

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 254
SENATE BILL 491

AN ACT TO CHANGE THE MANNER OF ELECTION OF THE CLAY COUNTY
BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding the provisions of G.S. 115C-37, the Clay County Board of Education shall be elected on a nonpartisan basis at the time of the general election in each even-numbered year as terms expire. The names of the candidates shall be printed on the ballot without reference to any party affiliations. The nonpartisan primary and election method shall be used with the results determined as provided in G.S. 163-294, and the primary shall be held on the date provided by G.S. 163-1 for county primaries. Except as provided by this act, the election shall be conducted in accordance with the applicable provisions of Chapters 115C and 163 of the General Statutes.

Sec. 2. This act does not affect the terms of office of current members of the Clay County Board of Education.

Sec. 3. Vacancies in membership of the Clay County Board of Education elected under this act shall be filled by appointment made by the remaining members.

Sec. 4. The Board of Education of Clay County consists of five members elected by the qualified voters of Clay County for four-year terms. As the terms of present members expire, their successors shall be elected.

Sec. 4.1. The other sections of this act shall only become effective if approved by the qualified voters of Clay County in a referendum to be held at the same time as the Statewide general election in November of 1992.

The referendum shall be conducted by the Clay County Board of Elections in accordance with Chapter 163 of the General Statutes, and the question on the ballot shall be:

- "[] FOR changing the manner of Election of the Clay County Board of Education from partisan to nonpartisan.
[] AGAINST changing the manner of Election of the Clay County Board of Education from partisan to nonpartisan."

If a majority of the qualified voters vote in favor of the question, it shall become effective beginning with the 1994 election.

Sec. 6. Except as to the manner of filling vacancies for terms of office to expire in 1992 or 1994, Chapter 157 of the 1975 Session Laws is repealed as to Clay County.

Sec. 7. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 11th day of June, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives