

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1039
HOUSE BILL 1976

AN ACT TO PROVIDE FOR AN ELECTION IN TRYON TOWNSHIP, POLK
COUNTY, TO ASCERTAIN THE WILL OF THE VOTERS AS TO WHETHER
THE TRYON CITY BOARD OF EDUCATION SHALL BE ELECTED.

The General Assembly of North Carolina enacts:

Section 1. At the May 7, 1974 primary election held in Polk County, there shall be submitted to the qualified voters residing within Tryon Township the question of whether the Tryon City Board of Education shall be elected by popular vote. There shall be printed on a separate ballot, to be submitted to the qualified voters residing within Tryon Township, Polk County, which shall contain substantially the following:

"For an elective Tryon City Board of Education to be elected by the qualified voters residing within Tryon Township."

"Against an elective Tryon City Board of Education to be elected by the qualified voters residing within Tryon Township."

Sec. 2. If the majority of the votes cast favor the popular election of the Tryon City Board of Education, the Tryon City Board of Education shall consist of five members to be elected on a nonpartisan basis by the qualified voters residing within Tryon Township at the November election of State and county officers to be held in November, 1974. Each candidate for nomination for membership on the Tryon City Board of Education shall file a notice of candidacy with the Board of Elections of Polk County on or before June 10, 1974. All candidates must be residents of Tryon Township. All candidates for nomination from Tryon Township shall file such notice of candidacy by noon on or before June 10, 1974 and shall pay a filing fee of ten dollars (\$10.00). The nomination and election of said members of the Tryon City Board of Education shall be held, conducted and supervised by the Board of Elections, and except as herein provided the General Election laws and regulations for the nomination and election of county officers, as set forth in Chapter 163 of the General Statutes, as amended, shall apply and govern as to the election. The three candidates receiving the highest number of votes in the election on November 5, 1974, shall be elected for a term of four years. The next two candidates receiving the highest number of votes shall be elected for a term of two years. Thereafter, biennially, at the time of the General Election, there shall be elected members to the Board to succeed those members whose terms expire, and who shall serve for a term of four years.

In the event that the membership to the Tryon City Board of Education is filled by popular election of the people residing within the Tryon Township, those candidates elected at the November, 1974 General Election shall take office on the first

Monday in December following the election. The term of office of the present members of the Tryon City Board of Education shall terminate upon the election and qualification of their successors.

All vacancies in the membership of the Tryon City Board of Education shall be filled as provided for in G.S. 115-24. At the first meeting of the new Tryon City Board of Education, or as soon thereafter as possible, the members of the Board shall elect one of their members as Chairman for a period of one year, or until his successor is elected and qualified. The Chairman of the Board of Education shall preside at the meetings of the Board, and in the event of his absence or sickness, the Board may appoint one of their members temporary Chairman. The newly elected Tryon City Board of Education shall have all of the powers and duties provided for county and city boards of education in Chapter 115 of the General Statutes.

Sec. 3. All laws and clauses of laws in conflict with this act are repealed.

Sec. 4. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 25th day of March, 1974.