

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE JOINT RESOLUTION 1180  
House Committee Substitute Favorable 8/22/05**

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Sponsors:

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Referred to:

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August 10, 2005

1 A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL  
2 ASSEMBLY TO DETERMINE BY JOINT BALLOT THE CONTESTED  
3 ELECTION FOR SUPERINTENDENT OF PUBLIC INSTRUCTION.

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

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

12 Whereas, that committee has been appointed, met, and made findings and  
13 recommendations; and

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

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

19 **SECTION 1.** On Tuesday, August 23, 2005, immediately upon the  
20 adjournment of the joint session of the General Assembly confirming the Governor's  
21 appointments to the State Board of Education, the Senate and the House of  
22 Representatives shall meet in joint session in the Hall of the House of Representatives,  
23 with the Speaker of the House of Representatives presiding, to determine by joint ballot  
24 the contested election for the Council of State office of Superintendent of Public  
25 Instruction.

26 **SECTION 2.** This resolution is effective upon ratification.