office of board of education from each of the five districts in the county, which districts are hereby created as follows:

District No. 1 shall be composed of certain voting precincts of Jackson County as follows: South Sylva, Dillsboro, Barker's Creek and Qualla precincts.

District No. 2 shall be composed of certain voting precincts of Jackson County as follows: North Sylva, Scott's Creek No. 1, Scott's Creek No. 2 and Scott's Creek No. 3 precincts.

District No. 3 shall be composed of certain voting precincts of Jackson County as follows: Webster, Savannah and Greene's Creek precincts.

District No. 4 shall be composed of certain voting precincts of Jackson County as follows: Cullowhee, Caney Fork, River No. 1, River No. 2, Canada No. 1 and Canada No. 2 precincts.

District No. 5 shall be composed of certain voting precincts of Jackson County as follows: Cashiers, Hamburg and Mountain precincts.

Sec. 3. The names of the persons so nominated for the board of education by each political party from the respective five districts shall be placed on the official county ballot of Jackson County, with the district from which each candidate is nominated appearing opposite his name, and the candidates so nominated from the respective districts shall be voted upon by the qualified voters of the county at large at the general election to be held in said county in 1962 and biennially thereafter. The candidate from each of the five districts receiving the highest number of votes in the general election shall be declared elected to represent his respective district as a member of the County Board of Education of Jackson County. There shall be no second primary. The members of the board of education elected at the general election in the year 1962 shall qualify by taking the oath of office on or before the first day of January, 1963. A failure to qualify within that time shall constitute a vacancy. Those persons elected or

appointed to fill a vacancy must qualify within thirty (30) days after their appointment or election, and a failure to qualify within that time shall constitute a vacancy.

Sec. 4. Those members of the Jackson County Board of Education elected at the general election in 1962 shall take office on the first day of January, 1963, and the three candidates receiving the highest number of votes shall serve for a term of four years, and the two candidates receiving the smallest number of votes shall serve for a term of two years. Thereafter, candidates elected to the Jackson County Board of Education shall serve for a term of four years and until their successors are chosen and qualified.

Sec. 5. Any vacancy occurring on the Jackson County Board of Education by a death, resignation, or otherwise, shall be filled as is now provided by State law for filling vacancies on county boards of education, but such persons appointed to fill the vacancy shall be from the same district as the person whose death, resignation or removal created the vacancy on the board. If a person who has been nominated as a candidate from any district dies or removes himself, or for any other reason cannot be a candidate in the general election, a candidate shall be appointed from the district which such person represented by the executive committee of the political party of which the dead or disqualified candidate was a member. Such appointee shall have his name placed upon the ballot to be voted upon in the general election the same as any candidate who has been nominated in a primary.

Sec. 6. If there is no candidate from any district, this shall constitute a vacancy which shall be filled as hereinabove provided.

Sec. 7. The members of the Board of Education of Jackson County shall be paid out of State school funds a per diem and mileage in accordance with the applicable provisions of the general State law.

Sec. 8. That Chapter 78, Session Laws of North Carolina, 1959, and all other laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 9. 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 2nd day of May, 1961.