

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005
RATIFIED BILL

RESOLUTION 2005-51
SENATE JOINT RESOLUTION 1180

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

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

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

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

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

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

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

SECTION 2. This resolution is effective upon ratification.

In the General Assembly read three times and ratified this the 23rd day of August, 2005.

Beverly E. Perdue
President of the Senate

James B. Black
Speaker of the House of Representatives