

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 979
SENATE BILL 902

AN ACT TO PROVIDE FOR THE NOMINATION AND ELECTION OF MEMBERS
OF THE YANCEY COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina do enact:

Section 1. The Yancey County Board of Education shall consist of five members who shall serve for terms of four years each, and, for the purpose of electing members of said Board, Yancey County is divided into two districts bounded and described as follows:

"District No. 1. To consist of South Toe Precinct, Pensacola Precinct and Prices Creek Precinct.

"District No. 2. To consist of Burnsville Precinct, Cane River Precinct, Egypt Precinct, Ramseytown Precinct, Green Mountain Precinct, Brush Creek Precinct, Jacks Creek Precinct and Crabtree Precinct."

Sec. 2. The members of the Yancey County Board of Education elected under this act shall take office on the first Monday in December, 1972, at which time the terms of office of all members of said Board of Education who are holding office prior to the said first Monday in December, 1972, shall terminate and expire.

Sec. 3. At the primary election to be held for county officers in 1972, one candidate shall be nominated by each political party from District No. 1 and four candidates shall be nominated by each political party from District No. 2. The candidates must be residents of the District in which they are nominated, and should file notice of candidacy indicating the district for which they are candidates and their party affiliation.

The candidates shall be nominated by the qualified voters of their respective districts in Yancey County. The name of the nominee of each political party shall be placed on the county ballot at the time of the general election of State and county officers for the year 1972, and biennially thereafter, at each primary and election for the nomination and election of State and county officers, the vacancies occurring in the membership of the Yancey County Board of Education shall be filled by nomination and election by the voters of Yancey County as provided for in this act.

Sec. 4. The candidates for nomination of the political party shall file notice of their candidacy with the Chairman of the Board of Elections of Yancey County on or before the Friday before the 6th Saturday before the date of the primary for the nomination of county officers. The notice shall be accompanied by a filing fee of ten dollars (\$10.00) and shall state the name, age and residence of the candidate. The names of said candidates shall be printed on a ballot for the appropriate political party and the

said candidates shall be voted on in said primary. In District No. 1, the candidate of each political party receiving the highest number of votes shall be declared to be the nominee of the party; in District No. 2, the four members of each political party receiving the highest number of votes shall be declared to be the nominees of the party. There shall be no second primary. The names of the nominees of the political parties shall be printed on a ballot for the general election and shall be voted on in the appropriate districts in the general election to be held for county officers in 1972 (and biennially thereafter, as their respective terms expire) and the nominee receiving the highest number of votes in District 1 and the two nominees receiving the highest number of votes in District 2 shall be elected for a term of two years each and in biennial elections subsequent to 1972, their successors shall be elected for four-year terms by the electors of the appropriate district to fill the vacancies caused by the expiration of the term of the member or members previously elected from said districts.

Sec. 5. Vacancies in the membership of the Board of Education, for any cause, shall be filled for the unexpired term within 30 days of said vacancy by the County Executive Committee of the political party of the member causing such vacancy. In the event the County Executive Committee does not act within 30 days, then in that event the vacancy is to be filled by the North Carolina State Board of Education.

Sec. 6. At its first meeting the Yancey County Board of Education shall organize by electing a Chairman who shall also be a member of said Board and entitled to vote on any matter considered by the Board but shall not be allowed to vote twice in case of a tie vote. The said Board shall fix and determine its own methods of procedure in the management of its public affairs and business.

Sec. 7. Chapter 460 of the 1969 Session Laws and all other laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 8. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 20th day of July, 1971.