

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**HOUSE BILL 1130**

Short Title: Superintendent Renamed Secretary of Education. (Public)

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Sponsors: Representatives Wood; and Gorman.

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Referred to: Education.

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April 10, 2003

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO RENAME  
2 THE SUPERINTENDENT OF PUBLIC INSTRUCTION AS THE SECRETARY  
3 OF EDUCATION.  
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 7(1) of Article III of the North Carolina Constitution  
7 reads as rewritten:

8 "(1) Officers. A Secretary of State, an Auditor, a Treasurer, a ~~Superintendent of~~  
9 ~~Public Instruction, Secretary of Education,~~ an Attorney General, a Commissioner of  
10 Agriculture, a Commissioner of Labor, and a Commissioner of Insurance shall be  
11 elected by the qualified voters of the State in 1972 and every four years thereafter, at the  
12 same time and places as members of the General Assembly are elected. Their term of  
13 office shall be four years and shall commence on the first day of January next after their  
14 election and continue until their successors are elected and qualified."

15 **SECTION 2.** Section 4(2) of Article IX of the North Carolina Constitution  
16 reads as rewritten:

17 "(2) ~~Superintendent of Public Instruction. The Superintendent of Public~~  
18 ~~Instruction~~ Secretary of Education. The Secretary of Education shall be the secretary  
19 and chief administrative officer of the State Board of Education."

20 **SECTION 3.** The amendments set out in Sections 1 and 2 of this act shall be  
21 submitted to the qualified voters of the State at the statewide general election in  
22 November of 2004, which election shall be conducted under the laws then governing  
23 elections in the State. Ballots, voting systems, or both may be used in accordance with  
24 Chapter 163 of the General Statutes. The question to be used in the voting systems and  
25 ballots shall be:

" [ ] FOR [ ] AGAINST

26  
27 Constitutional amendments changing the name of the office of  
28 Superintendent of Public Instruction to be the Secretary of Education."

1           **SECTION 4.** If a majority of votes cast on the question are in favor of the  
2 amendments set out in Sections 1 and 2 of this act, the State Board of Elections shall  
3 certify the amendments to the Secretary of State whereupon the amendments shall  
4 become effective. The Secretary of State shall enroll the amendments so certified  
5 among the permanent records of that office.

6           **SECTION 5.** The following statutes are amended by deleting  
7 "Superintendent of Public Instruction" and inserting "Secretary of Education":

- 8           (1) G.S. 7A-343.1
- 9           (2) G.S. 7B-1402
- 10          (3) G.S. 7B-1404
- 11          (4) G.S. 20-7
- 12          (5) G.S. 20-11
- 13          (6) G.S. 20-79.5
- 14          (7) G.S. 20-88.1
- 15          (8) G.S. 20-129
- 16          (9) G.S. 20-321
- 17          (10) G.S. 58-79-35
- 18          (11) G.S. 90-9
- 19          (12) G.S. 104-12
- 20          (13) G.S. 104-19
- 21          (14) G.S. 115C-11
- 22          (15) G.S. 115C-13
- 23          (16) G.S. 115C-18
- 24          (17) G.S. 115C-19
- 25          (18) G.S. 115C-20
- 26          (19) G.S. 115C-21
- 27          (20) G.S. 115C-47
- 28          (21) G.S. 115C-81
- 29          (22) G.S. 115C-85
- 30          (23) G.S. 115C-90
- 31          (24) G.S. 115C-94
- 32          (25) G.S. 115C-102.5
- 33          (26) G.S. 115C-102.15
- 34          (27) G.S. 115C-105-31
- 35          (28) G.S. 115C-113.1
- 36          (29) G.S. 115C-115
- 37          (30) G.S. 115C-116
- 38          (31) G.S. 115C-121
- 39          (32) G.S. 115C-174.12
- 40          (33) G.S. 115C-205
- 41          (34) G.S. 115C-206
- 42          (35) G.S. 115C-215
- 43          (36) G.S. 115C-231
- 44          (37) G.S. 115C-263

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| 1  | (38) | G.S. 115C-275    |
| 2  | (39) | G.S. 115C-276    |
| 3  | (40) | G.S. 115C-278    |
| 4  | (41) | G.S. 115C-288    |
| 5  | (42) | G.S. 115C-307    |
| 6  | (43) | G.S. 115C-317    |
| 7  | (44) | G.S. 115C-323    |
| 8  | (45) | G.S. 115C-325    |
| 9  | (46) | G.S. 115C-338    |
| 10 | (47) | G.S. 115C-358    |
| 11 | (48) | G.S. 115C-381    |
| 12 | (49) | G.S. 115C-458    |
| 13 | (50) | G.S. 115C-468    |
| 14 | (51) | G.S. 115C-469    |
| 15 | (52) | G.S. 115C-471    |
| 16 | (53) | G.S. 115C-525    |
| 17 | (54) | G.S. 116-30.01   |
| 18 | (55) | G.S. 116-37.1    |
| 19 | (56) | G.S. 116-74.7    |
| 20 | (57) | G.S. 116-74.41   |
| 21 | (58) | G.S. 116C-1      |
| 22 | (59) | G.S. 120-217     |
| 23 | (60) | G.S. 135-1       |
| 24 | (61) | G.S. 135-6       |
| 25 | (62) | G.S. 143-138     |
| 26 | (63) | G.S. 143-200     |
| 27 | (64) | G.S. 143-726     |
| 28 | (65) | G.S. 143A-44.3   |
| 29 | (66) | G.S. 143A-45     |
| 30 | (67) | G.S. 143A-47     |
| 31 | (68) | G.S. 143A-48.1   |
| 32 | (69) | G.S. 143B-89     |
| 33 | (70) | G.S. 143B-94     |
| 34 | (71) | G.S. 143B-115    |
| 35 | (72) | G.S. 143B-152.5  |
| 36 | (73) | G.S. 143B-152.6  |
| 37 | (74) | G.S. 143B-152.13 |
| 38 | (75) | G.S. 143B-152.14 |
| 39 | (76) | G.S. 143B-168.12 |
| 40 | (77) | G.S. 143B-179.5  |
| 41 | (78) | G.S. 143B-216.31 |
| 42 | (79) | G.S. 143B-216.32 |
| 43 | (80) | G.S. 143B-344.18 |
| 44 | (81) | G.S. 143B-394.15 |

- 1 (82) G.S. 143B-411.1  
2 (83) G.S. 143B-426.9  
3 (84) G.S. 143B-438.10  
4 (85) G.S. 143B-478  
5 (86) G.S. 143B-556  
6 (87) G.S. 147-3  
7 (88) G.S. 147-4  
8 (89) G.S. 147-11.1  
9 (90) G.S. 163-8  
10 (91) G.S. 163-278.27.

11 **SECTION 6.** Any local act or session law referring to the "Superintendent of  
12 Public Instruction" is amended by deleting "Superintendent of Public Instruction" and  
13 inserting "Secretary of Education".

14 **SECTION 7.** This act does not require changing of any signage, letterheads,  
15 or documents. Existing signage or letterheads may be used until replacement would  
16 have otherwise been required. Any contracts or other documents referring to the  
17 Superintendent of Public Instruction are deemed to refer to the Secretary of Education.

18 **SECTION 8.** Sections 5 through 7 of this act become effective only if the  
19 constitutional amendment proposed by Sections 1 and 2 of this act is approved as  
20 provided by Section 3 of this act, and if so approved are effective at the same time as  
21 the constitutional amendments as provided by Section 4 of this act.

22 **SECTION 9.** This act is effective when it becomes law.