

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 119
HOUSE BILL 176

AN ACT TO REPEAL CHAPTER 1113 OF THE 1967 SESSION LAWS PROVIDING FOR THE NON-PARTISAN ELECTION OF THE HENDERSON COUNTY BOARD OF EDUCATION AND THE EXTENSION OF THE TERMS OF OFFICE OF THE MEMBERS OF THE HENDERSON COUNTY BOARD OF EDUCATION SO AS TO PROVIDE FOR THE NON-PARTISAN ELECTION OF THE ENTIRE MEMBERSHIP OF THE HENDERSON COUNTY BOARD OF EDUCATION AT THE 1970 REGULAR GENERAL COUNTY ELECTION.

The General Assembly of North Carolina do enact:

Section 1. Chapter 1113 of the 1967 Session Laws is hereby repealed.

Sec. 2. The County Board of Education for Henderson County shall consist of seven members, to be elected by the voters of the county on a non-partisan basis as herein provided, who shall serve for a term of four years. The term of office of each member shall begin on the first Monday in December, next succeeding his election, and shall serve until a successor has been elected and qualified; provided, that the present members of the board of education shall continue to hold their offices until the first Monday in December, 1970, or until their successors are elected and qualified.

Sec. 3. At the regular general county election held for Henderson County in 1970, there shall be elected seven members of the board of education. The four candidates receiving the highest number of votes in said election shall be elected for terms of four years and the three members receiving the next highest number of votes shall be elected for terms of two years. Thereafter, biennially there shall be elected members of the Henderson County Board of Education to succeed the members whose terms next expire.

Sec. 4. The election for members of the board of education of Henderson County shall be conducted as set forth in Sec. 3, above, and at such election a separate ballot entitled "School Board" shall be used and such ballots shall be distributed to all qualified voters desiring to vote in said election without regard to the political affiliation of said voter; provided, nothing herein shall be construed to exclude an independent or person not affiliated with either of the major parties from voting in said election.

Sec. 5. In those years in which four vacancies exist, the four candidates receiving the highest number of votes in said election shall be declared elected; in those years in which three vacancies exist, the three candidates receiving the highest number of votes in said election shall be declared elected. In the event the number of candidates does not exceed the number of vacancies to be filled, no election shall be necessary, and the candidates shall be declared elected.

Sec. 6. Vacancies in the membership of the Board of Education, for any cause, shall be filled immediately by the remaining members of the board. Any persons appointed due to vacancies in the membership of the Board of Education shall serve for the unexpired term of the member causing such vacancy.

Sec. 7. At the first meeting of the Henderson County Board of Education held after December 1, 1970, and biennially, thereafter, the members of said Board shall elect one of its members as Chairman who shall serve for a period of two years.

Sec. 8. All laws and clauses of laws in conflict with 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 25th day of March, 1969.