

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 167

Short Title: Yadkin School Board.

(Local)

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Sponsors: Representatives Holmes and J. Brown.

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Referred to: Local and Regional Government II.

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February 16, 1993

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT MEMBERS OF THE YADKIN COUNTY BOARD  
2 OF EDUCATION SHALL TAKE OFFICE ON THE FIRST MONDAY IN  
3 AUGUST AFTER THEIR ELECTION.  
4

5 The General Assembly of North Carolina enacts:

6 Section 1. Section 2 of Chapter 490, Session Laws of 1979, reads as  
7 rewritten:

8 "Sec. 2. Beginning with the primary to be held in Yadkin County in 1970, and  
9 biennially thereafter, forthcoming vacancies on the Board of Education due to  
10 expiration of terms shall be filled in a non-partisan election to be held at the same time  
11 as the regular primary election. Any registered voter residing in Yadkin County shall be  
12 eligible, upon payment of a filing fee of five dollars (\$5.00), to file with the County  
13 Board of Elections, within the time required by law for county officers to file in  
14 primaries, as a candidate for membership on the Board without declaring his political  
15 affiliation. A separate ballot entitled 'School Board' shall be used in the election and all  
16 qualified voters residing in Yadkin County shall be eligible to vote in said election.  
17 Those candidates receiving the highest number of votes cast shall be declared elected  
18 for six (6) year terms and there shall be no second primary. Persons so elected in the  
19 primary shall qualify for membership on the Board of Education by taking the oath of  
20 office on or about the first Saturday in April next succeeding their election, except that  
21 beginning with the 1986 primary, persons so elected in the primary shall qualify for  
22 membership on the Board of Education by taking the oath of office on the first Monday  
23 in December next succeeding their election, and except that beginning with the 1994  
24 primary, persons so elected in the primary shall qualify for membership on the Board of

1 Education by taking the oath of office on the first Monday in August next succeeding  
2 their election."

3           Sec. 2. Section 3 of Chapter 235, Session Laws of 1985, reads as rewritten:

4           "Sec. 3. In the event of any vacancy on the Board of Education of Yadkin County  
5 because of death, resignation, change of residence, removal or similar cause, said  
6 vacancy shall be filled within thirty (30) days by appointment by the remaining  
7 members of the Board for the unexpired term, except that if the vacancy occurs prior to  
8 the opening of filing under G.S. 163-106(c), a person shall be appointed to serve only  
9 until the next election of members of the board, at which time the remaining unexpired  
10 term of the office in which the vacancy occurs shall be filled by election; provided that  
11 if the term would have expired on the first Monday in ~~December~~ August following that  
12 filing deadline, a person shall be appointed to serve the remainder of the unexpired  
13 term. In the event a vacancy shall be created after a member has been elected but before  
14 he has qualified, said vacancy shall be filled for the elected term by the members of the  
15 Board of Education with whom the member causing the vacancy would have served.  
16 Vacancies not filled within the required thirty (30) days shall be filled by appointment  
17 by the State Board of Education."

18           Sec. 3. This act is effective upon ratification.