

March 7, 2005

**S 382. GUBERNATORIAL TEAM TICKET. TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR RUN AS A JOINT TICKET IN THE GENERAL ELECTION, TO CLARIFY THE STATUS OF ACTING GOVERNOR, TO ALLOW FOR THE APPOINTMENT OF THE LIEUTENANT GOVERNOR WHEN A VACANCY OCCURS, AND TO PROVIDE THAT THE CANDIDATE FOR LIEUTENANT GOVERNOR IS CHOSEN BY THE GUBERNATORIAL NOMINEE.** As title indicates, requires a referendum during the November 2006 statewide general election on proposed amendments to Sections 2 and 3 of Article III of the NC Constitution to provide that (1) the Governor's absence from State does not affect Governor's powers; (2) the Governor may designate in writing those powers of Governor that Lt. Governor or next person in order of succession may exercise during Governor's absence; (3) physical and mental incapacity of Lt. Governor and will be determined as for the Governor; (4) Lt. Governor may be removed by impeachment; and (5) if Lt. Governor's office is vacated it is the Governor's duty to appoint a person to serve the remainder of the unexpired term. Provides that upon voter approval, amendments are effective on January 1, 2009, and apply to the 2008 election cycle.

Enacts new GS 163-115.1 to require that party nominate candidate for Lt. Governor when nominating candidate for Governor and new GS 163-108.2 to make law on primary elections inapplicable to Lt. Governor nominations. Amends GS 163-98 to provide that Governor nominee may nominate candidate for Lt. Governor if not selected at party's nominating convention and to otherwise void nomination of Governor candidate made without nomination of candidate for Lt. Governor and vice versa. Requires that petition nominating unaffiliated candidates under GS 163-122 contain name of candidates for Governor and Lt. Governor. New GS 163-165.6(h) and 163-182.1(c) require that Governor and Lt. Governor be combined on ballot and that a write-in vote for only one of those offices will not be counted. Adopts new Article 11B of GS Ch. 163 requiring that gubernatorial candidate nominate Lt. Governor no later than first Monday in August, and name a replacement in case of a vacancy in the party nominee for Lt. Governor. Makes conforming changes to GS 163-106(c), 163-107(a), 163-107.1(b), 163-111(c)(1), and 163-1(b) regarding primary elections. Statutory amendments effective upon voter approval of constitutional amendments and beginning with the 2008 General Election, except amendments to GS 147-11.1(a)(2), 147-11.1(c)(1), and new 147-11.1(g), which are effective January 1, 2009.

**Intro. by Rand.**

Ref. to Ways & Means

GS 147, 163, CONST