

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 55
HOUSE BILL 202

AN ACT TO PROVIDE THAT IN CERTAIN CIRCUMSTANCES VACANCIES IN
THE BOARD OF EDUCATION OF WATAUGA COUNTY BE FILLED ONLY
UNTIL THE NEXT GENERAL ELECTION.

The General Assembly of North Carolina enacts:

Section 1. Section 5 of Chapter 1254, Session Laws of 1967, as amended by Chapter 1260, Session Laws of 1969, is rewritten to read:

"Section 5. (a) Except as provided in subsection (b) of this section, all vacancies occurring in the membership of the Watauga County Board of Education by death, resignation or other causes shall be filled by the Board by appointment of some qualified citizen of Watauga County to serve for the remainder of the unexpired term.

(b) All vacancies in four-year terms occurring in the membership of the Watauga County Board of Education by death, resignation or other causes during the period ending at noon on the fourteenth day before the close of time for filing notices of candidacy under G.S. 163-106(c) for the next succeeding election for members of the Board of Education, shall be filled by the remaining members of the Board by appointment of some qualified citizen of Watauga County to serve until the next election of members of the Board of Education, at which time the remaining unexpired term of the office shall be filled by election. The election to fill the vacancy shall be conducted in a group along with the elections for the full terms. The nominees receiving the two highest numbers of votes shall be elected for four-year terms, and the nominees receiving the next two highest numbers of votes shall be elected for two-year terms. A primary election shall be held if more than eight candidates file, and if a primary is held, the eight candidates receiving the highest number of votes shall be the nominees. If two or more vacancies are being filled under this subsection, then the rules for determining the results and holding of the primary and the general election shall be mathematically adjusted by the Watauga County Board of Elections according to the mathematical principles of this subsection."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 2nd day of April, 1985.