

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE JOINT RESOLUTION 1180

Sponsors: Senator Rand.

Referred to: Rules Suspended; Passed 2nd & 3rd Readings.

August 10, 2005

1 A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL
2 ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR
3 CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW
4 MEMBERS TO THE STATE BOARD OF EDUCATION, AND PROVIDING FOR
5 A JOINT SESSION OF THE GENERAL ASSEMBLY TO DETERMINE BY
6 JOINT BALLOT THE CONTESTED ELECTION FOR SUPERINTENDENT OF
7 PUBLIC INSTRUCTION.

8 Whereas, under the provisions of the Constitution of North Carolina and
9 G.S. 115C-10, appointments by the Governor to membership on the State Board of
10 Education are subject to confirmation by the General Assembly in joint session; and

11 Whereas, vacancies have occurred on the State Board of Education; and

12 Whereas, the Governor will transmit to the presiding officers of the Senate
13 and the House of Representatives the names of his appointees to fill the terms of
14 membership on the State Board of Education which expire March 31, 2013; and

15 Whereas, Article VI, Section 2 of the Constitution of North Carolina provides
16 that a contested election for any office established by Article III of this Constitution
17 shall be determined by joint ballot of both houses of the General Assembly in the
18 manner prescribed by law; and

19 Whereas, G.S. 163-182.13A(d) provides for the appointment of a joint select
20 committee to initially hear the contest, and that the committee shall report its findings as
21 to the law and the facts and make recommendations to the General Assembly for its
22 action; and

23 Whereas, that committee has been appointed, met, and made findings and
24 recommendations; and

25 Whereas, G.S. 163-182.13A(e) provides that the final determination on the
26 recommendations of the committee shall be made by the General Assembly, both
27 houses sitting in joint session in the Hall of the House of Representatives, with the
28 Speaker of the House of Representatives presiding; Now, therefore,

29 Be it resolved by the Senate, the House of Representatives concurring:

1 **SECTION 1.** Upon the call of the President Pro Tempore of the Senate and
2 the Speaker of the House of Representatives, the General Assembly shall meet in joint
3 session to act on a joint resolution providing for confirmation of the appointments by
4 the Governor of new members to the State Board of Education.

5 **SECTION 2.** Upon the call of the President Pro Tempore of the Senate and
6 the Speaker of the House of Representatives, the General Assembly shall meet in joint
7 session to determine the contested election for Superintendent of Public Instruction by
8 joint ballot.

9 **SECTION 3.** This resolution is effective upon ratification.