

NORTH CAROLINA GENERAL ASSEMBLY
1963 SESSION

CHAPTER 852
HOUSE BILL 4

AN ACT TO PROVIDE FOR THE NOMINATION AND ELECTION OF THE
COUNTY BOARD OF EDUCATION IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Board of Education of Wake County shall consist of five members, to be chosen and to serve as hereinafter provided in this Act.

Sec. 2. The incumbent members of the Board of Education of Wake County shall continue to hold office until the first day of January of the year in which their present terms would expire, and until their successors are elected and qualified. Thereafter, one member shall be elected from each of the five districts of the County, which districts are hereby created:

District No. 1 shall be composed of Raleigh Township.

District No. 2 shall be composed of Barton's Creek, Wake Forest, Neuse, Leesville, House Creek and New Light Township.

District No. 3 shall be composed of St. Mary's, Swift Creek, Panther Branch and Middle Creek Townships.

District No. 4 shall be composed of Meredith, Cary, Buckhorn, Cedar Fork, Holly Springs and White Oak Townships.

District No. 5 shall be composed of Little River, Marks Creek and St. Matthews Townships.

Sec. 3. In the primary election to be held in Wake County in 1964, there shall be nominated by each political party in the party primaries at the same time and in the same general manner as that in which other county officers are nominated, one candidate for member of the Board of Education from each of Districts No. 1 and No. 2, as above set forth. In the primary election to be held in Wake County in 1966, there shall be nominated by each political party one candidate from District No. 3; and in the primary to be held in 1968, there shall be nominated by each political party one candidate from each of Districts No. 4 and No. 5.

Sec. 4. The names of the persons so nominated for the Board of Education by each political party from the respective districts shall be placed on the official county ballot of Wake County, with the district from which each candidate is nominated appearing opposite his name, and the candidates so nominated from the respective districts shall be voted upon by the qualified voters of the county at large in the general election to be held in Wake County in the year of such nomination. The candidate from each district for which the member is to be elected who receives the highest number of

votes in the general election, shall be declared elected to represent his district as a member of the County Board of Education of Wake County. There shall be no second primary. The members of the Board of Education elected at the general election in the year 1964 shall qualify by taking the oath of office on or before the first day of January, 1965. A failure to qualify within that time shall constitute a vacancy. Those persons elected or appointed to fill a vacancy must qualify within thirty (30) days after their appointment or election, and a failure to qualify within that time shall constitute a vacancy.

Sec. 5. Those members of the Wake County Board of Education elected in the general election in 1964 shall take office on the first day of January, 1965, and thereafter, candidates elected to the said Board of Education, in accordance with the provisions of this Act, shall take office on the first day of January of the year following their election, and shall hold office for a term of six (6) years, and until their successors are elected and qualified.

Sec. 6. Any vacancy occurring on the Wake County Board of Education by a death, resignation, or otherwise, shall be filled as is now provided by State law for filling vacancies on county boards of education, but such persons appointed to fill the vacancy shall be from the same district as the person whose death, resignation or removal created the vacancy on the Board. If a person who has been nominated as a candidate from any district dies or removes himself, or for any other reason cannot be a candidate in the general election, a candidate shall be appointed from the district which such person represented by the executive committee of the political party of which the dead or disqualified candidate was a member. Such appointee shall have his name placed upon the ballot to be voted upon in the general election the same as any candidate who has been nominated in a primary.

Sec. 7. If there is no candidate from any district, this shall constitute a vacancy which shall be filled as hereinabove provided.

Sec. 8. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 9. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 12th day of June, 1963.