

NORTH CAROLINA GENERAL ASSEMBLY  
1969 SESSION

CHAPTER 1181  
SENATE BILL 582

AN ACT TO PROVIDE FOR THE NON-PARTISAN ELECTION OF THE  
MEMBERS OF THE AVERY COUNTY BOARD OF EDUCATION, AND TO  
FIX THEIR TERM OF OFFICE.

The General Assembly of North Carolina do enact:

**Section 1.** The Board of Education of Avery County shall consist of the five members herein named, and their successors who shall be elected for such term and in the manner hereinafter provided.

Upon ratification of this Act, the members of the Avery County Board of Education shall be Ralph Gwaltney, Scott Wiseman and Fred Hughes, whose terms shall expire on the first Monday in April, 1973; and Bill Wilkins and Miss Martha Guy, whose terms shall expire on the first Monday in April, 1971.

**Sec. 2.** Beginning with a special non-partisan election to be held on the last Tuesday in March, 1971, and biennially thereafter, as the terms of the above-named members expire, their successors shall be elected for terms of four years.

**Sec. 3.** The Avery County Board of Elections shall hold a special non-partisan election on the last Tuesday in March, 1971, and biennially thereafter, for the purpose of electing members of the Avery County Board of Education. No primary election shall be held, and except as otherwise provided in this Act, the special non-partisan election shall be held and conducted in the same manner and under the laws applicable to general elections for County officials. A new registration shall not be required and those persons duly registered on the County Registration Books shall be eligible to vote in the special election.

**Sec. 4.** Any qualified voter of Avery County shall be eligible to office on the Avery County Board of Education: Provided, however, no candidate's name shall appear on the ballot unless such candidate has filed, on forms to be provided by the County Board of Elections, a notice of his candidacy. Said notice must be filed with the County Board of Elections on or before the second Friday in February next preceding the special election.

**Sec. 5.** The candidates in the special election, equal to the number of positions to be filled, who receive the highest number of votes cast shall be declared elected. The members of the Board of Education elected in 1971 and thereafter shall qualify and take office on the first Monday in April following their election.

**Sec. 6.** Vacancies occurring on the Board of Education for any cause shall be filled for the unexpired term by qualified voters appointed by the remaining members of the Board of Education.

**Sec. 7.** All laws and clauses of laws in conflict with this Act are hereby repealed.

**Sec. 8.** This Act shall be in full force and effect upon its ratification.

In the General Assembly read three times and ratified, this the 1st day of July, 1969.