NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 502
HOUSE BILL 1106

AN ACT TO REPEAL CHAPTER 476 OF THE 1969 SESSION LAWS AND TO SUBSTITUTE IN LIEU THEREOF A NEW ACT PROVIDING FOR THE ELECTION OF THE CHEROKEE COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 476 of the 1969 Session Laws is hereby repealed in its entirety.

Sec. 2. The Board of Education of Cherokee County shall consist of seven members, all of whom shall be elected by the voters of the entire county. There shall be no primary election.

Sec. 3. For the purpose of electing members of the Cherokee County Board of Education, the county is hereby divided into three resident districts, to be numbered and designated as follows:

District No. 1 shall be the Andrews High School District
District No. 2 shall be the Murphy High School District
District No. 3 shall be the Hiwassee Dam High School District.

Sec. 4. In the year of 1976, there shall be elected, as hereinafter provided, two members of the county board of education from District No. 1 and one member from District No. 2, all of whom shall be residents of the district which they are elected to represent.

Sec. 5. In the year of 1978, there shall be elected, as hereinafter provided, one member of the county board of education from District No. 2, and one member from the county at large. The member from District No. 2 shall be a resident of the district which he is elected to represent. The member at large shall not be required to reside in or represent any one particular district.

Sec. 6. In the year of 1980, there shall be elected, as hereinafter provided, two members of the county board of education from District No. 3, which members shall be residents of the district which they are elected to represent.

Sec. 7. All members of the Cherokee County Board of Education elected under the provisions of this act shall serve for terms of six years each and until their successors are elected and qualified. As the term of each member expires, his successor shall be elected for a term of six years.

Sec. 8. Each candidate shall file his notice of candidacy, without reference to any political party affiliation, with the chairman of the Cherokee County Board of Elections on or before the Friday preceding the sixth Saturday before the date of the primary for the nomination of county officers, and the filing of said notice shall be

accompanied by a filing fee of five dollars ($5.00) to be paid to the county board of elections. There shall be provided a separate ballot by the Cherokee County Board of Election with the names of the candidates printed thereon with instructions for use in the general election in which the members of said board of education shall be elected, and no political party affiliation shall be shown on the ballot. The number of candidates, equal to the number of offices to be filled in each district, receiving the highest number of votes shall be declared elected. The members so elected shall be inducted into office on the first Monday in December following their election.

Sec. 9. At the first meeting of the county board of education after the general election of 1976, the said board shall elect a chairman from its members. The chairman shall have a right to vote on any matter before the board of education for action and consideration, but the said chairman shall not have the right to vote twice in case of a tie vote. The said board shall have a right to elect all other proper officers and to determine its own methods of internal procedure.

Sec. 10. All vacancies occurring in the membership of the Board of Education of Cherokee County by death, resignation, removal from office, or change of residence, otherwise, shall be filled within 20 days of such vacancy by the remaining members of said board of education and for the unexpired term.

Sec. 11. All elections for the members of the Board of Education of Cherokee County shall be held under the laws and regulations governing elections for county offices as provided by Chapter 163 of the General Statues as amended.

Sec. 12. All laws and clauses of laws, in addition to Chapter 476 of the Session Laws of 1969, in conflict with the provisions of this act are hereby repealed.

Sec. 13. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 9th day of June, 1975.