

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 1148
HOUSE BILL 1557

AN ACT TO PROVIDE FOR THE ORDERLY ELECTION OF THE BOARD OF
EDUCATION OF MACON COUNTY BY INCREASING THE MEMBERSHIP
TO FIVE AND TO STAGGER THE TERMS OF OFFICE.

The General Assembly of North Carolina enacts:

Section 1. The governing body of the Macon County Administrative School Unit shall be a board of education known as the Macon County Board of Education, which shall have all the powers and duties conferred upon county boards of education by Chapter 115 of the General Statutes.

Sec. 2. The Macon County Board of Education shall consist of five members who shall be elected for staggered terms as hereinafter provided in this act.

The three incumbent members shall continue to serve their current term of office. The incumbent members shall constitute the Macon County Board of Education until the five member board has been elected and qualified as provided in this act.

Sec. 3. The election for members of the Macon County Board of Education shall be nonpartisan and no primary election shall be held. The election shall be held at the same time as the general election for county offices beginning in 1978, and biennially thereafter. Each candidate shall file his candidacy, without reference to any political party affiliation, with the chairman of the county board of elections no later than 80 days prior to the date of the general election for county officers. A filing fee of five dollars (\$5.00) shall be paid by each candidate. There shall be a separate ballot provided by the county board of elections with the names of the candidates printed thereon according to districts and with appropriate instructions printed thereon. No political party affiliation shall be shown on said ballot.

Sec. 4. For the purpose of electing members to the Macon County Board of Education, the County Administrative School Unit shall be composed of four residence districts as follows:

District No. 1 shall be composed of the Highlands High School attendance zone.

District No. 2 shall be composed of the Franklin High School attendance zone.

District No. 3 shall be composed of the Nantahala High School attendance zone.

District No. 4 shall be composed of the entire County Administrative School Unit.

One member shall be elected for Districts No. 1, No. 2, and No. 3, and two members shall be elected for District No. 4 at the time and in the manner hereinafter provided in this act.

Sec. 5. All members must be residents of the district for which elected, and shall be elected by the voters of the Macon County School Administrative Unit.

Beginning with the regular election for county officers in 1978, one member shall be elected for District No. 1, one member for District No. 3 and one member for District No. 4. Each member elected in 1978 shall serve for a term of two years.

At the regular election for county officers in 1980, one member shall be elected for District No. 1, one member for District No. 3 and two members shall be elected for District No. 4. The candidates elected for Districts No. 1 and No. 3 in 1980 and thereafter shall be elected for terms of four years. The candidate for District No. 4 receiving the highest number of votes cast for candidates seeking election for District No. 4 in 1980 shall be elected for a term of four years, and the candidate for District No. 4 receiving the next highest number of votes shall be elected for a term of two years. Thereafter the two members elected for District No. 4 shall serve for terms of four years.

At the general election in 1982, one member shall be elected for District No. 2 and one member for District No. 4, and shall serve for terms of four years. Thereafter their successors shall serve for terms of four years.

Since all of the present members of the county board of education reside in District No. 2, no resident members shall be elected for that district until 1982.

Sec. 6. The members of the Board of Education of Macon County elected in 1978 and biennially thereafter, shall be inducted into and take the oath of office on the first Monday in April following their election and shall serve until their successors are elected and qualified.

Sec. 7. All vacancies occurring in the membership of the Board of Education of Macon County by death, resignation, removal from the district or otherwise shall be filled within 10 days of such vacancy for the unexpired term by the remaining members of the board of education. If the remaining members cannot agree within 10 days of such vacancy on the name of a successor, such vacancy shall be filled within 10 days thereafter by the Governor for the unexpired term.

Sec. 8. Except as provided herein, all elections for the members of the Board of Education of Macon County as herein provided, shall be held under the laws and regulations governing elections for county offices as provided in the General Statutes of North Carolina.

Sec. 9. Chapter 1106, Session Laws of 1967, and Chapter 301, Session Laws of 1977, and all local acts relating to the election of the Macon County Board of Education, are hereby repealed.

Sec. 10. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of June, 1978.