

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 20
HOUSE BILL 167

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

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 406, Session Laws of 1969 as amended by Chapter 490, Session Laws of 1979, reads as rewritten:

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

Sec. 2. Section 3 of Chapter 406, Session Laws of 1969, as amended by Chapter 235, Session Laws of 1985, reads as rewritten:

"Sec. 3. In the event of any vacancy on the Board of Education of Yadkin County because of death, resignation, change of residence, removal or similar cause, said vacancy shall be filled within thirty (30) days by appointment by the remaining members of the Board for the unexpired term, except that if the vacancy occurs prior to the opening of filing under G.S. 163-106(c), a person shall be appointed to serve only until the next election of members of the board, at which time the remaining unexpired term of the office in which the vacancy occurs shall be filled by election; provided that if the term would have expired on the first Monday in ~~December~~ August following that

filing deadline, a person shall be appointed to serve the remainder of the unexpired term. In the event a vacancy shall be created after a member has been elected but before he has qualified, said vacancy shall be filled for the elected term by the members of the Board of Education with whom the member causing the vacancy would have served. Vacancies not filled within the required thirty (30) days shall be filled by appointment by the State Board of Education."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 13th day of April, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives